

Reports to Council
Calgary, AB
12-14 August 2007

Reports to Council August 2007

Report of the President.....	6
Branch Presidents' Reports	11
ALBERTA BRANCH REPORT	12
BRITISH COLUMBIA BRANCH REPORT.....	14
MANITOBA BRANCH REPORT	16
NEW BRUNSWICK BRANCH REPORT	18
NEWFOUNDLAND & LABRADOR BRANCH REPORT	19
NORTHWEST TERRITORIES BRANCH REPORT	21
NOVA SCOTIA BRANCH REPORT.....	23
NUNAVUT BRANCH REPORT.....	25
ONTARIO BRANCH REPORT.....	26
PRINCE EDWARD ISLAND BRANCH REPORT	29
QUÉBEC BRANCH REPORT.....	30
SASKATCHEWAN BRANCH REPORT	31
YUKON BRANCH REPORT	32
CCCA REPORT	33
Standing Committee Reports.....	37
AWARDS COMMITTEE	38
CANADIAN LEGAL CONFERENCE COMMITTEE (CLC).....	39
COMMUNICATIONS COMMITTEE.....	42
CONTINUING LEGAL EDUCATION COMMITTEE	44
STANDING COMMITTEE ON EQUITY.....	46
STANDING COMMITTEE ON ETHICS AND PROFESSIONAL ISSUES	49
INTERNATIONAL DEVELOPMENT COMMITTEE.....	50
JUDICIAL COMPENSATION AND BENEFITS COMMITTEE	51
LAW DAY COMMITTEE.....	53
LEGAL AID LIAISON COMMITTEE.....	55
LEGISLATION AND LAW REFORM COMMITTEE	56
MEMBERSHIP COMMITTEE.....	59
PRO BONO STANDING COMMITTEE	61
RESOLUTIONS, CONSTITUTIONS & BY-LAWS	63
SUPREME COURT OF CANADA BENCH AND BAR LIAISON COMMITTEE ..	64
Special Committees & Task Forces.....	65
FEDERAL COURT BENCH AND BAR LIAISON COMMITTEE.....	66
FUTURES COMMITTEE	67
TAX COURT BENCH AND BAR COMMITTEE.....	68
WORKING GROUP ON NO-FAULT COMPENSATION.....	69

Editorial Boards.....	71
CANADIAN BAR REVIEW	72
National Sections.....	74
NATIONAL SECTIONS COUNCIL	75
ABORIGINAL LAW SECTION.....	77
ADMINISTRATIVE LAW	79
AIR & SPACE LAW SECTION	80
ALTERNATIVE DISPUTE RESOLUTION SECTION (ADR)	82
BANKRUPTCY & INSOLVENCY SECTION.....	83
BUSINESS LAW SECTION.....	85
CHARITIES AND NOT-FOR-PROFIT LAW SECTION.....	87
CITIZENSHIP & IMMIGRATION LAW SECTION	89
CIVIL LITIGATION SECTION	91
COMPETITION LAW SECTION	92
CONSTITUTIONAL AND HUMAN RIGHTS LAW SECTION.....	94
CONSTRUCTION LAW SECTION.....	95
CRIMINAL JUSTICE SECTION	97
ELDER LAW SECTION.....	99
ENVIRONMENTAL, ENERGY & RESOURCES LAW SECTION (NEERLS).....	100
FAMILY LAW SECTION	102
HEALTH LAW SECTION.....	105
INSURANCE LAW SECTION.....	106
INTELLECTUAL PROPERTY LAW SECTION	107
INTERNATIONAL LAW SECTION	110
LABOUR AND EMPLOYMENT LAW SECTION.....	114
LAW PRACTICE MANAGEMENT & TECHNOLOGY SECTION.....	116
MARTIME LAW SECTION.....	117
MEDIA & COMMUNICATIONS SECTION	119
MILITARY LAW SECTION.....	120
MUNICIPAL LAW SECTION	122
PENSIONS AND BENEFITS SECTION	123
PRIVACY LAW SECTION.....	124
REAL PROPERTY SECTION.....	126
SALES & COMMODITY TAX SECTION	128
TAXATION LAW SECTION.....	129
WILLS, ESTATES & TRUSTS SECTION	131
Conferences	133
CANADIAN JUDGES' FORUM.....	134
CONFERENCE OF FRENCH SPEAKING COMMON LAW MEMBERS.....	135
GENERAL PRACTICE, SOLO AND SMALL FIRM CONFERENCE.....	136
LEGAL PROFESSION ASSISTANCE CONFERENCE	137
PUBLIC SECTOR LAWYERS' FORUM	138
SEXUAL ORIENTATION AND GENDER IDENTITY CONFERENCE.....	139
WOMEN LAWYERS FORUM	141

YOUNG LAWYERS..... 142

Report of the President

Branch Presidents' Reports

ALBERTA BRANCH REPORT

SCOTT WATSON, PRESIDENT

I am pleased to report as follows:

- Edmonton operations were moved this past year to new leased premises. We had been subletting space for the past twenty years from the Legal Education Society of Alberta. The change became necessary due to our growing membership and increased demand (and booking conflicts) put on existing meeting space. CBA-Alberta has 68 Sections administered through two offices (Calgary and Edmonton).
- Our delivery of CLE via internet live webcasting has continued to yield very positive feedback. Rural members have been especially pleased with the ability to receive real-time CLE on their desk-top computer.
- The Law Society and the Court of Queen's Bench are celebrating their 100th anniversary, and CBA-Alberta is recognizing this milestone by taking out congratulatory advertisements in Alberta newspapers and by promoting their celebratory dinners.
- CBA-Alberta is holding a Managing Partners Reception in Calgary to recognize universal firms and to promote the merits of membership in the CBA to non-universal firms.
- We remain involved with Alberta's Justice Policy Advisory Committee. A major focus of the Committee is on improving the public's confidence in the justice system. The Committee presents a unique opportunity for the CBA to have input into the Provincial Justice Department's policy development.
- We held a successful Alberta Law Conference this past March in Edmonton. The Conference is an annual event alternating between Edmonton and Calgary at which we invite the Law Society to hold a plenary session on a topic of interest. At the Conference we also join with the Law Society to give out Distinguished Service Awards to members of the Bar.
- The Executive met with Chief Justice Wachowich and members of the Court of Queen's Bench and with Chief Judge Vickery and members of the Provincial Court. We met over dinner to discuss challenges each Court was facing as well as their membership in the CBA. Members of both courts underscored the importance to them of our continued diligence in defending them from unfair criticism in the media.
- Our Past-Presidents Dinner was a wonderful success as twenty past-presidents attended with the most senior having held office in 1965-66. Each regaled the group with stories of their time as branch president.
- We recently hosted a Bench/Bar meeting at the Ft. McMurray Courthouse. Members of Alberta's three Courts, Law Society president, and Executive Director

of the Lawyer Assist Program attended. Fort McMurray is located in Alberta's northeast corner and is home to a booming economy arising from its oil sands development. Although local mega-projects are expected to yield revenues in the billions of dollars over the next few years, the area is currently overwhelmed by the challenges related to its quick growth, including pressure on a relatively small local bar struggling to keep up.

- The Calgary Courts Centre is due to be completed this summer. The \$300 million project will be the largest consolidated judicial complex in North America. The opening will coincide with Calgary's hosting of the 2007 CBA National Conference, being chaired by past-president Jim Lebo, Q.C. CBA-Alberta has been working hard to make this a memorable event for members. We look forward to you joining us.

BRITISH COLUMBIA BRANCH REPORT

FRITS E. VERHOEVEN, PRESIDENT

Membership

Membership in CBA has been voluntary for British Columbia lawyers since January 1, 2005, and so we have just completed our second full year of voluntary membership. As of the end of May of 2007, the B.C. Branch had 5,818 paid members, which is slightly higher than the two preceding years. Approximately 52% of the practicing lawyers in the province are members of CBABC.

Planning Retreat

At its annual planning retreat held April 21, 2007, the Executive Committee identified the following major themes for the forthcoming year:

1. Strengthening of program development and delivery, to tie in with the Law Society's Mandatory Continuing Professional Development ("MCPD") initiative. This will include such things as strengthening Section product delivery (a 4 pillars approach: notices, meetings, content, minutes) and other programs such as our San Francisco conference, a conference relating to financial planning for lawyers, and other possible programs.
2. We will also be speaking with British Columbia Continuing Legal Education Society about obtaining discounts for CBA members.
3. We will institute a recognition program for members.
4. We will institute a program for encouraging law firms to become and remain universal membership law firms.
5. We will also be seeking to have the provincial government's limitation removed with respect to the amount of Professional Development Allowance that their lawyers can apply to CBA membership (currently \$200)

Government Relations and Advocacy

British Columbia is the only province in Canada that targets legal services for a special tax, not applicable to any other professional services, through a 7% provincial sales tax. Our government relations and advocacy work continues to focus on a campaign to eliminate this unjust and unfair tax.

We are also lobbying the government to exempt RRSPs from seizure by creditors.

The Executive Committee decided to focus our branch public interest advocacy efforts under the heading "Access to Justice" as a unifying principle which covers many things, including the tax on legal services, legal aid, and so on.

New Executive Director

I am very pleased to report that after a comprehensive process of advertising and interviewing, the B.C. Branch has hired Ms. Caroline Nevin as our new Executive Director, replacing Frank Kraemer, Q.C., effective April 1, 2007.

Caroline Nevin has served in senior management positions with the Branch since 1997, including five years as Associate Executive Director. She has earned a Canadian Society of Association Executives (CSAE) designation, and is currently completing her Masters of Business Administration.

MANITOBA BRANCH REPORT

JOHN D. STEFANIUK, PAST-PRESIDENT

Membership - Manitoba has approximately 1,200 members, an increase over 2006 of 1.4% and about a 2/3 penetration rate. We have set a more aggressive target for 2007-2008 in keeping with the CBA strategic plan. Our mentorship program, matching law students with practicing lawyers, continues to be a successful recruitment campaign. Both the student and the lawyer must be CBA members to participate. Manitoba Crown Attorneys have negotiated employer financial support for CBA membership in their collective agreement and we see this sector as a growth opportunity. We have attempted to offer greater recognition of and contact with universal membership firms and this has been well-received by their managing partners.

Fundraising and Community Profile - The MBA continues to work support the Manitoba Theatre Centre in its annual joint theatre production. All cast members must be CBA members. This year's play was "A Midsummer Night's Dream". To date the event has raised over \$700,000 in support of the Manitoba Theatre Centre.

Communications, CLE and Member Services - Ten issues of the branch member newsletter *Headnotes & Footnotes*, were published. The MBA web page has undergone significant upgrading. Law Day was another great success in Winnipeg and in Brandon. The 2007 MBA Mid-Winter Meeting was held at the end of January at which time, the annual MBA Distinguished Service Award was presented to Professor Trevor Anderson, Q.C., who, in his understated way, has had a tremendously positive impact upon the profession. The annual Pro Bono Award was presented to CBA member Veronica Jackson for her work on behalf of the Elizabeth Fry Society in relation to conditions at the Portage Women's Jail. The MBA hosted its annual member curling bonspiel and a charity golf tournament. Mid-Winter and regular Section meeting CLEs continue as one of the most popular member services.

Government Affairs - The MBA continues to meet quarterly with the Minister of Justice and Attorney General for Manitoba, and has introduced regular meetings with the Leader of the Opposition and Justice Critic. The meetings are extremely effective as a regular venue for the exchange of ideas, and in keeping the lines of communication open to the Minister and his staff. Sections frequently communicate with government representatives on law reform and in relation to new legislation.

The Judiciary - Our relationship with our Chief Justices and Chief Judges and their courts is very positive. At our annual dinner with the Associate and Chief Justices and Judges and in other, less structured settings, we have an opportunity to speak candidly about issues of common interest and concern. The MBA Young Lawyers' Section organized the annual, and very popular, Young Lawyers' Judges Luncheon. There are also informal Committees in place with the Court of Queen's Bench and Provincial Courts to deal with issues that sometimes arise between the legal profession and the courts.

Closing - Thank you to Stacy Nagle, MBA Executive Director, the CBA national staff, my Branch Executive and Council, my Board of Directors colleagues and the many, many volunteers who promote the objectives of the CBA.

NEW BRUNSWICK BRANCH REPORT

RENÉ J. BASQUE, PRESIDENT

During the past year (2006–2007), the ABC-NB-CBA continued its planning strategy and implemented a plan according to the vision and objectives of the national strategic plan. The plan is now in place and we are at the stage of putting the various elements into effect. Throughout 2007–2008, our Branch will continue to work under the leadership of Deirdre Wade, Q.C.

We have continued to clearly demonstrate the benefits of CBA membership.

We have continued to ensure that the CBA is the leader in representing the interests of our members and that CBA New Brunswick is the contact for the media. To do this, we encouraged, if not challenged, the members of the Management Council and the Board of Directors to be more involved and, I dare say, we have achieved better results.

Continuing Legal Education

Continuing Legal Education has been very popular with the membership; our surveys show that it is one of the most sought-after services among our members.

Quality of service program

At our mid-winter meeting, the President of the Law Society of New Brunswick, G. Robert Basque, Q.C., informed the council that it is imperative that the Law Society of New Brunswick implement procedures to ensure the quality of service that New Brunswick lawyers provide to the public. The President also shared this information with the membership at the yearly meeting. We will join with the Law Society to determine how the CBA can better serve its members by being proactive, thereby ensuring that we will be able to inform our membership of changes. We hope to be able to take an active role in managing the quality control of the services our members offer. It is possible that this program will include a few surprise audits, files audits, and as soon as possible, audits of our peers and our mandatory Continuing Legal Education courses.

First Canadian Title

At the time of this letter, we were, unfortunately, still awaiting the decision of Judge Riordon in the action against First Canadian Title. We will advise the National Council as soon as we have news.

Management Committee 2007–2008

The new Management Committee for 2007–2008:

- President - Jade Spalding
- Vice-President - Edward Keyes
- Treasurer - Léonard Larocque
- Outgoing president - René Basque

The new committee members will assume their roles as of September 1, 2007.

NEWFOUNDLAND & LABRADOR BRANCH REPORT

SHEILAGH M. MURPHY, PRESIDENT

Meetings of Council and Annual Meetings

February 2-3, 2007 - The Branch Mid-Winter Meeting was held at the Marble Mountain Ski Resort in Steady Brook, NL. The meeting featured a CLE, followed by a luncheon with guest speaker the Honourable Thomas Marshall, Q.C., Minister of Justice and Attorney General, a Council Meeting and an Awards Dinner, at which the Branch's *Award for Excellence in Journalism* was presented to Glenn Payette of *CBC - Here & Now* for his piece, entitled "Double Time".

July 27-28, 2007 - The Branch Annual General Meeting is scheduled to take place at The Wilds Golf Resort in Salmonier, NL. During our meeting, we will be very pleased to host Parker McCarthy, CBA National President. The first day's events will include our council meeting, followed by a luncheon, CLE, and an Awards Dinner, at which time the Branch's *Distinguished Public Service Award* will be presented to the Honourable Mr. Justice William Goodridge. On Saturday, the Branch will host a family breakfast, followed by a golf tournament and social.

Activities of the Branch Executive

As Branch President, I have brought greetings on behalf of the CBA at the Supreme Court Swearing-in ceremonies for Justices Gillian Butler, William Goodridge and Deborah Fry. Branch Vice President, Christine Healy, brought greetings on behalf of the Branch at Justice Michael Harrington's swearing-in. I will also be bringing greetings at Justice Lois Hoegg's swearing in ceremony this summer.

Recent Membership Initiatives

- CBA members outside the St. John's metro area are now able to participate in all Lunch and Learn programs via teleconference.
- On behalf of our Branch, Roxane Dean has negotiated a Branch exclusive preferred supplier program with Provincial Airlines Limited.

Lamer Inquiry Committee / Luncheon

The Branch is planning a CBA luncheon with guest speaker the Hon. Tom Osborne, Minister of Justice. Minister Osborne will update the membership on the Government of Newfoundland and Labrador's strategy to implement the recommendations of the Lamer Inquiry Report.

Special Events

November 8, 2006 - The Branch made a presentation during the Bar Admission course. Our Young Lawyers Chair, Membership Chair, CBIA representative and I added to the presentation in an effort to inform and engage the bar admission students.

November 17, 2006 - The Annual YL-CBA Wine and Cheese reception was held for the bar admission course students, their principals, and all judges.

December 7, 2006 - The President's Reception was held at the Fairmont Newfoundland.

April 1, 2007 - The Children's Easter Party was held at the Pippy Park Fluvarium. It was a tremendous success, thanks to the efforts of our ED Roxane Dean.

April 2007 - Law Day Co-Chairs, Suzanne Orsborn and Isobel O'Shea, along with the Law Day Committee organized several events to celebrate CBA National Law Day. The Law Day Committee are to be congratulated for organizing such a successful Law Day. Events this year included: Mock Trial Program, Public Legal Information Fair, Photography Contest and Photo Contest.

NORTHWEST TERRITORIES BRANCH REPORT

MICHAEL G. HIMMELMAN, PRESIDENT

I am pleased to provide the following summary of the past year's highlights for the CBA - NWT Branch:

- The Law Society of the Northwest Territories officially adopted the *CBA Code of Professional Conduct* at its Annual General Meeting in December, 2006.
- Following up on our commitment at last year's AGM to increase section activity, we have been busy promoting our CLE calendar and Alberta's recent offerings to us of section presentations via internet live webcasting (now available thanks to the "North of 60" initiative). We are pleased to report that Section activity has increased significantly over the previous year.
- We announced a new Section Activity Award, to be given at the AGM to a CBA-NWT section whose activities contribute to the promotion and enhancement of the goal of our Branch.
- In April, our Executive and Council participated in a media training session presented by Shael Gelfand on such topics as what lawyers can say to the media and media opportunities for the CBA. We are planning a friendly information session between CBA stakeholders and local journalists to promote mutual understanding and improve relations in our jurisdiction.
- Media comments by the Branch throughout the year promoting the construction of a new Northwest Territories court house and defending the independence of the judiciary were commended by the Chief Justice of the Territorial Court.
- We offered to assist in the planned review of our *Rules of Court* in a letter to Committee Chair, the Honourable Justice J.Z. Vertes (three of the nominees to the Committee are active CBA members).
- Various members of the CBA - NWT (including incoming VP Loretta Bouwmeester) feature prominently in the GNWT's new recruitment video, which is distributed nationally and is now available online in English and French.
- At the time of writing, we look forward to hosting National President Parker McCarthy and Alberta Branch President Scott Watson in late July at our Branch Annual General Meeting. On the agenda for their visit is a meeting with the judiciary on 19 July, when we will discuss the CJC Report on Alternative Models of Court Administration. Also scheduled is a meeting with the Deputy Minister of Justice on 20 July to discuss various matters of interest, including universal membership for Territorial government lawyers and the re-institution of Q.C. designations in our jurisdiction. We are planning a media interview for the National President on CBC North Radio One to discuss the North of 60 Initiative

and access to justice in rural areas.

- The work of the 2008 National Mid-Winter Meeting Planning Committee continues. We promise that if you join us in Yellowknife in 2008, you'll leave with a tale to tell.

NOVA SCOTIA BRANCH REPORT

KEVIN A. MACDONALD, PRESIDENT

I am pleased to report, as I pen this report to the Board, that the single most pressing issue for Nova Scotia is approaching resolution. Notwithstanding that the Bar Society terminated an existing Memorandum of Understanding, many meetings and positive efforts on the part of both our Executives has resulted in a statement of principles being drafted by the parties. These are proposed broad principles recognizing the importance of a strong and vital CBA and the mandate of the Law Society in terms of professional standards and monitoring competence. The nuts and bolts of how we will move forward are still being considered, following which the matter will come before our Council in October.

As a result of the Christie Resolution and the initiative from last August, we have raised with our Attorney General the desire to have a rebate program put in effect in Nova Scotia for the PST portion of the HST on legal fees. We will give several options to the Government to consider and anticipate doing that as soon as we have the results of the Calgary solution on this issue and final direction from our Council in October. We look forward to working with the Government to implement any changes that they are prepared to make to assist Nova Scotians with this important access to justice issue.

As a result of the presentation by the members of the Canadian Judicial Council at our last Board meeting, we will be writing to all the Chiefs of our various Courts seeking consultation and direction as to how they see Court administration issues being addressed with our Attorney General. As we were advised, each level of Court may have a different preference and we are determining those prior to approaching the Government on behalf of the Judiciary.

In that regard, we are also moving forward with receptions with the different levels of Courts to pass along information about the benefits of being a CBA member and to actively encourage and ask for them to join the CBA. We are confident that we will have some increased membership with a goal to have as many judicial members as possible. Although it is unlikely that we will achieve the success we have with the Provincial Court Judges of universal membership in the CBA, we are committed to growing this important sector of our membership.

Our Executive Committee will be holding a strategic planning meeting on July 15, 2007. It will provide the building blocks for an action plan that will be developed to fully integrate and implement the National Strategic Plan into our day to day operations. This continues to be an important priority for our Branch.

We continue to monitor the rural practice issue and will pass along information as it is developed. Although this issue is not as pressing in Nova Scotia presently, we anticipate that it is a trend, the significance of which will grow and will have to be addressed accordingly. As such, we look forward to the results of our collective efforts in fully identifying the nature and extent of the problem areas and brain storming solutions.

Finally, I am pleased to report that Nova Scotia will have another sound year financially. As part of our go forward plan, we will be looking at ways of using some of our reserves to assist with marketing and membership development and member services initiatives.

On behalf of the Branch, I would like to pass along our thanks to all our volunteers and staff at National and our Branch who once again made all of this possible

NUNAVUT BRANCH REPORT

SUSAN L. HARDY, VICE-PRESIDENT

The Nunavut Branch is going through a membership crisis and visioning exercise.

Since my last report to the Board in June, no further CLE activities have taken place in Nunavut.

We did, however, welcome Jack Innes who provided valuable input at our Special General meeting at the end of the month. Our Branch would like to thank him a great deal for his interest and his time. We found his presentation did a great deal to increase our profile and helped us identify our future needs.

On June 22, 2006, we held a Special General Meeting which highlighted a number of ongoing concerns for the continuation of our Branch as follows:

1. Our membership is small and we must focus primarily on providing appropriate service to those members in the coming year.
2. Our Budget is limited and therefore we need to work hard to generate other sources of revenue that will allow us to function in a way that provides value for our members residing in the Territory.
3. We need to put a proposal together for the National office to consider increasing our travel subsidy so that we can strengthen our connections with other Branches and with the National office generally. At the present time, most of our budget is being eaten up with the high cost of travel for our members who wish to attend meetings outside the Territory. We all agree that these meetings strengthen the connections that are so vital to the sense of belonging that we all hope to gain from being a member in the CBA, no matter where we reside.
4. We are unable to hold an Annual General Meeting in August due to the fact that most of our members are out of the Territory during the summer months when the clients they seek to serve are out on the land enjoying the good weather.
5. We need to change our by-laws and have them ratified by the membership in order to deal with the flexibility we need to operate in Nunavut. We have begun this work and are hoping to complete it at our Annual General Meeting which we plan to hold in September.

We are unable to confirm our 2006/07 Executive until our meeting in September. We have asked for nominations for the positions of Secretary, Treasurer and Member at Large. At the present time our Vice-President has resigned due to the fact that he is no longer residing in Nunavut. Our Secretary/Treasurer will move up to Vice President and I will remain as

ONTARIO BRANCH REPORT

JAMES C. MORTON, PRESIDENT

The Ontario Bar Association has continued on its path of renewed volunteer engagement, increased advocacy, and enhanced Sections programming and CLE throughout 2006- 2007. We have marked our Centennial year by issuing a commemorative stamp as well as featuring OBA “trailblazers” – past and present – in our communications to members.

Our Executive Director and Senior Management Team conducted a staff audit in conjunction with the work done by our Council to update the Strategic Plan. This has resulted in a re-alignment of significant responsibilities, a new Development Department, separate marketing responsibilities, and revised reporting structures for a number of committees. An outreach pilot program was initiated with five diverse legal organizations and is proceeding very well.

Shem Singh has been named Director of Development and Geraldine Hyland was promoted to Director of Sections.

Significant work was completed on the Strategic Plan and it has been updated accordingly. It sets a renewed path for our organization that is both unique and challenging and will serve our members well into the future.

J'étais occupé lors de la réunion internationale de l'Association du Barreau d'Israël à Eilat. Among others attending were Lord Hoffman of the House of Lords, President of the Brazil Bar Association, President of the Iberian Bar Association, President of the International Bar Association, Vice Chair of the ABA, President of the New York State Bar, President of the Philadelphia Bar, President of LAWASIA (of the Malaysia Bar but representing 22 Asian nations), Vice President of the All China Lawyers Association, President Union Nationale des CARPA (France), President of the Verona Advocates, Vice Chair German Federal Bar, Vice President German Bar Association, Past President Bucharest Bar Association and representatives at varying levels of the Bar Associations of Croatia, Austria, Belgium, Czech Republic, Japan, Korea, Singapore, Afghanistan, India, Nepal, Cyprus, Russia, Ukraine and Tunisia. About 1,500 participants in total, joined the program.

As a partner in the “**North of 60 project**”, the OBA provided a large quantity of CLE materials to our colleagues in Nunavut, and during my visit with CBA President Parker McCarthy, we were able to open dialogue on a number of issues of concern to the Bar in Nunavut in which OBA could assist with resources and advice based on experience.

In our **AGR** Department, our innovative Town Hall meetings (10 this year), partnering with Members of Provincial Parliament across Ontario, allowed for public discussion on justice resourcing issues. The results of this program exceeded our expectations in participation, media coverage and the bringing forward of thoughtful, practical solutions. Our Town Hall meetings will continue next year in at least five centres. The culmination of this year's series of meetings was the **Justice Stakeholder Summit - “Getting it**

Right" - held on June 24 – 26th with over 165 stakeholder representatives, participating in workshops and plenary sessions, dealing with Criminal, Civil and Family Law.

We were pleased that the Minister of Justice for Canada, the Hon. Rob Nicholson, made his second OBA appearance this year at the Summit. He was joined in the opening plenary session by Chief Justice of the Superior Court of Justice, the Hon. Heather Forster Smith (who stayed and participated in all three workshop streams) and the Ombudsman for Ontario, Andre Marin. A report from OBA to the Attorneys General for Canada and Ontario will be delivered in late summer.

Our reputation continues to be enhanced by the quality of our OBA & Sections submissions to legislative committees and government consultations and commissions. We participated in the Civil Justice Review, the Legal Aid Review, Human Rights reform, paralegal regulation and will be making submissions to the Expert Commission on Pensions as well as the Business Modernization Consultations and the Commission on Remuneration for Deputy Judges. Our Working Group on Auto Insurance (No Fault) has met with political leadership from the government and the opposition, crafted a media campaign and is focusing on building a coalition with affected stakeholder groups. Actuarial research has progressed well and we expect this issue to continue to be a significant advocacy initiative in the coming year.

Our pro-active media strategy has been extremely effective, raising the level of awareness of OBA among our own members, elected officials, public servants, and other legal organizations and justice stakeholders. Our monthly media hits now exceed what were OBA's annual targets just over a year ago.

Briefly Speaking formerly a bi-monthly newsletter, has been totally redesigned and is now a professional magazine which has been extremely well received by our members. In addition a new communications protocol to reduce email traffic to our members was implemented by developing *OBA at a Glance* – a weekly electronic corporate communications vehicle providing updates and news from all OBA departments. Our website underwent a Phase I overhaul and we are continuing to enhance the site on a section by section basis.

The Marketing, Branding and Positioning Plan continues to improve the marketing strategies within the organization. We have developed new templates for CLE and Section brochures, and created themed advertisements in a variety of media.

The **Development** department at the OBA is responsible for developing and implementing both short and long-term plans and programs designed to achieve strategic objectives in the following four areas: Sponsorship; Volunteer Development; Regional Activities and Publications.

The Sponsorship plan is currently at the stage where we have developed a series of strategies and benchmarks. We are in the process of identifying a manager who will provide the expertise needed to execute such a plan. With respect to volunteer development, the Director is working on establishing a Leadership Exchange with a leadership cycle matrix and curriculum. On the programming front Regional Services presented 14 live PD programs, 62 video replays around the province. Along with this, six Life After Law School events were very well received at the each Law School. Twenty-two Toronto based CLE programs were presented via Webcast to regional

practitioners. Our derivative products and services show an overall increase of approximately 12% from this time last year

Our **Sections** department reports that year to date, 151 Section Programs have taken place with average registration being 44 compared with 130 programs with an average of 46 registrants at the same time last year. Young Lawyers' Division has produced 33 programs year to date, compared with 19 programs at the same time last year.

To May, 2007, Section enrolments (including YLD) were tracking at 16,407, compared with 15,189 at the same point last year. In July 2007, in accordance with OBA's strategic plan, members will be offered **bundled enrolments** so that significant savings can be gained by enrolling in four or more Sections

The **Membership** Department has continued to work in harmony with the Law Schools to promote complimentary membership and all the benefits that joining brings to students; this year's growth in the student categories is reassuring. We actively encourage new Articling students to take advantage of their membership by participating in Section activities, plus the offer of a free CD or MP3 is getting their attention. Providing monthly payment options to new lawyers is also proving worthwhile in keeping members connected to CBA-OBA membership. To improve our market penetration within the sole/small firm environment, plans are underway for late Summer/early Fall visits to smaller firms in areas outside of the Toronto region. *Briefly Speaking*, the OBA's bi-monthly magazine, was recently sent to a group of non-member new lawyers, with the goal of exposing this publication's contents to a wider variety of lawyers; those who would be unfamiliar with recent OBA news. To date, the initial results appear favourable from a recent joint CBA/OBA telemarketing pilot project targeting lapsed members. We further anticipate that the OBA may continue to employ telemarketing in the Fall to help improve our overall retention rate.

Continuing Legal Education (offered 77 full and half-day CLE programs, including 64 presented solo by OBA and 13 offered in conjunction with the Law Society or the Canadian Bar Association this past year. Total registrations for live programs (YLD-CLE, Fall and Spring Seminars, Institute and joint programs) was 8,151 for this year, compared with 7,763 last year. This does not include 900 registrations for live webcasts, which are dealt with under Development/Regional Services, or an additional 133 registrations for the Interactive Learning Network (videoconferencing). As always, our current year CLE programs produced a variety of practical derivative educational products -- publications (in print and downloadable), plus multimedia (CD-ROM and videostream) -- for which there were 2,631 sales this year through our Publications Department.

Major legislative and regulatory change, plus significant practice developments, featured prominently in this year's offerings. However, we're particularly proud of a new multidisciplinary program -- The 1st Annual Privacy Law Summit -- which was jointly created by the Privacy, Public Sector, Municipal and Health Law Sections to great acclaim.

PRINCE EDWARD ISLAND BRANCH REPORT

D. SHANNON FARRELL, PRESIDENT

Branch AGM

The PEI Branch held a well attended and successful AGM on June 22, 2007. We were pleased to welcome National 2nd Vice-President Elect Kevin Carroll and National CEO/Executive Director John Hoyles who represented National CBA at the event. Our business meeting was attended by approximately sixty members and similar numbers attended the Presidents' Dinner that evening, which we co-hosted with the Law Society of Prince Edward Island.

Visit from National CBA President

We were very pleased to host our CBA National President, Parker MacCarthy for a lunch meeting on Saturday, April 28. Parker had taken time from a visit to Nova Scotia to come over to the Island. Parker shared with us a few of the more recent endeavours that he has been working on as National President and we very much enjoyed his visit. We extend our sincere thanks to Parker for making the extra trip to Prince Edward Island before facing his long flight back to Vancouver Island.

Representing the Branch Locally

The Branch has been represented at each of the Bar Admissions in the province during the past year. I or another Branch Representative has welcomed each new members of the profession on behalf of the Canadian Bar Association and presented a copy of the CBA's Code of Professional Conduct and, Where appropriate, a membership kit. On January 5, 2007, I attended on behalf of the Branch at the Honourable Mr. Justice Eugene Rossiter's formal Investiture to the Federal Tax Court of Canada. The Branch was represented by Ewan Clark, Branch Treasurer, at the appointment of Queen's Counsels, on February 15, 2007 at Government House.

Branch Social Events

On December 5, 2006 the Branch held a seasonal reception at the Fairholm Inn in Charlottetown. The event was focused on CBA members and their families. Various refreshments were served and our own Executive Director, Chris Brennan, provided a fine reading from Charles Dicken's Christmas Carol. On February 5, 2007 the Branch hosted a reception at the Fairholm Inn, in Charlottetown to provide articling students with the opportunity to meet members of the Prince Edward Island Judiciary and members of the Prince Edward Island Bar. The majority of the PEI Bench did attend as well a majority of the Articling Clerks in the province this year

QUÉBEC BRANCH REPORT

LOUIS BROUSSEAU, PRESIDENT

The big news of the 2006-2007 year was the Division's move. Since September 2007, most training activities, some board meetings and the Annual Cocktail in September have been held in the new rooms. Previously, all our activities were held in hotels. This change instilled a greater feeling of belonging in our members.

Particular effort was made over the past year to reach lawyers practising outside Montreal. Several CLE activities have been held in Quebec. Over 20 CLE activities were videotaped and are available on the Quebec Division Website. We will also assess the possibility of live videoconferences for next year.

A new legal section was created in September 2006: the Class section. This new section is highly dynamic and its training activities attract many members and non-members.

A new permanent committee was also created this year, called the "Citizenship and Charters Committee." Several volunteer lawyers and judges work with high school students to educate them about the governing principles of the Quebec and Canadian Charters, as well as inform them about working as a lawyer or judge, by preparing and staging a mock trial in which the students act as lawyers directed by a judge. The program is increasingly popular in schools and its renown has spread beyond Montreal's city limits. The lawyer/judge teams have visited schools in Quebec and elsewhere this year.

Special effort continues to be made in Quebec to thank all the legal offices for their involvement in the CBA. An article on each office has been published in *Point de mire*. In January, the two centre pages were reserved for trainee recruitment. A new corporate concierge service (show tickets, sporting events, restaurant suggestions and reservations, gifts, event organization, etc.) has been offered to them since February 1, 2007.

The Division has also maintained traditional ties with other legal organizations (Board of Notaries, Barreau du Québec, Conférence des juges). Special ties were created with the Association des avocates et avocats de province. The AAP president currently holds a position on the CBA-Quebec's Executive Committee.

In conclusion, I would like to thank the members of the CBA-Quebec Executive Committee, the Board, permanent staff and volunteers on various legal committees and sections for this involvement in the Division.

SASKATCHEWAN BRANCH REPORT

INEZ J. CARDINAL, Q.C., PRESIDENT

Our Branch has had a successful year thanks to the hard work of our Council, Section and Committee members, staff and many volunteers. A few of the highlights include:

College of Law - Our Mentorship program continues with approximately 90 students matched to lawyers. Job shadowing was an added incentive and many students seized the opportunity to learn more about the role and duties of lawyers. The How to Get a Job Workshop, Saskatchewan Law Firm Showcase, as well as the Career Forum continue to attract large numbers of participants. Our Branch has established a scholarship fund (\$25,000) and contributed \$50,000 to the building of the addition at the College which is scheduled to open this fall.

Mid-Winter Meeting - Our annual conference was held February 1 & 2, 2007 in Saskatoon with Terry Kimpinski as Chair. The Committee engaged excellent speakers across a number of areas of practice. The event kicked off with the President's Forum, which featured a panel of judges and practitioners discussing Access to Justice, which was also the theme of the conference. Our Distinguished Service Award was presented to Chief Judge Seniuk and Judge Arnot of the Provincial Court for their work on a video explaining the role of judges and the justice system.

Law Day Activities - There is still a buzz in the air about our Law Day Luncheon which was held April 16 & 17 with our guest speaker, Maher Arar. We had our largest crowds ever-nearly 300 people in each of Saskatoon and Regina. This success is attributed to the Professional Image Chair, Doug Moen, Q.C. and his committee who ensured everything ran smoothly. Mr. Arar was a gracious and compelling speaker and left us with much food for thought. The McKercher Cup saw 9 high school teams competing in the mock trials with Holy Cross Green Team taking honors. We also held our first poster contest for Grade 5 students, with Jamie Hovde taking the prize for her "Justice is Freedom" poster. Thank you to all the volunteers and students for another successful and eventful law day.

Supreme Court of Canada Retreat - Saskatoon was pleased to host the Court during their annual retreat. The CBA, Law Society and College of Law hosted a reception in their honor on May 11 at the Sheraton Hotel. The CBA Executive and Benchers were able to discuss issues with the Court in advance of the reception. Lawyers and Judges from across the province welcomed the opportunity to meet and engage the Justices.

Court Issues - Branch representative are actively involved in committees established by Saskatchewan Justice to address issues of concern to the bench and the bar concerning family law, northern issues and self represented litigants. Members in the three major centres (Regina, Saskatoon and Prince Albert) are involved in discussions regarding court perimeter security. We will be engaging the three courts in discussions concerning the recent report from the Canadian Judicial Council re: administration of the courts.

YUKON BRANCH REPORT

JAMES R. TUCKER, PAST PRESIDENT

Our 17th Annual Law Day Charity Fun Run and Walk was held on April 20th and it was very well attended by almost 300 runners and walkers. This year the charity which acted as the recipient of the Law Day Charity Fun Run was the Committee on Abuse in Residential Schools Society, (“CAIRS”) – this Committee was formed to deal with issues stemming from the impact of the Residential School experience on the First Nations people of the Yukon and Northwestern B.C.. Priority is placed on meeting the needs of survivors and their families. CAIRS offers a drop-in centre, outreach support, cultural activities, educational workshops, training, consultation and support counseling. The Law Day Fun Run & Walk raised \$4000.00 for the charity – a huge success considering that 1997 was the first year that there was fund raising associated with the run and that year the donation was \$700.

The Branch has seen a new section emerge since February; Dave Christie, branch President has brought together interested members in a Health Law Section. The section has held two meetings which were both well attended.

We continue with our own strategic planning efforts. An initial Strategic Planning meeting was held on January 12th and a follow up meeting was held on May 17th. The CBA Yukon will use the feedback from these meetings in its own strategic planning efforts to coincide with those of the National CBA. Through these efforts CBA Yukon is hoping to make itself more relevant and vibrant to each of its members, as well as to attract new members.

We continue to work closely with the Yukon Law Society in the areas of CLEs and Lawyers Assistance programs. We are currently working on an offering a joint Law Society/CBA Yukon CLE on mental disorders and the Criminal Justice System and a joint Law Society/CBA Yukon CLE on the subject of Appellate Advocacy. The joint Law Society/CBA Yukon LPAC Committee is also continuing to work towards a local Lawyers Assistance program that would provide counseling for members of the Yukon Bar.

We are looking forward to hosting Parker McCarthy this July 6-7th. Our members are always very appreciative of the opportunity to meet and converse with the CBA National President.

CCCA REPORT

SANDRA C. SWYSTUN, PRESIDENT

CCCA BY-LAWS

- CCCA has re-written its By-laws and will present them to CBA Council at this meeting for ratification.

CCCA MEMBERSHIP

- As of May 27, 2007, CCCA has 4,282 "Regular" members and 4,903 "Associate" members for a total of 9,185. CCCA continues to work closely with CBA on a membership recruitment and retention initiative. CCCA is planning a direct mail campaign in late September.

2007 CCCA NATIONAL SPRING CONFERENCE

- The CCCA Spring Conference "**Leading Corporate Counsel: The Critical Path to Excellence**" was held in Toronto from Apr. 22 -24 at the Sheraton Centre Toronto Hotel and was co-chaired by Georgia Sievwright, VP Law & Government Affairs, Hewlett Packard (Canada) Co. and Kevin Derbyshire, VP General Counsel & Business Affairs, Virgin Mobile. Attendance was a record-setting 340, well above 268 for the previous year.
- The "CCCA Spring Training Camp" for New Managers and New to In-house was held for the second time on Apr. 22 and was expanded to a full day. Attendance was 57, well above the goal of 40.

2007 19th ANNUAL CCCA MEETING AND CONFERENCE

- The CCCA Annual Conference "**Mavericks, Pioneers & Trailblazers: Harnessing Leadership and Innovation**" will be held in Calgary from Aug. 12-14 at the Hyatt Regency Hotel and will be co-chaired by Marcia Decter, Vice President & General Counsel, Chevron Canada Ltd. and David Weyant, Q.C., Vice President, Legal & General Counsel, Calgary Health Region. As of July 30, there are 300 registrants.
- CCCA has put together a very strong slate of new Board members, plus Derek Patterson, General Counsel & Corporate Secretary, Insurance Corporation of BC, as nominee for Treasurer, for election on Aug. 14/07.

SPONSOR APPRECIATION NIGHT

- In October 2006, CCCA held a very successful cocktail party at the Toronto Design Exchange to thank our sponsors and suppliers for their ongoing support, introduce our new Executive and staff, and provide an overview of our upcoming events and initiatives.

MEMBER SERVICES

CCCA Magazine

- The first issue of the CCCA Magazine was published in March 2006 and was very well received by members, sponsors and advertisers. The ad revenue exceeded our target. The second issue will be published in late September.

CCCA/CCH Ultimate Corporate Counsel Guide

- This is Canadian corporate counsel's go-to resource for answers to the many legal and management challenges which are unique to corporate counsel. The authors are prominent legal and management experts and practitioners from across Canada.

CCCA/Lexpert Corporate Counsel Directory and Yearbook

- This is the single best source for listings of corporate counsel including their titles and information about their companies. The directory includes articles and has the most comprehensive listing of resources for Canadian legal departments. The directory also lists law firms and relevant U.S. corporate counsel in industry sectors with significant business relations in Canada.

CCCA Website

- CCCA is working with CBA to finalize a search engine for our virtual library which can search keywords. We have developed categories and search terms for the virtual library and are now exploring ways to add content.

Chapter Services

- CCCA is working more closely with the Chapters to align services and to work together on local events as well as national initiatives such as accreditation and competing activities.

CCCA SURVEYS AND MARKET RESEARCH

Barometer Survey

- CCCA and Davies Ward Phillips & Vineberg LLP conducted the third *In-house Corporate Counsel Barometer* survey, with findings including:
 - the advantages of working in-house vs. private practice have gained strength
 - an increasingly important challenge for in-house counsel is keeping overall costs down
 - in-house counsel work 50 hours per week on average, same as shown by the past surveys

Vertex Elite Qualitative Market Research

- Davies Ward Phillips & Vineberg LLP is sponsoring market research focused on large cap General Counsel, to be completed in the fall.

CBA Membership Research

- CBA's Membership and Marketing Department has conducted intensive qualitative and quantitative market research which includes the corporate counsel segment.
- This segmentation data will be shared to ensure that CCCA is presenting the appropriate value proposition to its member segments (three major member segments: new to in-house, corporate counsel, legal department managers, CLO's and GC's).
- This research will be used to design and deliver the recruitment and retention campaign to be launched by CBA in the fall with CCCA's input.

2006 - 2007 CONTINUING LEGAL EDUCATION

- CCCA offered 13 CLE's over the past year, up from 4 held during the previous year. These programs were held with partners, as follows:
 - Oct. 2006 H & A Forensics on E-Discovery for Corporate Counsel (Toronto)
 - Nov. 2006 CCH on Ultimate Corporate Counsel Conference (Toronto)
 - Feb. 2007 McGill International Executive Institute on Financial Reporting (Toronto)
 - May 2006 McGill International Executive Institute on Financial Reporting (Montreal)
 - Jan. 2007 Gowlings Corporate Governance Platinum Series (Toronto, Vancouver)
 - May 2007 McCarthy Tétrault Managing Litigation Platinum Series (Toronto, Montreal, Calgary, Vancouver)

- Jun. 2007 Catalyst Consulting Executive Management Platinum Series (Vancouver, Calgary, Toronto)
- The most successful initiative was the CLE Platinum Series which is presented with law firm partners in cities across Canada on topics of interest to senior corporate counsel.

CCCA INTERNATIONAL RELATIONSHIPS

- One CCCA representative attended the Asociación Nacional de Abogados de Empresa (ANADE) (Mexican Corporate Lawyers Association) conference in Guadalajara in Sept. 2006 to present a paper on a panel on the “Abuse of Criminal Law to Resolve Commercial Disputes”.
- Three CCCA representatives attended the Association of Corporate Counsel of America (ACC America) Annual Meeting in San Diego in Oct. 2006.
- Two CCCA representatives attended the Annual Meeting of the Australian Corporate Lawyers Association (ACLA) in Sydney in Nov. 2006 to make a presentation to the ACLA Board and present a paper.
- One CCCA representative attended the bi-annual Corporate Counsel Conference in Paris to make a presentation on CCCA and present a paper on Conflicts and Privilege Issues that Affect Canadian In-house Counsel. A meeting was held among CCCA, the European Corporate Lawyers Association (ECLA), Le Cercle Montesquieu (French General Counsel Association), the Association Française des Juristes d’Entreprises (AFJE) and the Belgian Corporate Lawyers Association.
- Two representatives of ACC America attended the CCCA Spring Conference in Toronto in Apr. 2007.
- One CCCA representative attended the annual conference of the Corporate Lawyers of New Zealand (CLANZ) in Wellington in May 2007 to present a paper.
- CCCA has agreed to the accession of the Corporate Lawyers of South Africa (CLASA) and Malaysian Corporate Counsel Association (MCCA) to the cooperation agreement which currently includes Canada, Australia, New Zealand and Hong Kong.

CCCA HUMAN RESOURCES / OFFICE

- As of Dec. 2006, CCCA has four full-time staff members.
- CCCA will be moving to a new office in the same building in Oct. 2007.

CCCA REVENUES

- CCCA has budgeted a net gain of \$122,470 for the year ending Aug. 31/07.
- CCCA is tracking significantly above target which is attributed largely to a very successful CLE program, increased registration and sponsorship revenue for the Spring Conference, and tight control of expenses.

CCCA BOARD AND COMMITTEES

- Board meetings were scheduled monthly from Sep. 2006 to Aug. 2007 with in-person meetings in Toronto in Apr. 2007 and Calgary in Aug. 2007.
- Meetings of 11 Committees were scheduled as required.
- Meetings of 11 Chapters were held across Canada throughout the past year.

This year has been one of tremendous activity as well as transition. We implemented a very ambitious business plan as part of our commitment to increasing and improving membership services. We significantly improved our relationships with our key stakeholders and continue to work hard to earn the ongoing support of our members and sponsors. We face aggressive competition from other like associations (including ACC) and third party seminar suppliers;

however, we have succeeded in engaging members who had not previously attended our events and in increasing our membership. Competition has made us stronger and we look forward to an ever improving CCCA.

Standing Committee Reports

AWARDS COMMITTEE

JULIE LATOUR, CHAIR

The Awards Committee is responsible for three prestigious awards: the Louis St-Laurent Award of Excellence which “recognizes distinguished or exceptional service to the objectives and goals of the CBA”; the Ramon John Hnatyshyn Award for Law which “recognizes outstanding contribution to the law or legal scholarship in Canada” and the Viscount Bennett Fellowship which promotes post-graduate education in law.

Nominations for both the St.-Laurent Award of Excellence and the Hnatyshyn Award for Law are considered in June and will be presented during the Canadian Legal Conference Awards Luncheon. The Committee is gratified by the number of nominations received for these Awards and appreciates the real efforts made by the nominators to submit thorough information on each nominee for the consideration of the Committee. Each of the persons nominated are truly deserving of recognition and the fact of their nomination is itself a reflection of the high esteem in which they are individually held in the legal profession.

The Committee is pleased to announce that the Viscount Bennett Fellow for 2007 is Nicolas M. Rouleau of Toronto. Chosen from 29 applicants, Mr. Rouleau received his LL.B. from the University of Ottawa in 2005. Beginning this fall, he will be undertaking his graduate studies in law at Stanford University in the area of international trade law and development in the context of Foreign Direct Investment.

This is the first year the scholarship value was raised from \$25,000 to \$40,000. Given the number of applicants this year, the fellowship is now among the top legal awards in Canada. The Committee thanks the CBA for making this adjustment.

The members of the Committee are Julie Latour, Chair (Montréal); Sean Dunnigan, Q.C., Vice-Chair (Alberta); Kathryn A. Berge, Q.C. (Victoria); Jennifer A. Cooper, Q.C. (Winnipeg) and Stephen Hanson (CBA). I thank each of them for the excellence of their contributions to the work of the Committee. On behalf of the Committee, I express our collective appreciation to Jasmine Leduc (Communications Officer) of CBA National Communications for her efficient and effective support of the work of the Committee.

CANADIAN LEGAL CONFERENCE COMMITTEE (CLC)

ANNE M. WALLACE, Q.C. & JOHN F. ROIL, Q.C.,
CO-CHAIRS

The CLC Steering Committee was established to oversee the implementation of the Canadian Legal Conference and meets during each Council Meeting. Its members (including the chairs of the Local Organizing Committee for Calgary and Quebec) actively work to improve the format and content of the CLC. Together with professional staff, the Committee members closely monitor member and non-member feedback with the objective of improving the CLC.

Each year the CLC Committee conducts a survey of delegates as a SWOT analysis and to measure the success of the meeting. Among the key findings and recommendations from the St. John's Meeting 2006:

- Overall satisfaction of those who responded to the survey was up to 98% for St. John's compared to 91% for Vancouver.
- For the first time in four years, 62% of the attendees said the length of the meeting in St. John's was too short. CLC Committee discussed this finding at its Mid-Winter Meeting and agreed to monitor the issue for 2007. Part of the reason may lie in the fact that the Delta and Fairmont Hotels were at either ends of the city, making attendance at selected CCCA and CBA sessions very difficult. The Committee agreed to make no adjustments to the program in Calgary based on that finding.
- CBA and CCCA accommodation and issues encountered in St. John's are not expected to recur in Calgary given the larger hotel room number.
- Unlike St. John's, the liquor laws &/or regulations do not prevent children from attending entertainment where liquor is available. A cash bar will be available in the foyer outside the Exhibition Hall.
- The Calgary location is seen as appealing and the program contains many networking opportunities - location and networking were the number one reason people attended the CLC in 2006.

To correspond with the arrival of the new Director of Marketing, a new advertising timetable was introduced for the Calgary CLC. As well, the CLC budgeted promotional monies for the meeting were re-directed to the coordinated CBA recruitment campaign in late spring. Targeted e-mails were also used. When registrations lagged, an all-member mail-out postcard was designed and sent out (based on the original campaign) to members in neighboring Branches and some 13,000 members who have registered in the past for CLC meetings.

Two new services were introduced for 2007. First, member direct hotel room booking (by phone and online) and, second, the early bird registration cut off was pushed back from July 1 to July 15 to accommodate the CCCA CLC brochure mailing in June.

- The direct room reservation service offers delegates the ultimate flexibility to arrange their own accommodations with the hotel of their choice in Calgary. This service is offered by many other Associations. As of June 27, 500 rooms in the CBA room block were booked, while only 250 delegates had registered.
- The postponing of the early-bird cut off from July 1st to the 15th has created problems. First, the room block cut-off dates set by the hotels were due July 8th. This placed the association at greater risk guaranteeing rooms after the cut-off date. The July 15th date only left three weeks for planners to forecast attendance and to confirm final arrangements with suppliers on site – a short time for a meeting of this size. The committee will be asked to consider a recommendation that all promotional material is mailed by May at the latest to reduce the risk.

To accommodate late-comers to the Entertainment (Jann Arden) concert on Monday evening, (specifically CCCA delegates who are being dined by law firms) the start will be delayed until 9:30 p.m. and a block of seating will be reserved for latecomers.

Three programming conflicts remain with CBA and CCCA programming: Monday-Tuesday morning CBA breakfast speakers and CCCA breakfasts; the at-home dinners on Saturday evening and the CCCA Board Dinner ; and the CCCA closing luncheon and CBA YL luncheon will conflict during the CLC 2007. The Committee would prefer to see these conflicts eliminated, but an easy solution to this has yet to be found.

At the recommendation of the CLC Committee in February, and to build relationships within the legal community and to increase traffic at the CLC Expo, members of the Calgary Association of Legal Administrators (CALA) were invited to attend the CLC on Tuesday, August 14 at no cost. This will provide another tangible CBA benefit to law firms and their managerial/support staff, and increase business opportunities for exhibitors.

The program offered to CALA includes:

- Expo attendance from 9:00-11:15
- Participation in the TOSHIBA Benchmark reprographics information session at 11:15-12:30
- Closing Lunch, 12:30-2:30

As the report is written, four passes had been requested. To increase traffic in the EXPO a passport program is being implemented.

The Meetings staff is also working with CBA Marketing to prepare a report on feasibility of a Solo and Small Firm day focus for the Quebec City Meeting.

CLC Quebec 2008

The 2008 CLC in Quebec City coincides with Quebec's 400th anniversary. The hotels have been confirmed: The Hilton, the Delta and the Chateau Frontenac. The Opening will be held at Le Musée des Beaux Arts and the Closing Gala at the Chateau Frontenac. The President's dinner will be held at La Chappelle. Promotional material is being prepared for Calgary.

CLC Dublin 2009

A second onsite inspection (compliments of the Burlington Hotel Dublin) was conducted in May to find a new venue for the meeting after the original hotel, which was contracted to host the meeting, was sold. The accommodation has been moved to the O'Callaghan Hotel chain downtown, the Conrad Hilton and Trinity College. Meeting space has been protected at the hotels and at Trinity College. It is expected that the Formal Opening be held at the National Concert Hall, or, if the Hall is under renovation at the University of Dublin O'Reilly Hall, the Fun evening at Guinness Brewery, while the closing would be held at Dublin Castle.

I would like to say a special thanks to Meetings Director Helga Otto who plans to retire this fall following the Calgary CLC. Helga has provided outstanding, dedicated leadership to our CBA national meetings. I would also like to thank the members of the Steering Committee, the Local committees and our National Office and Branch staff. Their work together is an example of the strength of the CBA. We look forward to the success of Calgary 2007.

COMMUNICATIONS COMMITTEE

ANNE FAGAN, CHAIR

National Magazine

The Association is proud that in national competition, **National** magazine swept the professional editorial category this past year, winning both silver and gold KRW medals for editorial content. Along with a special Student Issue, the **National** staff, working with the Executive Director Silvie Kuppek launched **CCCA Magazine Leading Corporate Counsel** to rave reviews. Readers and advertisers have praised the new publication.

A Request for Proposals for a new five year contract for National magazine was issued in April, and a Bidders Conference involving Vice-Chair Virginia Engel, Editorial Board Chair Nola Crewe, Senior Director of Communications Stephen Hanson, Editor in Chief Jordan Furlong and CEO John Hoyles was held in Toronto in June to review the presentations of four finalists. It was decided to renew the existing contract at a saving of ½ million dollars over 5 years and to include the CCCA magazine in the contract.

The Canadian Bar Review

The production of the **Canadian Bar Review** continues on course thanks to the dedicated work of the Editor Beth Bilson of the University of Saskatchewan and her team. Volume 85 (2006) is complete and was mailed out to subscribers on a complimentary basis in June.

The **Review's** web presence continues to grow. The main page of the Search engine received near 20K visits from January 2007 to June 2007 representing a 47% increase over the previous year.

The Editorial Board, under the stewardship of Mr. Justice Binnie of the Supreme Court of Canada, approved a special issue on family law for publication in the fall of 2007. The deadline for submitting texts was June 15 and drew a number of interesting submissions. The editors are reviewing submissions and will be circulating selected material for comment to the Editorial Board during the summer months.

Work on the article head-notes for the **Review** database is nearing completion. One student from the University of Saskatchewan is working on the remaining articles.

The Communications Committee thanks Madame Justice Trussler who is stepping down from the Editorial Board after a 20 year term of service. A special tribute is scheduled at the Council Meeting in Calgary.

Annual Report

Communications developed an experimental sixteen-page on-line Annual Report two years ago and has issued two editions of the Report. The 2006 report outlines the major accomplishments during the previous year. The Report was featured in an edition of CBA e-News sent to all members, and readers could "click" to download the highlights. With an introduction by the President, the report highlighted key activities including advocacy, CLE, communications, membership, marketing and accounting. Copies of

the report were sent to stakeholders in the Branches including the leadership of the law societies, the judiciary, and Attorneys-General. A new version of the Report will be presented in the new year that features the details filed by the Association for the CLC.

Web Site – PracticeLink- Publications Sales

Traffic to CBA.org continues to impress, with nearly 2 million visits to the site in the first half of 2007 alone. Specifically, both CBA PracticeLink and the *Canadian Bar Review* have seen their number of visits increase by nearly 50% so far this year. CBA PracticeLink, the site targeted to sole and small firm practitioners, continues to provide practical and concise advice in the form of articles, how-to guides and podcasts. A new online CBA publications store is being rolled out in the coming months.

CBA Media

CBA Communications issues over 70 news releases annually, CBA e-news for members every six weeks, and monitors the commercial media for stories of interest to the Association. Communications also coordinates the Association's media relations, provides speech assistance, and media training for Bar leaders.

The number of CBA newsletters produced increased for the third straight year, rising from 27 in 2004-2005 to 35 in 2005-2006 to 43 in 2006-2007. Once again this year, CBA newsletters had the highest open rate of any CBA e-mail and outpaced the industry standards. *Addendum*, our practice-based e-mail newsletter sent to identified segments of the membership, produced 11 issues, up from five the year previous, and drew overwhelmingly positive feedback. The *National* staff, which has responsibility for *Addendum*, eagerly awaits the results of the upcoming segmentation survey to determine whether or not the membership would be better served by the launch of further segmented e-mails. Online advertising revenue rose to a gross of \$60,000.

Thanks

I would like to thank our dedicated national Communications staff as well as the members of the Communications Committee and the Editorial Boards of the *Canadian Bar Review* and *National* magazine for their support during the year. Their wisdom and guidance is most appreciated as we move our Communications priorities to meet the changing needs of our members.

CONTINUING LEGAL EDUCATION COMMITTEE

MARISOL MIRÓ, CHAIR

In 2006-2007, CBA CLE presented 51 individual events, including 18 in-person national conferences, 24 Canadian Legal Conference sessions, 8 on-line CLE sessions and a videoconference delivered through the Department of Justice. In all, this year we provided more than 270 hours of substantive programming, and an additional 83 hours of networking opportunities, to more than 3,700 delegates.

The following programs were presented:

- Bankruptcy & Insolvency
- International Law
- Competition Law
- Military Law
- Surviving Your Junioring Years (Online)
- Admin/Labour Law
- Law & Parliament
- Managing Partners
- SCC on Privilege (Online)
- Drafting Better Pleadings (Online)
- Public Sector Lawyers Video Conference
- SCC on Privilege *Reprise* (Online)
- Aboriginal Law
- Business Boot camp (Online)
- Integrating Pro Bono Initiatives Into Your Practice (Online)
- Environmental Law
- Charity Law
- Commodity Tax, Customs & Trade
- Advocacy Before the Federal Court in IP Matters
- Immigration Law
- Spring Competition Law
- Health Law
- Lawyers and Lobbying (Online)
- In House Counsel and Lobbying (Online)
- Elder Law
- Tax Law

At the 2007 Canadian Legal Conference, Professor Elie Wiesel will present the keynote address. The YLC Luncheon speaker is Leonard Brody. In addition, twenty-four informative and engaging CLE sessions will be presented. As in past years, CLC delegates will be offered detailed evaluation forms at each CLE session, as well as more general electronic post-conference surveys.

We consistently hear that the content of our programs and the quality of speakers is excellent. This is a compliment to all the Sections, Committees and Conferences that deliver CLE. I would like to thank the many dedicated volunteers who contribute their time, energy and expertise to the betterment of our profession.

STANDING COMMITTEE ON EQUITY

JANET K. OH, CHAIR

We are pleased to report that the SCE is in the final stages of a number of its ongoing projects including:

EQUITY AND DIVERSITY GUIDE

The Equity and Diversity Guide has been completed and is now in draft form. We are at the edit and lay-out stage. Consultations have taken place across the country with over 200 lawyers in 9 different cities from diverse backgrounds – general practitioners, legal organizations, small, mid and large law firms, law societies, young lawyers, associates and managing partners. We are extremely proud of the work that has gone into this project and are very excited about the final product.

We will be officially launching the Guide at the Touchstone Reception in August and we are excited to announce that Vanita Banks, the incoming President for the American National Bar Association, has agreed to provide remarks at the Reception on equity and diversity issues.

VIDEO PROJECT

The videos on gender, disability and race are finalized and will be circulated as part of the Equity and Diversity Guide. To date the videos have been given to all the funders and anyone who has requested a copy. Feedback to date has been overwhelmingly positive. These videos are free of charge to members of the CBA.

PUSHING THE ENVELOPE

Over the past few years, the SCE has been reviewing the resolutions adopted by CBA Council related to equity and diversity. In particular, the SCE has focused its attention on the Touchstones and Racial Equality resolutions.

At its in-person meeting this past April 2007, the Committee reviewed the outstanding recommendations and prioritized the work that remains to be done. As part of this brainstorming exercise the Committee looked at the most efficient manner to implement the outstanding recommendations.

Our work with the Branches, Sections, Conferences, Committees, and the CBA Executive on "Pushing the Envelope" is designed to be consultative in nature, with our aim being to progress/complete the implementation of those resolutions which Council has passed but which may require some strategic consultation with others, including outside organizations and governments, prior to full implementation.

We were delighted to have Branch participation at our in-person meeting and four of six Branch Chairs were able to participate in the meeting. We are hopeful that this in-person involvement will lead to an increased level of coordination and participation between the Branch Equity Representatives and the SCE.

LEGISLATION AND LAW REFORM

We have been monitoring for a number of years the situation with regard to EI maternity and parental leave benefits for self employed persons. In mid-April we were invited, along with a number of other self-employed representatives, to attend a meeting with senior ministerial staff at HRSD on this issue. Mary Ross-Hendriks, past Branch Equality Chair from Ontario, attended this meeting along with Kerri Froc on our behalf. The meeting was very productive and identified what information the government would like in order to further consider this initiative. We are in the process of drafting a follow-up letter to Minister Solberg of HRSD.

UNIVERSITY OF TORONTO'S SUMMIT ON GENDER, DIVERSITY AND RETENTION

The University of Toronto held a day long summit on May 1st as a follow-up to the CBA's 1993 Touchstones for Change: Equality, Diversity and Accountability report.

The goal of the Summit was to assess the current situation and consider possible ideas and models for reform of the profession, to benefit from the insights and perspectives that have already been developed by experts and to dialogue about how to move forward as a profession.

As Chair of the SCE, I was pleased to have been invited to participate in this event.

CONTINUING LEGAL EDUCATION

Over the past year, the SCE has been collaborating with the CCLD to host a conference on Racial Equality Standards in Canadian legal education as a follow-up to several CBA initiatives aimed at promoting equality in legal education within the legal profession. In view of the number of projects we currently have ongoing, we regrettably decided to postpone this project due to the delays in the research, as well as a lack of funding to implement the conference. As this remains an important project for the SCE, we will continue our efforts and finding appropriate funding so that we may be able to implement this project in the near future.

CLE CALGARY

The SCE, together with the Women Lawyers Forum is presenting a CLE on women and the law for the Calgary CLC. Planning for the session entitled "Supporting Women in Law" is well underway. We are delighted to advise that Chief Justice Beverly McLachlin has agreed to be one of our presenters. The program is scheduled to take place on Tuesday, August 14, 2007 from 14:45-16:30. We will also be submitting a proposal for the 2008 CLC CLE on the issue of accommodation.

TOUCHSTONE NEWSLETTER

The last edition of the SCE newsletter was circulated in advance of the Mid-Winter meeting focusing on the CBA's work regarding the Court Challenges Program. The Committee is currently working on finalizing the next edition which focuses on the more general theme of equity and diversity in preparation for the Equity and Diversity Guide's release.

TOUCHSTONE AWARD

We are pleased to announce that the recipient of the 2007 Touchstone Award will be Margaret Owstroski, QC of Vancouver BC. We invite you all to attend the Touchstone reception in Calgary to acknowledge Margaret's many achievements.

STANDING COMMITTEE ON ETHICS AND PROFESSIONAL ISSUES

ALAN J. STERN, Q.C., CHAIR

The CBA Standing Committee on Ethics and Professional Responsibility was created with a mandate of updating the Code. The last comprehensive amendments were made in 1987. The revised Code was published in 2006, and this year we have been involved with distributing the Code, ensuring that members and key stakeholders (the judiciary, law societies, and ethics professors) received copies.

The Committee meets by conference call on a regular basis to consider current ethical issues that may require revisions to the Code. As well, it will meet in person during the August Canadian Legal Conference in Calgary. The Committee is currently contemplating revisions to the *Code* to address issues such as restrictions on practice, and the unbundled legal services. A central task this year was the creation of "Practising with New Technologies Guidelines." Rather than creating new ethical obligations, the Guidelines are intended to be a succinct, practical guide for Canadian lawyers seeking assistance in discharging their ethical obligation in light of various technological developments that have occurred in the practice of law. The Guidelines will touch upon everything from legal advice provided over the Internet, conflicts of interests arising from receipt of email communications, client confidentiality issues, to website advertising. Professor Elizabeth Judge from the University of Ottawa has been retained to assist with completion of the Guidelines, which we anticipate will occur by the end of August, 2007. Thereafter, the Committee will consult with the members on the draft Guidelines to obtain feedback as to whether it meets their needs.

Other activities undertaken by the Committee this year included providing the CBA executive with our input on Supreme Court interventions and other various action items involving the ethical obligations of the legal profession, both in Canada and abroad.

The Committee will continue to monitor the Canadian legal scene for new ethical issues that arise in order to ensure that our Code remains a helpful and relevant document for Canadian lawyers.

I thank the Executive of the Canadian Bar Association for giving me the privilege of serving on this very special Committee. I want to give a special thank you to the members of the Committee for their participation and special thanks to Kerri Froc for her outstanding contributions to the work to the Committee.

INTERNATIONAL DEVELOPMENT COMMITTEE

Not submitted.

JUDICIAL COMPENSATION AND BENEFITS COMMITTEE

HUNTER W. GORDON, CHAIR

The mandate of the Judicial Compensation and Benefits Committee is to promote fair processes for determining judicial compensation and to advise the CBA on matters relating to compensation for federally appointed judges and their families. The work of the Committee tends to follow a four-year cycle, coinciding with the federal government's legal mandate to review judicial compensation through the process of an independent quadrennial review.

The Committee is concerned with what it perceives as the increasing propensity of federal governments to delay consideration and response to independent judicial compensation and benefits commissions' recommendations, and to deviate from the Commissions findings without articulating a reasonable basis for doing so. These actions have a deleterious impact upon judicial independence, a cornerstone of Canadian democracy.

The 2003 Judicial Compensation and Benefits Commission reviewing the salary and benefits of federally-appointed judges made its recommendations to the Minister of Justice at the end of May 2004. The then government accepted the Commission's recommendations on salary and allowances, and undertook to introduce a Bill to amend the *Judges Act* to reflect these recommendations. It delayed in doing so. The CBA wrote to the Minister of Justice in March 2005 and again in October 2005, encouraging the government to implement the recommendations of the Commission as a matter of priority. That year, the government introduced Bill C-51, *An Act to amend the Judges Act the Federal Courts Act and other Acts*. The Bill increased judicial salaries as recommended by the Commission in its Report to the Minister. However, it died on the Order Paper when Parliament was prorogued.

After the election, the new federal government decided not to implement the 2003 salary recommendations of the Judicial Compensation and Benefits Commission. In the "Response of the Government of Canada to the Report of the 2003 Judicial Compensation and Benefits Commission," it reversed the previous government's position on the 2003 recommendations on the basis, among other things, that the Commission did not take into account "the other economic pressures and fiscal priorities" that make competing demands upon the public purse. In May 2006, the Minister of Justice introduced Bill C-17, *An Act to amend the Judges Act and certain other Acts in relation to courts*, which set different compensation for federally appointed judges.

The Judicial Compensation and Benefits Committee drafted the CBA's October 2006 submission on Bill C-17 to the Justice and Human Rights Committee. The submission stated that the government's reason for departing from the 2003 Commission's recommendations did not meet the rationality test set out by the Supreme Court of Canada. However, the inordinate delay in implementing the 2003 Commission's recommendations has also harmed judicial independence. The CBA said that these two

factors must be weighed in determining the approach that does the least harm to judicial independence. Judicial Compensation and Benefits Committee member, Robert W. Leurer, Q.C., was the key drafter of the submission and represented the CBA at the Committee hearings.

The Committee anticipates that another Quadrennial Commission will be called shortly, and will seek to make submissions to the Commission on how it should approach its task of setting judicial compensation and benefits, to ensure judicial independence and attract the best and brightest members of the legal profession to the bench.

LAW DAY COMMITTEE

MICHAEL WARSH, CHAIR

Law Day 2007 took place on Tuesday, April 17, on the 25th anniversary of the Charter. Some Branches scheduled activities over several days and called it "Law Week", and some scheduled activities later in the month. The national theme was "Access to Justice".

Some of the most popular events across the country included mock trials, courthouse open houses, charity fun runs, legal information sessions, contests and school visits. Federal Justice Minister Rob Nicholson joined National CBA President J. Parker MacCarthy at Law Day in Ottawa.

The following are highlights from across Canada:

Newfoundland: Law Day was held on April 21 and attracted more attendees than previous. Mock trials were held in one courtroom with RCMP displays set up in a different room. For next year, the committee plans to partner with the education committee at the Court of Appeal.

Nova Scotia: The two-day event included mock trials, and a supplement in the Halifax Chronicle-Herald.

New Brunswick: The theme was access to justice and a province-wide newspaper supplement was published.

Prince Edward Island: Law Day attracted the most people to date in PEI. Events included courthouse tours and an information session chaired by Justice McQuaid of the Court of Appeal, and Justice Campbell of the Supreme Court Trial Division.

Ontario: In Toronto, the opening ceremonies featured the Attorney General and three Chief Justices. One of this year's highlights was the Charter and You program in which 200 students participated. Events included elementary and secondary school mock trials, phone-a-lawyer.

In Ottawa, events recognized the 25th anniversary of the Charter with 600 high school law students on hand to hear from federal Justice Minister Rob Nicholson and CBA President J. Parker MacCarthy, Q.C. This year's Fun Run/Walk raised a record \$20K, on a cool and sunny spring day.

Manitoba: In Winnipeg, a record crowd of 1,500 people attended, with 600 participating in guided tours of the new and old facilities and the lock ups. Mock trials were presented in English and French for Grade 4 and Grade 12 students.

Saskatchewan: The eighth annual McKercher Cup provincial mock trial competition for high schools was held this year. This year's luncheon – in Regina and Saskatoon on separate days – featured guest speaker Maher Arar and drew a large public and media audience.

Alberta: In Fort McMurray Law Day was held on May 12. Approximately 40-50 people attended the mock trials, and a BBQ was held in the parking lot. Events were well promoted with the support of 16 local agencies.

In Edmonton, although the weather did not cooperate, indoor events such as the mock trials were well-attended. The Committee sponsored an inner city school and raised approximately \$5,000, which was well received by the principal.

British Columbia: Law Day in Vancouver was the lead story on evening news on CTV, and on BCTV. Ian Hanomansing was moderator of the forum, which helped to draw the public. Across the province, there were open houses in Victoria, Prince George, New Westminster, and more.

Northwest Territories: Mock trials and school visits are in the works for the fall and will be repeated next spring.

Yukon: Law Day was limited this year in the Yukon since it followed the 2007 Canada Winter Games and volunteers were tapped out. The annual Fun Run was held.

The date for next year is Thursday, April 17, 2008.

LEGAL AID LIAISON COMMITTEE

HEATHER E. PERKINS-MCVEY, CHAIR

CBA members agree that legal aid is a priority issue, as is demonstrated by our constitutional litigation to establish government responsibility for legal aid in BC. Our members know what happens when people are cut off or refused by legal aid, and the repercussions that limited access to justice can have. Lawyers keep legal aid delivery alive and functioning by doing more than expected of any other profession as a voluntary contribution.

Since 2002, our Committee's efforts shifted, largely out of frustration with the results of our lobbying efforts. Certainly, we continue lobbying governments to do better, but we concluded then that we must litigate to clarify and expand the parameters of a constitutionally recognized right to publicly funded legal representation in civil matters. That litigation has faced some significant challenges this year, as Chief Justice Brenner held that the CBA lacked standing to bring the case. In spite of this temporary setback, the CBA filed its appeal factum in March 2007 and the appeal is scheduled to be heard in October 2007.

Our Committee continues to seek ways to fulfill our role in terms of keeping up the pressure for improved access to justice throughout the country, and our membership informed and included in efforts for better legal aid. Certainly, any support we can offer for the CBA's litigation efforts is the top priority. However, our function as an information sharing body for this national organization is more important than ever given the focus on the test case. We want to communicate to all of our members working hard to deliver or contribute to legal aid services that the CBA is there to support their efforts.

Our Committee plans to update our communications kit, called our Legal Aid Advocacy Resource Kit. The kit has proven useful for many CBA members since its creation a few years ago, and its ongoing utility means that it must be kept current. The kit is intended to make it easy for bar leaders across the country to deliver a consistent and powerful message about legal aid in the public statements they make.

Our most significant initiative over the past year has been our involvement in a new organization called the Poverty Law Advocacy Network of Canada, a coalition to bring together poverty law advocates. A National Consultation was held in Vancouver in November 2006, with funding from the Law for the Future Fund, the Law Foundation of British Columbia, and the Law Foundation of Ontario, bringing together lawyers and community advocates to discuss ways to work together to advance common goals.

We plan on applying for funding in the upcoming year to conduct a study about innovative delivery options for ensuring access to justice. Finally, we will prepare brief articles to offer to the various CBA publications and newsletters, to ensure that our Committee's work will be continuously highlighted throughout the Association.

LEGISLATION AND LAW REFORM COMMITTEE

M. VIRGINIA MACLEAN, Q.C., CHAIR

The strategic plan adopted by Council this year places both professional interest and public interest advocacy as key objectives for the CBA. Time and time again, members say how important CBA's advocacy work is for them — whether as a way to get involved personally in law reform, or to know that a professional organization is speaking on their behalf. CBA brings a “rule of law” perspective to the public debate, in keeping with our mission to promote the interests of members and the profession, to improve the law and the administration of justice, and to promote equality and access to justice, in part by assisting in the development of laws that protect the public interest. Our vision is to promote fair justice systems and to facilitate effective law reform.

The Legislation and Law Reform Committee oversees this work.

Submissions to Government

From September 2006 to June 2007, 63 written submissions were presented to Ministers, Parliamentary Committees, government agencies and officials. The range of subjects is testimony to the breadth of CBA interest and expertise

Public Policy Interventions

The L&LR Committee monitors cases on appeal to the Supreme Court of Canada, reviews proposals from CBA members and constituent bodies, recommends appropriate cases for CBA intervention, and reviews CBA pleadings. CBA undertook several interventions this year: *Charkaoui, Almrei and Harkat v. Minister of Citizenship and Immigration* (constitutionality of immigration security certificates); *Little Sisters Bookstore v. Canada Revenue Agency* (advance costs); *Strother v. 3464920 Canada Inc* (duty of loyalty); *AGBC v. Christie* (constitutionality of tax on legal services); and *Privacy Commissioner of Canada v. Blood Tribe Department of Health* (solicitor-client privilege).

Emerging Professional Issues

The Emerging Professional Issues Initiative (EPII) continues to be a CBA priority, emphasizing the protection and promotion of lawyers' interests. The committees tasked with each EPII project have reported in greater detail in this volume. Key issues this year include conflict of interest, legal aid, a review of professions by the Competition Bureau, PracticeLink, law school tuition, pro bono and standards for international trade in legal services.

Keeping Members Informed

- *Trends* (formerly *EPIIgram*) features up to the minute information on EPII projects and practice issues. It is published on www.cba.org and sent electronically to CBA members.
- *Canadian Bar Advocacy* is a marketing tool published yearly to show our advocacy work as a value-added CBA service. It features CBA's law reform work on professional and public interest issues.

- The *Canadian Bar Advocacy* pages on www.cba.org consolidate information on submissions, Supreme Court interventions, resolutions and other legislative and policy initiatives.
- The *Policy Briefing Book* is distributed three times a year to Bar leaders to update all initiatives by the Legal and Governmental Affairs Department.
- CBA *e-news*, the news page on www.cba.org, and each edition of the *National* highlight CBA law reform activities.

Milles Mercis

The CBA's advocacy work would not be possible without the members of Sections, Conferences and Committees who devote hundreds of volunteer hours. Our interventions happen only with the dedication of counsel who act on a pro bono basis. The commitment and professionalism of the L&LR staff at the National office make us all look good. These CBA heroes are listed below (with apologies to anyone we have inadvertently missed).

L&LR staff at the National office: Joan Bercovitch, Tamra Thomson, Kerri Froc, Gaylene Schellenberg, Marie-Claude Noël, Louise Brunet-Hermus and Christine MacLeod.

CBA Intervention Counsel: Melina Buckley; J.J. Camp; Greg DelBigio; Mahmud Jamal; Craig Lockwood; Paul Michell; Terrence O'Sullivan and Lorne Waldman.

CBA Law Reform Advocates: Adam Fanaki, Adam Goodman, Adrian Brooks, Alan Treleaven, Alex Stojicevic, Allan Donovan, André Barette, André Roothman, Angela Di Padova, Angelos Nikolakakis, Anne Wallace, Annette Horst, Antoine Hacault, Arleen Huggins, Baerbel Langner, Barry Zalmanowitz, Bernard Amyot, Bernard Colas, Beth Bilson, Beverley Klatt, Blair Nixon, Bob Leurer, Bonnie Tulloch, Brian Bowman, Brian Carr, Brian Tabor, Bruce Hallsor, Bruce Noble, Carmele Peter, Catherine Bate, Charlotte Janssen, Charlotte Young, Christopher Devlin, Christopher Hersh, Clifford Sosnow, Corina Weigl, Daniel Edmondstone, Darcy Moch, David Christie, David Fraser, David Matas, David Stevens, David Young, Dawn Farrell, Denis Gascon, Dhara Drew, Dominic Thérien, Donald Affleck, Doug White, Edward Rice, Elaine Keenan Bengts, Elaine Marchand, Elizabeth Campbell, Elizabeth McNaughton, Evan Roitenberg, Frits Verhoeven, Gabrielle Richards, Gary Goodwin, Gavin Giles, Gavin Wyllie, Genevieve Taylor, George Addy, George Lamontagne, Gerald Stotland, Gib van Ert, Graham Nattress, Graham Reynolds, Grant Gold, Greg DelBigio, Guy Joubert, Harold Geller, Heather O'Hagan, Hunter Gordon, Ian Laird, Inez Cardinal, Jack Innes, Jacob Giesbrecht, James Lebo, James Merrigan, James Morton, James Musgrove, James Parks, James Tucker, James Schmidt, Janet Bolton, Janet Bomza, Janet Fuhrer, Janet Oh, Janet Sim, Janet Thompson-Price, Jason Gudofsky, Jay Holsten, Jean Franklin Hancher, Jeanette Teh, Jeanne Pratt, Jean-Philippe Brunet, Jean-Sébastien Boudreault, Jeffrey Blucher, Jennifer Babe, Joan Majeski, John Beardwood, John Boscariol, John Lorito, John Poyser, John Stefaniuk, Joseph Zak, Josh Hawkes, Josh Weinstein, Joshua Sohn, Julie Soloway, Karen Platten, Karen Bennett-Clayton, Karen Kear-Jodoin, Kate Ker, Katherine Kay, Kelly Jordan, Kerry Hatfield, Kevin Jaques, Kevin MacDonald, Kevin Rogers, Kim Alexander-Cook, Kimberley Walsh, Leila Gosselin, Linda Locke, Lorne Salzman, Lorne Waldman, Louis Brousseau, Madeleine Renaud, Malcolm Boyle, Margaret Gallagher, Margot MacDonald, Maria Mavroyannis, Marie-Claude Armstrong, Marlys Edwardh, Martin Low, Marvin Giesbrecht, Mary Cornish, Mary Ross Hendriks,

Maryellen Symons, Melina Buckley, Merrilee Rasmussen, Michael Greene, Michael Himmelman, Michael Power, Michele Murphy, Michelle Lally, Mitchell McLeod, Mitchell Sherman, Monique Pongracic-Speier, Noela Inions, Omar Wakil, Parker MacCarthy, Patrick Boyle, Paul Barclay, Paul Collins, Paul Lalonde, Paul Logan, Paul Tamaki, Paul Trotter, Paul Winton, Peter Glossop, Peter Grant, Peter Swanson, Raymond Adlington, René Basque, Richard Buchwald, Richard Desgagnés, Richard Niedermayer, Richard Southcott, Robert Jette, Robert Raizenne, Robin Seligman, Robyn Elliot, Rodney Hayley, Ron Skolrood, Sandra Inutiq, Sandra Jack, Sandra Walker, Scott Watson, Scott Wilkie, Shawn Dempsey, Sheilagh Murphy, Simon Barker, Simon Potter, Stacey Boothman, Stanley Rule, Stephen Green, Subrata Bhattacharjee, Susan Hardy, Susan Manwaring, Suzanne Labbé, Talia Profit, Tanya Smith, Terrance Carter, Theodore Tjaden, Thomas Achtymichuk, Thomas Hawkins, Thomas Marshall, Trinda Ernst, Vance Langford, Virginia MacLean, Wayne Onchulenko, William Goodridge, William Holmes and Yvonne Chenier = 206

MEMBERSHIP COMMITTEE

MICHAEL J. LAW, CHAIR

On behalf of the National Membership Committee, I am pleased to report CBA membership at the end of May was 36,219 members, an increase of 3.2% over last year (or 1,108 new members). Student membership has grown by 21.5% (or 801 members), largely due to a pilot program in Ontario that offers free membership to law students.

While retention rates of around 92% throughout the year signal that members are loyal to the CBA, this also shows that we are lapsing on average 8% of our members per year. With a 30% 5-year growth objective set in the new CBA strategic plan – or about 11K new members without any lapse – we need to understand why lawyers join the CBA, and how they can be compelled to maintain membership throughout their careers.

Membership Committee Direction

With the Futures report and 2007/2012 strategic plan as our guides, the Membership Committee embarked on a path to increase membership with personalized marketing communications and more specialized member services for lawyers. To help achieve this, we have focused on setting the foundation that will support the 5-year direction:

- A research study has been conducted to provide a segmented analysis of the lawyer population in Canada. The research is uncovering competitive pressures, issues that impact lawyers' decision to maintain relationships with professional associations, and, more importantly, gaps that can be identified in lawyers' professional and personal needs and how they are being filled. Gathering this information on lawyers' needs and requirements throughout their careers and in their personal lives is an important step in building the knowledge we need to support our decision-making process and goodwill development.
- Armed with preliminary results of our research project, we launched a marketing campaign in May to increase awareness for the breadth of products/services we offer, and to create stronger connections with lawyers. The campaign will build a more consistent value-proposition for membership, and will maintain our visibility in the market through ongoing print, e-marketing, and direct mail campaigns and with special promotions aimed at recruiting new members with targeted offers.
- A next step in our approach is to put in place marketing and sales processes that will let us reach members and non-members in a timely manner with information that is more relevant to specific needs, and that uses our various touch-points with lawyers to more efficiently build our brand and sell our value to them.

Coordinated Efforts

The National Membership Committee is aware that the focus on member recruitment sets aggressive targets for us to reach, and will require ongoing input from many areas of the CBA and from its leadership. Over the past year we have looked for various opportunities to make the best use of our and of other members time to create the information flow and feedback channels we need to develop our approach and deliver the best membership programs possible. These include:

- A joint-meeting between our Committee and the Communications Committee in October, 2006. Break-out sessions identified the target audiences and key messages used to develop the current marketing campaign's creative strategy.
- Another joint-Communications/Membership meeting in February provided additional input to this process, and resulted in a creative testing survey being conducted with a sample of members and staff across the country.
- Focus groups and telephone interviews were conducted with lawyers (members and non-members) across the country in a first wave of our research project.
- Presentations and discussion sessions have been conducted between the CBA National Membership & Marketing group and various Branch staff, Branch Membership Committees, CCCA and other partners.
- Over 5,266 lawyers across Canada and across areas of practice were invited to participate in the quantitative survey of our segmentation research project.

The National Membership Committee is actively engaged in pursuing the CBA's new direction, and will continue to work with as many members, staff and lawyers across the country to ensure we deliver the best membership services programs available to the legal profession. While this is my final meeting as Chair of the Committee, I look forward to continuing to support its work and the incoming Chair, Geoffrey D. Creighton from the Ontario Branch, as they move ahead with this exciting challenge.

PRO BONO STANDING COMMITTEE

KELLY DOYLE, CHAIR

The Pro Bono Standing Committee was established by CBA Council at the 2003 Mid-Winter Meeting, and came into effect in September 2003. Our mandate is to promote and facilitate pro bono service in the legal profession on an ongoing basis. CBA's pro bono initiatives help to ensure access to justice for all Canadians. Publicizing lawyers' pro bono work enhances the public image of the profession.

The composition of the Committee is unusual in that each of the 13 CBA Branches can name a member. Council names the Chair and Vice Chair. The Committee has been unable to meet in person because of budget limitations, and so most of the Committee business is conducted by conference call and email.

This was a busy year for the Committee. It completed and approved its multi-year business plan to guide its work, and began implementation of the plan. The Committee created four subcommittees to assist in this process: the Insurance Subcommittee, the Website Subcommittee, the CLE Subcommittee, and the Checklists Subcommittee. Highlights of the Committee's progress in implementation include the following:

- The Committee co-sponsored a CLE at the 2006 CBA Canadian Legal Conference in St. John's with the Public Sector Lawyers' Forum, entitled, "Overcoming Pro Bono Obstacles."
- The Chair, Kelly Doyle, and the Committee's CBA staff liaison attended Pro Bono Law Ontario and Pro Bono Law BC's first annual conference on pro bono. I spoke on one of the Conference panels entitled "Law Association Partnerships with Legal Clinics and Community Groups".
- The Committee's website is being completely reorganized with new checklists added for private and in-house lawyers who wish to engage in pro bono work, new articles regarding pro bono practice, and pro bono "success stories." Ultimately, the goal is for the website to be a clearinghouse for pro bono materials, so that members do not have to search multiple sites for resources to assist them in their pro bono work.
- The Pro Bono Committee retained a consultant to assist with creating the documents to support the Pro Bono Mentorship Program. The intended purpose of the Program is to assist lawyers in their pro bono work, by connecting them with mentors that have experience in pro bono and/or an area of law in which the lawyer is performing pro bono work. A Mentorship Handbook, Application Form, and Waiver have been created and are in the final stages of completion. The Committee will shortly begin the process of compiling a roster of mentors, and thereafter the program will be launched.
- The Insurance Subcommittee gathered information for each jurisdiction on the status of insurance provisions extending free coverage for pro bono legal services. This is particularly important for government, in-house, and retired

lawyers who would not otherwise have insurance coverage. The Subcommittee drafted a resolution, sponsored by the Committee, for the consideration of Council at the 2007 CLC. It urges law societies to negotiate extension of free insurance coverage for pro bono legal services, if they have not done so already, and to establish pro bono committees to assist in the implementation of free coverage. The resolution also pledges the CBA's assistance in this regard.

- In April 2007, the Chair, Kelly Doyle and our incoming Chair, Pamela Kovacs, together with the President of Pro Bono Law Ontario, participated in an online CBA continuing legal education session entitled, *Integrating Pro Bono Initiatives into Your Practice*.

The Committee continues to communicate with and maintain relationships with other provincial pro bono organizations such as Pro Bono Law of Ontario, Pro Bono Law of B.C. and Pro Bono Law Alberta so that our work enhances and does not overlap with that of the other groups.

The CBA has a unique role as a national institution to foster and promote pro bono activities. The institutional support of the CBA makes visible the often invisible and sometimes unappreciated work of lawyers in assisting the disadvantaged in our society. It has been a pleasure to contribute to the recognition of the inspired and broad based work of lawyers in pro bono activities.

During this year, the Supreme Court of Canada in *British Columbia (Attorney General) v. Christie* 2007 SCC 21 made a number of observations concerning the important role of lawyers in ensuring access to justice and upholding the rule of law. Regrettably, the Court's conclusion upholding the right of a provincial government to impose taxes on the legal accounts of disadvantaged people brings into all too clear focus a fundamental inequality in our just and democratic society. Not only are governments apparently excused from any general obligation to provide the benefit of legal services, they may impose an additional burden upon those who retain counsel in order to seek justice. The rule of law means that the law rules through open access to the courts. But the existence of such a right in principle does not mitigate the harshness of the law's potential application to the lives and affairs of the disadvantaged, where their ability to uphold their rights in court is hindered by a state-imposed taxation of essential legal services.

In these uncertain times, the CBA is neither complacent nor unconcerned but rather continues to play a fundamental and ongoing role in ensuring access to justice through the creative exercise of legal remedies and political advocacy founded on the moral suasion of the engagement of its members in pro bono activities.

RESOLUTIONS, CONSTITUTIONS & BY- LAWS

MARGARET SASGES, CHAIR

Please refer to the Resolutions Book or on the CBA web site at
<http://www.cba.org/CBA/resolutions/main/>.

SUPREME COURT OF CANADA BENCH AND BAR LIAISON COMMITTEE

THOMSON IRVINE, CHAIR

The Supreme Court of Canada Liaison Committee meets annually with the Supreme Court (judges, registrar and legal staff) to discuss issues of concern to the Court and the Bar related to matters of practice and procedure. Serving on this Committee provides a unique opportunity to meet informally with the judges and to share their views back to the profession. Following our meeting each year, we are privileged to enjoy a wonderful dinner with the judges in their private dining room.

We seek the views of those “in the know” to determine practice issues they wish to bring to the Court. We canvass the views of all CBA members who appeared before the SCC in the past five years (close to 500 in all). We canvass other CBA committees, conferences and sections before these meetings. We work with the SCC Ottawa Agents Committee wherever possible.

Minutes of the meetings are posted on CBA.ORG.

Changes to the Supreme Court Rules came into effect in October 2006. The changes are largely fine-tuning, based on experience with the comprehensive changes in force since 2002. I am proud to say that our Committee was credited with influencing several changes. We proposed that a period of time around Christmas and New Years be taken out of the computation of time for shorter filing deadlines. We also commented on issues relating to interveners, such as preparation of factums and oral arguments.

Factums must now be filed in paper and electronic form. Guidelines for preparation on e-factums are posted on the Court’s website. The Court is preparing a policy on access to its records, particularly on-line.

We reviewed the Court’s planned portal for self-represented litigants. In 2006, 506 applications for leave to appeal were filed. Of these, 115, or 23% were filed by unrepresented litigants. Most of these cases were civil, non-family and all but 15 were dismissed (five discontinued and ten submitted - decision pending).

On behalf of the Committee, I would like to thank National Office staff who assisted us this past year, including Tamra Thomson and Louise Brunet-Hermus.

Special Committees & Task Forces

FEDERAL COURT BENCH AND BAR LIAISON COMMITTEE

M. ROBERT JETTE, CHAIR

The Federal Court Bench and Bar Liaison Committee was formed by resolution of the National Sections Council in August, 1992.

The mandate of the Committee is to provide a forum for members of the bench and bar to discuss issues of mutual concern relating to the operations of the Federal Court and the Federal Court of Appeal, that fall outside the mandate of the Statutory Rules Committee. Seven Bar members currently sitting on the Committee represent Aboriginal Law, Administrative Law, Citizenship and Immigration Law, Maritime Law, Taxation and Sales Tax Law and Constitutional Law. The Committee also includes a representative of the Federal Department of Justice and has been ably assisted by a CBA staff member who also attends the Committee meetings.

Smaller groups composed of Liaison Committee members, other Section members and Department of Justice representatives meet with members of the Federal Court throughout the year to discuss issues particular to specific Federal practice areas. To date, the Maritime Law Section, the Aboriginal Law Section (most recently in March 2007) and the Citizenship and Immigration Law Section (most recently in April 2007) have had meetings with the Federal Court. The Indigenous Bar Association also participates in the Aboriginal Law Liaison Group meetings.

Since his appointment, Chief Justice Richard has been a strong supporter of the Committee and of the promotion of the Bench and Bar dialogue. In July 2003, the Federal Court of Canada was divided into two courts, the Federal Court and the Federal Court of Appeal. Chief Justice Richard continues to preside over the Federal Court of Appeal and former Associate Chief Justice Lufy became the Chief Justice of the Federal Court. Chief Justice Lufy is equally committed to the work of this Committee and like Chief Justice Richard is an active participant in all its deliberations and has encouraged continued dialogue in relation to any proposed changes in Federal Court practice. Several other Judges from each court attend each meeting and also participate in smaller group meetings.

The last meeting of the Committee was November 3, 2006. Included in the matters discussed were the availability of “endorsements” on stay motions to the private bar, the revitalization of a Court Practices Committee of the Intellectual Property Section, and the usefulness and possible content of Federal Court bench books.

The approved minutes of the Committee may be found on its web page, <http://www.cba.org/CBA/Sections/FCBBLC/> and the Committee welcomes input from any member whose practice is before the Federal Court or the Federal Court of Appeal to bring to the attention of the Committee any practice issue.

FUTURES COMMITTEE

ROBERT G. PATZELT, Q.C., CHAIR

In March 2003, then CBA President, Simon Potter, established the CBA Futures Committee with a mandate to study the challenges facing lawyers and the legal profession and make recommendations about the kind of organization the CBA will need to be and what it will need to offer to lawyers and the legal profession in order to be relevant and vibrant ten years hence.

Members of the Committee are: Robert Patzelt, Q.C., Chair (NS); Robert Stack, Vice Chair (NL); Veronica Jackson (Man); Kelly Smith (ON); Sandra Schulz, Q.C.(AB); Frank Kraemer, Q.C. (BC); and the Senior Management Team of CBA National Office.

Between September 2003 and February 2005, the Committee undertook broad-based demographic and professional environment trends research, held several in-person consultations with members, solicited member views through interactive communications vehicles and surveys, and regularly reported its findings back to members, the national Board of Directors and national Council. In August 2005, the Committee's Report, *Crystal Clear: New Perspectives for the Canadian Bar Association* was presented to Council.

Crystal Clear proposed eleven major recommendations and over 130 initiatives for CBA action into the future. Between September 2005 and May 2006, the Futures Committee held consultations with CBA Branches and National Sections, Committees and Conferences. In addition, focus groups of members and non-members were held across the country with a view to gauging the relevance and resonance of the recommendations.

In June 2006, the Committee hosted the CBA Futures Summit, which brought together over 80 current and future Bar leaders, decision-makers and senior staff to consider the results of the consultations and to develop a framework for the CBA's new strategic plan.

The Futures Committee presented its final report to Council in August 2006. *Crystal Clear: Strategic Direction for the CBA.*, integrated the findings of the consultations and the Summit, and recommended six key directions for future action.

Between September 2006 and February 2007, the Committee worked with CBA executives and staff to transform the six key directions into a new strategic plan for the Association. Adopted by CBA Council in February 2007, the Plan turns the Futures initiative into actionable reality for the entire CBA.

Responsibility for monitoring and encouraging on-going implementation of Futures and the Plan now rests with the Futures Champions, appointed by the CBA Branches.

TAX COURT BENCH AND BAR COMMITTEE

Not submitted.

WORKING GROUP ON NO-FAULT COMPENSATION

LYLE HARRIS, CHAIR

The last year has been an especially active one for the No-Fault Working Group.

On August 11, 2006, the CBA Board approved in principle the “CBA Plan of Action- Putting Injured People Ahead of Profits”. This Action Plan outlines a step-by-step process involving economic and social policy research, assisting in litigation challenging the caps, and informing the public and government about the negative consequences of no-fault insurance, including deductibles and caps.

In the spring of 2006, your No-Fault Working Group committed up to \$20,000 in funding for disbursements related to a New Brunswick test case testing the validity of the provincial caps legislation.

Following the annual meeting in Newfoundland, we have been vigorously pursuing the implementation of the Plan of Action, which has Alberta as its focus. The Plan includes Alberta Model Government Relations and Communications Initiative. Alberta has been chosen as a strategic venue to focus efforts to roll back legislation instituting no fault, caps and deductibles, with the hope that gains and lessons learned in that jurisdictions can be applied to others across the country. As well, the No-Fault Working Group has committed \$20,000 toward expert disbursements to assist in a charter challenge case of the caps to nonpecuniary damages in Alberta. The trial of this case occurred in May, 2007.

Your No-Fault Working Group has retained an accountant, Gordon Adair, and an actuary, Bill Andrus, to provide economic research on whether or not the large profits made by insurance companies in recent years were directly related to the implementation of cap and deductible systems in Alberta and the Maritime provinces, and whether the perceived concerns about large premium increases justified the implementation of such systems, which substantially restricted the rights of certain classes of injured victims. It is contemplated that Mr. Adair will be responsible for gathering the data in respect to Alberta and the Maritimes, and Mr. Andrus will be responsible for gathering the data concerning Ontario. Both of these economic researchers have substantial experience in the insurance industry. Contributions for this economic research have made by the Law for the Future Fund, the Ontario Bar Association, CBA Alberta, the Ontario Trial Lawyers Association and the British Columbia Trial Lawyers Association.

Together with funds raised by the Working Group in previous years, funds committed by CBA Alberta and an additional \$33,000 from the contingency fund recently approved by the Finance Committee have permitted work to commence in earnest on the Alberta Model Government Relations and Communications Initiative.

There is of course considerable work to be done. Mr. Jock Osler of Communications Incorporated, Calgary, Alberta, will be retained to implement the communication plan.

Mr. Osler will develop key messages for use by government lobbyists, Alberta MLA's, television and radio with a primary focus on Alberta media.

As we stated to the board of directors in August, the Action Plan is very much a staged plan with implementation in stages, and the costs of each stage being investigated, budgeted and funds raised.

The Working Group is very pleased that an additional \$45,500 grant has been given by the Law for the Future Fund for socio-economic research exploring whether caps and deductibles relating to non-pecuniary damages have a particularly negative effect upon women, children and the elderly. Professor Lucinda Finley has been able to establish this effect, in relation to caps on non-pecuniary damages in the United States. However, there has been no similar research in Canada.

As chair of the No-Fault Working Group, this year has been an exhausting one for me personally, with three long and difficult trials occupying my time and resources. I would like to thank working group members Tom Achtymichuk, Richard Halpern, Christine Glazer Q.C. and John Berry Q.C. I am also grateful to Tom Achtymichuk, Michael McHugh, Q.C., Jamie Cumings, and the rest of the Alberta Working Group for developing the implementation plan in Alberta.

Most of all I would like to thank Kerri Froc; without whose tireless energy and persistence we would not be able to function.

Editorial Boards

CANADIAN BAR REVIEW

JUSTICE W. IAN C. BINNIE, CHAIR

This is a report to the Council of the Canadian Bar Association on the activities of The Canadian Bar Review in the past year.

Madame Justice Trussler Steps Down

Madam Justice Marguerite Trussler of the Court of Queen's Bench for Alberta, who had served as a member of the Editorial Board for twenty years, retired from the Board at the end of 2006. I would like to record my personal thanks for her contribution to the work of the journal. The successive editors report that her comments were always insightful and helpful.

Welcome Madame Justice Wendy Baker

We welcomed a new member to the Editorial Board, Madame Justice Wendy Baker of the Supreme Court of British Columbia. We look forward to working with her.

Volume 85 2006

The hard copy version of the 2006 volume of the Review recently became available for order by CBA members and subscribers. An index to the contents appeared in the June issue of the National and may also be found online.

Special Issue on Family Law

As Beth reported in February, we are working on a special issue on family law. The deadline for submissions was June 15, 2007 and I am pleased to report that the editors have received a good number of interesting papers. They are sifting through the submissions and will be circulating select pieces to the Editorial Board and peers for review over the summer. The issue is expected to be published in late fall 2007.

Online Search Engine

Online traffic to The Canadian Bar Review over the first half of 2007 has increased by 49% over 2006. The site received over 25,000 visits already this year, resulting in 83,067 pages viewed.

Most of the programming for the new pay per view feature is complete as is the work on developing article abstracts for the first 60 years of the Review. This summer, there is one student from the University of Saskatchewan, working under the supervision of Professor Bilson and two students from Montreal working under the supervision of Professor Deslauriers. In fact, over 60 % of the task has been completed since the onset of this project last summer. We plan to have the excerpts completed by fall 2007.

Editorial Board

I would like to express my continued gratitude to the members of the Editorial Board who review the articles for publication and offer guidance to the Editors: Madame Justice Wendy Baker, Mr. Serge Gaudet and Mr. David C. Day, Q.C. The Chair of the Communications Committee Anne Fagan has participated in our Board sessions and I thank her for the strong support. And of course, a special thanks to our Editorial staff that are so critical to the Review's success.

Complimentary Copy

In closing, a reminder that while all members have access to the full Review on-line, an annual hard copy Edition of the Review is free to members for the asking. You may simply subscribe to the annual print copy service at review@cba.org .

Thank you for your interest in the Review and your support.

National Sections

NATIONAL SECTIONS COUNCIL

JANET FUHRER, CHAIR

National Sections Council Executive receives extremely positive feedback in response to Sections' CLE, legislation and law reform, and communication and liaison initiatives. For details, please review the individual Section reports.

NATIONAL SECTIONS COUNCIL (NSC) AND NSC EXECUTIVE

Sections were well represented at NSC and Council in Mont-Tremblant. Highlights of recent activities include:

- New look and feel for Section web pages, and the addition of links to Branch Section pages
- National Section Handbook update
- Elections – all positions on NSC Executive (except Past Chair), and approximately 25 Section elections this year, with an extraordinary level of interest in participation at the Officer level
- Federal Court Bench & Bar and Tax Court Bench & Bar Committee elections.

LEGISLATION AND LAW REFORM AND LIAISON WITH FEDERAL COURTS

Please see the Legislation and Law Reform Committee report for detail. Several Sections are involved in the CBA intervention in the Air India inquiry. The Criminal Justice Section will represent CBA at the criminal law sessions at the September 2007 Uniform Law Conference of Canada in Charlottetown. The Section has submitted a resolution concerning the release of non-court exhibits for testing.

The Federal Court Bench and Bar and the Tax Court Bench & Bar Committees both held very productive meetings in June.

COMMUNICATIONS

We anticipate that Sections will have delivered thirty-two electronic newsletters this year. Of these, three were inaugural editions. The new Pensions & Benefits Section produced two in its first year.

NSC Executive would like to profile, for CBA members, some of the best in Section news. To this end, CBA Communications staff are developing on-line links on the right hand side of CBA webpages to several top Section stories. This can be updated regularly, so that members can get a snapshot of what is happening in areas outside their specialty.

CONTINUING LEGAL EDUCATION

A substantial profit from Section CLE programs last year was redirected under CBA's revenue sharing formula to support CLE research and development and to assist Sections.

Fifteen Sections were involved in national CLE programs this year with several exciting "firsts"... the Environmental, Energy and Resources Law and the Health Law CLE programs both sold out. The Business Law Section's first venture into online CLE was a tremendous success, with almost 200 registrants for the "Business Law Boot Camp".

The Immigration program also sold out again this year. Planning is well underway for four CLE programs that will be offered in fall, as well as for the Aboriginal Law Section program which will be offered in conjunction with the February 2008 Mid-Winter Meeting in Yellowknife.

AUGUST 2007 CLC - CALGARY

Fourteen Sections are involved in CLE programs being organized for the CLC in Calgary. CBA members can participate in twenty-eight Section business meetings open to delegates, several of which include an educational component on issues specific to that particular area of law.

NEW FORMAT FOR SECTIONS' ANNUAL MEETING WITH DOJ

With DOJ, we have developed a new meeting format that we will implement for the October 2007 National Sections/DOJ meeting. The new format maintains elements of the prior format and incorporates elements of other models used by DOJ with other stakeholders. The meeting will be less formal, with fewer individual Section meetings, coupled with a senior level DOJ/CBA meeting on the same day, for senior DOJ officials (DM/ADM/Associate DM level) and Bar leaders/experts to discuss overarching issues of common interest or concern.

The fall meeting will be supplemented by encouraging relevant Sections to invite DOJ officials to their Executive meetings and to otherwise liaise throughout the year as appropriate. We are confident that with this invigorated format, we can effectively meet the needs of both organizations.

FUNDING AND ACKNOWLEDGEMENTS

Sections greatly appreciate the financial support from the CBA Executive, Board of Directors, Council, Finance Committee, and National Office. This support enables Sections to coordinate involvement in key CBA initiatives. I would also like to thank the more than 700 volunteers directly involved in the work of National Sections and national staff.

ABORIGINAL LAW SECTION

CHRISTOPHER DEVLIN, CHAIR

The Section had another active year. We met with the Department of Justice in November 2006. That week, we also met with officials from Indian Residential Schools Resolution Canada (IRSRC) to discuss the implementation of the national settlement of residential school claims.

We held a National CLE program in Winnipeg in March 2007 entitled “*An Update on Current Legal Issues in Representing and Doing Business with Indigenous People*”. The ad hoc organizing team did a brilliant job in soliciting well-respected and learned speakers as well as local third-party sponsorships. We scheduled our annual Section meeting the same weekend, to make activities and information more accessible to members. Approximately 115 people attended the CLE, and 25 members attended the Section meeting in Winnipeg.

The Section was involved with law reform this year. In November 2006, the Section made written submissions to the Senate Aboriginal Affairs Committee respecting reforms to Canada’s Specific Claims Policy. The Section’s submissions were referenced in the committee’s final report “*Negotiation or Confrontation: It’s Canada’s Choice*”, released in December 2006. The Section also made written and oral submissions in April 2007 to the House of Commons Standing Committee on Aboriginal Affairs respecting the repeal of s.67 of the *Canada Human Rights Act*.

Our participation in the Federal Court Aboriginal Bar Liaison Committee continued this year. Section representatives attended the October 2006 committee meeting hosted by the Indigenous Bar Association in Saskatoon, and the Section hosted the March 2007 committee meeting in Winnipeg immediately prior to our annual CLE. Section members participated, along with representatives from the Assembly of First Nations and the Indigenous Bar Association (IBA). This committee is committed to meet semi-annually. The Indigenous Bar Association will host the next meeting, in October 2007 in Victoria, to which the Section will send representatives.

In terms of policy, the Section moved Resolution 07-09-M *Guidance for Lawyers Acting for Survivors of Residential Schools*, passed by CBA National Council in February 2007 at Mont-Tremblant. The resolution calls on provincial and territorial law societies to ensure ethical representation of survivors of residential schools act by lawyers. The resolution generated extensive media inquiries and interviews.

Excellent liaison with the IBA continues. The IBA President brought greetings to Section members at our March meeting and invited members to attend the IBA Conference in October 2007.

Our next meeting open to Section members and interested CLC delegates is scheduled in August 2007 in Calgary.

The Section is represented on the CBA/Federal Court Bench & Bar Liaison Committee, which next meets in mid-June in Ottawa.

As one outcome of our annual meeting with the Department of Justice, we are again able to provide our members access to a comprehensive overview, prepared by Justice Canada, of cases that are in progress or under appeal, of interest to practitioners dealing with Aboriginal law issues.

Our latest newsletter was delivered electronically to 775 members in November 2006.

HIGHLIGHTS - 2007-2008

- Spring 2008 CLE program – Yellowknife in conjunction with the February 2008 CBA Mid-Winter Meeting
- Increased legislation and law reform work; October meeting with DOJ
- Section meeting open to members February 2008 and August 2008
- Continued liaison and collaboration with IBA and other relevant organizations
- Web content development and Section E-Newsletter

ADMINISTRATIVE LAW

ROBERT D.J. DAWSON, CHAIR

The Administrative Law Section has offered the following services to its members during the 2006-07 year:

- In conjunction with the Labour and Employment Law Section, the Administrative Law Section presented a major day-and-a-half-long conference in November 2006 in Ottawa. The Section was extremely pleased with the new CBA staff liaison, Kim MacDonald, without whose work the conference would not have been a success.
- In conjunction with its Spring Meeting, the Administrative Law Section presented a half-day conference in June 2007 in Winnipeg. Entitled "Administrative Law on the Prairies", the event featured updates on recent developments in the law and practice tips for lawyers.
- In conjunction with its Annual Meeting, the Section will present a substantive CLE on the *McKenzie* case, which raises several administrative law issues, including the independence of tribunal members.
- The Section continued to produce its occasional newsletter, although the shift is away from using a formal publication system and towards the Section web site as a faster way to publish materials for members.

As Chair, I especially highlight the contributions of National Section Treasurer Nancy Forbes, National Section Secretary Michèle Hurteau, and National Member-at-Large Mathieu Bouchard, who have been reliable and essential volunteers without whose help the work of the Section would simply not have been done. I also take this opportunity to thank our CBA Staff Liaison Holly Doerksen, and I extend special gratitude to Manitoba Branch Executive Director Stacy Nagle and her staff for coordinating the Section's Spring Meeting CLE in Winnipeg.

AIR & SPACE LAW SECTION

JOE BARNSLEY, CHAIR

1. CURRENT YEAR ACHIEVEMENTS

- Advanced Space representation on the Executive and continued follow-up efforts to establish a true Space component to the Section.
- Planning collaboration with Air & Space Law Forum of the American Bar Association and McGill Air and Space Law Institute with regard to the Forum Annual Meeting and Conference to be held in Montreal in 2008.
- In May 2007 held the annual Section Executive meeting with sessions involving General Counsel of the Canadian Transportation Agency, representatives of IATA Legal Committee, Department of Justice and Transport Canada and Executive of the ABA Forum.
- Continued membership recruitment initiatives.
- Continued focus on advocacy work and communication with members.
- On-going participation in active B.C. Section by executive members.

2. ANNUAL PLANNING SESSION

- Combined with Executive meeting in Ottawa, May 2007.

3. COMMUNICATIONS

- Planning to enhance content on Section web page to include links of interest, legislative and case updates and events of interest to members. Newsletter discussed and planned if sufficient new materials are available.
- Continued to encourage Transport Appeal Tribunal of Canada to make decisions readily available on their Web site.

4. CONTINUING LEGAL EDUCATION

- Continued collaboration with Forum of Air & Space Law of the American Bar Association (at no cost to CBA) to help promote events which are particularly relevant to Section members.
- B.C. Section continues meetings with speakers on relevant Air Law and aviation topics.

5. EQUITY ISSUES

- Ongoing sensitivity to and progress with diversity issues with regard to Executive composition and Section activities.

6. LEGISLATION & LAW REFORM

- Monitored current and forthcoming legislation and regulations.

7. LIAISON ACTIVITIES

- American Bar Association Air & Space Law Forum – Executive member is active liaison; continuing plans to co-operate on Montreal 2008 ABA Conference.
- Air Transport Association of Canada.

8. MEETINGS

- Section Executive Committee meeting in Ottawa, May 2007.
- Department of Justice, CTA, Transport Canada Policy and IATA Legal Committee in conjunction with Executive Meeting, May 2007.

9. MEMBERSHIP

- Section is considering ways to support the establishment of Branch Sections
- Additional "At Large" Executive Members added to broaden base and create links to Provincial membership and industry sectors.

ALTERNATIVE DISPUTE RESOLUTION SECTION (ADR)

ANU OSBORNE, CHAIR

WHAT WE DO

The practice and promotion of various forms of alternative dispute resolution including but not limited to arbitration, collaborative law, facilitation and mediation.

ACTIVITIES, ACCOMPLISHMENTS, POLICY AND DEVELOPMENTS

- **Joint meeting with the International Association of Collaborative Professionals (IACP)** - In recognition of the overlap of membership and subject matter and in an ongoing effort to collaborate with other ADR organizations and in North America, the Section has initiated and is hoping to hold its annual executive meeting in October 2007 in Toronto to coincide with the annual conference at the IACP. Efforts are currently being made to liaise with IACP and the Ontario ADR Section to sponsor an event.
- **Communications** - The Section continues to communicate amongst executive and members using monthly conference calls for the executive, blast emails and the Section newsletter. Efforts are also being made to encourage the use of the listserv. The Section has developed a plan to focus on outreach with other Sections and other ADR organizations, increase communication information exchange between provincial ADR Sections, and ensure that all relevant ADR documents are sent in both official languages to members.
- **Department of Justice (DOJ)** - The ADR Section held its annual general meeting with the Department of Justice in October 2007. The Section provided feedback about the proposed *Uniform Commercial Mediation Act* and the Federal Early Resolution Process. Other discussions included the development of ADR in the provinces.
- **National Aboriginal Law Section** - The Section participated in a special joint session of the DOJ and Aboriginal Law Section in October 2007 to discuss the process of the Residential Indian Schools' claim and the role of Justice Canada Council.
- **Continuing Legal Education (CLE)** - The Section will deliver a CLE entitled « Ethical Standards, The Lawyer as Negotiator » at the CLC in Calgary, in 2007.
- **Faith Based Arbitration Committee** - The ADR Section is participating on the Faith Based Arbitration Committee of the CBA.
- **Establishment of New Committees** - The ADR Section is focusing on re-organizing its committee structure to effect the goals identified by this Section which coincide with the strategic plans of the CBA.

BANKRUPTCY & INSOLVENCY SECTION

TERRY CZECHOWSKYJ , CHAIR

Highlights of Current Year Achievements & Plans

In September 2006, the Section presented its second very successful stand-alone day-long CLE Seminar in Gatineau, Quebec, entitled the Pan-Canadian Conference on Bankruptcy, Insolvency and Restructuring Law, which was co-chaired by Jerry Apostolatos and Chris Besant. The Section is currently completing its organization for the Third Annual Pan-Canadian planned for September 2007 in Quebec City. As it is intended that this be a cross Canada presentation, planning for 2008 has already started and the venue will be Vancouver, British Columbia. It is anticipated that this conference will be held in various regions throughout Canada in the future.

The Section had also began preparation for a significant submission on the proposed amendments to the Chapter 47 legislation which amends insolvency legislation and will introduce the Wage Earner Protection Program. However, due to the uncertainty of when the amendments to Chapter 47 will be introduced into the House of Commons, the Section has withheld any formal presentation to date.

The Section will be presenting a CLE program at the annual Canadian Legal Conference in Calgary, Alberta, in August 2007 on "The Rise and Fall of the Income Trust," organized by Terry Czechowskyj.

The Section also participated with the Canadian delegation regarding the UN Working Group 5 on international insolvency and cross-border insolvency issues, in New York, in May 2007. The Canadian delegation was comprised of members from the Department of Justice, the Superintendent of Bankruptcy's Office, and Industry Trade and Commerce. The CBA's input was welcomed and our Section has been invited to attend at the next session scheduled for November 2007.

The Section also participated in co-hosting a seminar in Toronto in October 2006 with INSOL, which was co-chaired by Deborah Grieve.

Meetings and Communication

The Section held an in-person meeting of the Executive Branch Chairs in conjunction with the CLE in September in Gatineau, Quebec, as well as several conference calls over the year. Another in-person meeting will be held in conjunction with the Pan-Canadian in September 2007.

The Section participated in the CBA's annual meeting with the Department of Justice in October, meeting with representatives of Industry Canada as well. The main topic of discussion was to deal with the amendments to Chapter 47 and the United Nations Working Group 5 issues on cross-border insolvency.

A newsletter was issued in the fall of 2006 and the Section plans to issue a further newsletter in the near future. The Section will be reviewing its website and working to update its content and functionality.

BUSINESS LAW SECTION

JENNIFER BABE, CHAIR

. MEETINGS

Our Section executive met in person with the chairs of most of the provincial Sections in late October, 2006 in Toronto. There was a very successful cross-Canada update on their respective activities and legal developments of note to business law practitioners.

There were conference calls among the whole executive and its members at large in November 2006 and March 2007. A further call is being planned for June.

2. ANNUAL PLANNING SESSION

Combined with Executive Meeting in October, 2006.

3. CLE

At the Toronto meeting it was decided that the National Section would focus on bringing CLE to its members using electronic means. To this end, four very successful CLE and Section sessions have been held :

- a) Business Boot Camp session #1: held on March 28 and aimed at the sole practitioner and the small firm in remote parts of Canada with difficult access to CLE. This session had 154 attendees from 10 provinces and 2 territories to listen and receive checklists and other materials via email. A second session is being planned for the fall on more basic business law topics.
- b) Kyoto Credit Trading: This conference call seminar series planned by the Section (in conjunction with the Environmental, Energy and resources Law Section) involved 3 sessions held on April 12, May 9 and June 13. This was done in conjunction with the Environmental Section. The first call had 137 listeners from 8 provinces, 3 territories and 3 states; the other call statistics are not available at this time.

4. SUBMISSIONS

Jennifer Babe attended the annual meeting with the Department of Justice in October in Ottawa. From that session and from other contacts came:

- a) input to the Air and Space Section regarding the international aircraft registry and problems with that registry for practitioners;
- b) input to the Criminal Section on reform of Section 347 of the *Criminal Code* as criminal interest relates to business and real estate transactions, including subsequently a letter to the Senate Committee studying Bill C-26 and the failure of this Bill to address our concerns raised in prior submissions; and
- c) the Section has worked to find volunteers to assist the Uniform Law Conference of Canada working groups to provide the practitioner's point of view on business law topics, and to find ways to encourage provincial governments to enact the uniform statutes adopted by the ULCC.

Equity Issue

- Ongoing sensitivity to and progress with diversity issues with regard to Executive composition and Section Activities.

CHARITIES AND NOT-FOR-PROFIT LAW SECTION

JAMES M. PARKS, CHAIR

The members of the Executive have met on a monthly basis by telephone conference call as well as at a face-to-face meeting in Toronto on May 9, 2007 (held in conjunction with the Section's CLE). Some members of the Section also attended this open meeting.

Some of the topics discussed by the Executive and activities of the Section are as follows:

1. The Section continued its response to former Bill C-21, the federal not-for-profit corporation bill. A submission was made to Industry Canada in September, 2006.
2. A newsletter has been developed and the first edition was distributed in October, 2006. Newsletter co-editors are Kathryn Chan and Elena Hoffstein.
3. The Executive has implemented a listserv system for email communication among its Executive Committee members.
4. The Chair appeared before the Standing Committee on Finance in September, 2006. Submissions on the 2007 budget included tax relief for donations of listed securities to private foundations. The May 19, 2007 budget implements that change and adds new rules for private foundations with "excess business holdings". Submissions are being prepared to address some aspects of those rules.
5. The Section made submissions to CRA on Form T-3010, the form to be filed by registered charities.
6. The Section continues to participate on an informal basis in the government relations coordinating group, a very loose affiliation of voluntary sector organizations including the Association of Fundraising Professionals, the Canadian Association of Gift Planners and Imagine Canada. Section reps sit on the CRA technical issues working group and advised the Department of Finance in pre-budget consultations.
7. The 2007 National Charity Law Symposium was held in Toronto on May 10, 2007. Terry Carter, Linda Godel and their committee organized a very successful conference. Plans are underway for the CLE at the annual meeting in Calgary in 2007, ("Advising Charitable Organization."), for the 2008 CLE Symposium and Quebec City CLC and CLE in 2008, organized by Yvonne Chenier.
8. The Chair met with Alexander Davidson of the Department of Justice in November 2006 to discuss issues such as new legislation, liaison with the Department of Justice, CRA, the Department of Finance and a number of other matters. The Chair attended a CRA "stakeholder forum" with other sector groups in late March, 2007.

9. As in previous years, the Section wishes to express its gratitude for the assistance of CBA staff, including, without limitation, Corinna Robitaille, Holly Doerksen, Tamra Thomson and Kerri Froc.

CITIZENSHIP & IMMIGRATION LAW SECTION

JEAN-PHILIPPE BRUNET, CHAIR

HIGHLIGHTS - CURRENT YEAR ACHIEVEMENTS

- Spring 2007 CLE (Victoria)
- CBA's successful intervention in *Charkaoui*
- December 2006 letter to Minister Solberg on 117(9)(d) of *IRPA*
- Meeting with CICIP in conjunction with Section Executive Committee meeting November 2007 (Ottawa)
- Meeting with CBSA and HRSDC, November 2006 & May 2007 (Ottawa)

GOALS - NEXT YEAR

- National CLE Spring 2008 (Niagara-on-the-Lake)
- Meeting with CICIP in conjunction with Section Executive Committee meeting November 2007 (Ottawa)
- Meeting with CBSA and HRSDC, November 2007 (Ottawa)

COMMUNICATIONS

- Newsletter – *Inside Immigration*, latest edition July 2007
- Section webpage constantly updated with Section activities and submissions
- 6 active listservs for members

CONTINUING LEGAL EDUCATION

Current Year:

- CLE August 2007: *Immigration Issues for Non-Immigration Lawyers* (Calgary CLC)

Next Year

- CLE planned for CLC + Expo in August 2008 in Quebec City
- Planning underway for Spring 2008 program

LIAISON ACTIVITIES

- Citizenship & Immigration Canada
- Canada Border Services Agency
- Department of Justice Canada
- Federal Court Bench & Bar Liaison Committee
- Federal Court of Canada

MEETINGS

- Executive Committee meeting April 2007 (Victoria)
- Section meeting August 14, 2007 (Calgary CBA Canadian Legal Conference)

CIVIL LITIGATION SECTION

DAWN M. PRITCHARD, CHAIR

Our major activities were as follows:

1. Sponsored two presentations at the CBA CLC this August, 2007 in Calgary.
2. Publication of Civil Writes – our newsletter (in progress).
3. Regular conference calls with executive.
4. Annual planning session April 13, 2007 in Montreal, QC.
5. Submissions to the Canadian Council of Insurance Regulators on proposed Privilege and Whistle Blower Protection Legislation.
6. Department of Justice Meeting, and Orientation, November 2006.
7. Presentation to Council of the Saskatchewan Branch of the CBA.
8. National Class Actions Database.
9. Presentation to the Northern Saskatchewan Civil Litigation Section.
10. Developing a proposal for a Civil Litigation CLE – fall 2008.
11. Joint proposal with Health Law for CBA CLC CLE, 2008.

Proposal for Civil Litigation CLE for CBA CLC, 2008.

COMPETITION LAW SECTION

JAMES MUSGROVE, CHAIR

The National Competition Law Section is pleased to make the following report of its activities to Council since the last Annual Conference, in St. John's, in 2006.

- Annual Conference – September 28-29, 2006 - 311 registered.
- Annual Fall Conference for 2007 confirmed for October 11-12, 2007.
- Co-Sponsorship [with International Bar Association] of Second Annual Spring Conference in Toronto (May 3-4, 2007) – 110 registered.
- Third Annual Spring (2008) Conference in Preparation.
- Telephone brown bag programs have been undertaken by various Committees of the Section.
- Each of the Merger Committee and the Misleading Advertising Committees have held meetings between practitioners and relevant members of the Competition Bureau/CLD.
- Preparation of *Fundamentals of Canadian Competition Law Handbook*. (Publication - September 2007)
- Re-structuring of the Section's 9 Committees.
- Preparation of Guidelines/Protocols for Committee Chairs/Vice-Chairs.
- Task force on collaboration between Competition Bureau/CBA Section – improved relations and cooperation between Section and Competition Bureau.
- Two newsletters produced in the last year.
- Revitalization Section's 9 Committee Listservs.
- Posting on our webpage all papers prepared for our Annual Conferences.
- Have prepared approximately 15 submissions to Competition Bureau/Legislative Committees/Government/Foreign Antitrust Officials since January 1, 2006 – see attached Schedule.
- Liaison with ABA Antitrust Law Section is very active. Members of ABA Section attended our 2006 Fall Conference, and are expected at the 2007 Conference. They have participated as speakers in our Spring and Fall CLE Programs.

- A representative of the Section (Past Chair) attended Leadership Meetings of ABA Antitrust Section held in April 2006, August 2006, January 2007 and August 2007.
- Liaison with IBA. Chair addressed an IBA meeting, and Section co-sponsored a conference (Spring 2007) with the IBA.
- Active in International Competition Network (ICN) meetings. Past chair attends (Madeleine Renaud – May 2007 – Moscow).
- Members of Section participate in Competition Tribunal/Bar Liaison Committee – preparation of revised Rules of Practice for Competition Tribunal was undertaken in past year – Publication in Canadian Gazette.
- Regular meetings (2x year) with Executive of Competition Bureau/Justice.
- Section Executive meets at least monthly.
- Have been represented at CBA Council/National Sections meetings since January 1, 2006.
- The Section funds and sponsors the James H. Bocking Memorial Award, which is presented annually to a law student or recent graduate to recognize the best paper presented on a topic related to competition law or policy.
- For details on the Section's submissions to government please see the Section's website.

CONSTITUTIONAL AND HUMAN RIGHTS LAW SECTION

RONALD SKOLROOD, CHAIR

Current Year Highlights and Achievements

- Section meetings in August 2006 and April 2007
- Development of CLE for Calgary CLC on the *25th Anniversary of the Charter*
- Meeting with DOJ Representatives in November 2006
- Representation of Federal Bench and Bar Liaison Committee
- Co-sponsor of Law and Parliament Conference

Annual Planning Session

- The section executive met in April 2007 to set priorities for the coming year and will meet again at the CLC in Calgary in August

Continuing Legal Education

- CLE on *Religion and the State* at St. John's CLC
- CLE on *Section 15 of the Charter* at St. John's CLC
- CLE on the *25th Anniversary of the Charter* scheduled for Calgary CLC

Legislation and Law Reform

- Ongoing involvement in review of the Proceeds of Crime (Money Laundering and Terrorist Financing) Act, the Faith Based Arbitration committee, the lawful Access committee and the Air India Inquiry committee

Liaison Activities

- Federal Bench and Bar Liaison Committee
- Meeting with DOJ Representatives

CONSTRUCTION LAW SECTION

LYLE E. BRAATEN, CHAIR

Current Year Achievements

- We have received tremendous interest from practitioners in the Executive Positions and the available Members at Large positions. We have a complete executive and 10 Members at Large representing four provinces.
- We are in the process of planning our next CLE and have had various meetings and conference calls to identify and confirm the appropriate venue. Presently, we are contemplating a CLE in May, 2008 in the Banff area. A proposal has been submitted to the CBA.

Annual Planning Session

- Our annual planning session was held on April 20, 2007 in Calgary, Alberta. At that meeting we discussed the CLE. In addition, we identified a local committee to plan and implement the CLE.
- At the meeting, we also addressed other matters of interest to the Section including the newsletter.

Communications

- We are in the process of publishing a current newsletter which we hope to get out shortly. Mr. Jim White, a newly elected Member at Large from Vancouver, has agreed to be the editor of the newsletter.
- We have re-emphasized the importance of providing information to the editor to allow the newsletter to be published periodically.

Legislative and Law Reform

- We continue to monitor legislative initiatives that may impact our members' practices. At this time, there are no current initiatives which require action from the Section.

Liaison Activities

- We continue to liaise with the American Bar Association Construction Law Section. At our recent meeting in Calgary, the last chairperson, Mr. Farrar has agreed to re-establish contact with the ABA Section.

Meetings

- We will continue to have meetings by conference calls. We have already had our annual planning session which was held on April 20, 2007.

Membership

- We are experiencing increased interest from our membership in the activities of the Section. We now have 10 Members at Large and a full executive.

CRIMINAL JUSTICE SECTION

GREG DELBIGIO, CHAIR

Highlights and Achievements of Current Year

- The Section's major focus is extensive advocacy work on behalf of the CBA, primarily in the area of legislation and law reform.
- Other achievements include the Section CLE and business meeting organized for the CLC in Calgary in August, the Section Executive Committee meetings in December and June which included participation by Section Chairs and Executive Members.

Annual Planning Session

- The Executive Committee meets annually to review priorities and assign responsibilities.

Communications

- Section webpage

Legislation & Law Reform

- Section will represent the CBA at the criminal law sessions at the September 2007 Uniform Law Conference of Canada in Charlottetown. The Section has submitted a resolution re: Release of non-court exhibits for testing.
- Participated in criminal law sessions, Uniform Law Conference of Canada - August 2006 (Edmonton).

2007 Submissions include:

June

- Bill C-32 – Criminal Code Amendments (impaired driving)
Submission to Justice and Human Rights Committee

May

- Bill C-35 – Criminal Code amendments (reverse onus in bail proceedings)
Letter to Legislative Committee on Bill C-35

April

- Bill C-9 – Criminal Code amendments
Letter to the Senate Committee on Legal and Constitutional Affairs

March

- Bill C-22 – Criminal Code amendments (age of protection)
Letter to Justice and Human Rights Committee

February

- Bill C-18 – An Act to amend certain Acts in relation to DNA Identification
Letter to Justice and Human Rights Committee

2006 Submissions:

December

- Bill C-10 – Minimum Penalties for Firearms Offences
Submission to Justice and Human Rights Committee

October

- Criminal Procedure Reform – Hybridization of Offences
Letter to Justice Canada

September

- Bill C-9 - Conditional Sentence of Imprisonment
Submission to Justice and Human Rights Committee

August

- Miscarriages of Justice
Submission to Justice Canada

June

- Criminal Code Sections 25.1 – 25.4 Review (Police Exemption)
Letter to Justice and Human Rights Committee

May

- Women Prisoners – Implementation of Arbour Commission Report
Letter to Canadian Association of Elizabeth Fry Societies

Liaison Activities

- Department of Justice
- National Associations Active in Criminal Justice
- International Criminal Bar - the National Criminal Justice Section represents the CBA

Meetings

- Section meeting August 2007 (Calgary CBA Canadian Legal Conference)
- Executive meeting June 2007 (Ottawa)
- Executive meeting December 2006 (Calgary)
 - Branch Section Chairs from all jurisdictions participate. We rely largely upon Branch Section Chairs as a conduit for information to and from individual Section members
- Department of Justice November 2006 (Ottawa)

ELDER LAW SECTION

JEANNE E. DESVEAUX, CHAIR

Highlights - Current Year Achievements

- The CLE session held In St. John's 2006 on Powers of Attorney was overwhelmingly successful with a high attendance and we anticipate the same interest in Calgary 2007 as the topics are of concern to section members (and other sections e.g. estate, health law) across the country.

Continuing Legal Education

- Conference scheduled for New Brunswick June 2007 - Saluting the 2nd International Elder Abuse Day on June 15, 2007, the Section is taking an in-depth look at promising approaches for dealing with abuse, financial exploitation, and neglect of older adults, including a critical examination of the status of adult protection legislation, mandatory reporting, guardianship and with reports on changing attitudes and emerging professional best practices regarding retirement, pension policies, ethical counselling, capacity assessment, aging with challenges, advance care planning, end-of-life issues, powers of attorney, and later-life marriage and divorce. The attendance unfortunately, is less than what was expected but this is more likely a time of year issue rather than lack of interest. We will learn from this and we look forward to the much anticipated session in Calgary.

Legislation & Law Reform

- The section is closely observing the work of the western provinces, in developing a new approach to Powers of Attorney and anticipate involvement at the appropriate time (at present some members of the section in their respective provinces are involved).
- Many members of the section have been participating in government initiatives relating to the area of elder abuse in their various provinces (and our involvement has been sought).
- Interestingly, the Foreign Affairs Minister has expressed concern with provisions of the *Criminal Code* relating to competency/consent of older adults suffering from dementia. Discussions have been initiated for the section to provide input with changes that may be on the radar. It is hopeful that perhaps follow up in the fall with the meetings with Justice may be an opportunity to explore this further.

Liaison Activities

- The Canadian Centre for Elder Law Studies offers a link to CBA from their Website and they seek the Elder Law Section's participation in their yearly conference which is gracious of them along with facilities for conducting face to face meetings and informal networking opportunities.

ENVIRONMENTAL, ENERGY & RESOURCES LAW SECTION (NEERLS)

TONY CROSSMAN, CHAIR

HIGHLIGHTS

- Increased liaison with ABA SEER
 - invited to and attended ABA SEER Executive meeting
 - ABA SEER involvement in CLE – May 2007
- Pre-DOJ day CLE and networking dinner – October 2007
- DOJ day increased participation and substantive content (presentation and open forum format)
- 2007 Annual National Environmental Energy & Resources Law Summit (CLE conference with Energy focus to encourage greater participation from Energy lawyers) – May 2007
- Teleconference series with focus on Climate Change (April, May and June, 2007) – joint project with Business Law section
- Second year of Law School Essay Contest – greater participation from law students
- Ecobulletin Issues
- Website updated
- Closely following climate change initiatives of federal government
- Response to reform of federal *Fisheries Act*

In October 2006, NEERLS continued a successful initiative of holding a half-day CLE program and networking dinner (with keynote speaker) in conjunction with the fall CBA DOJ meetings in Ottawa. More than 45 attended this event. The full day meeting with DOJ also attracted more than 45 participants.

In May 2007, NEERLS presented the annual Environment, Energy and Resources Law summit in Toronto (an energy theme) with substantial participation from the ABA Section on Environment, Energy and Resources Law (SEER). This event was sold out.

NEERLS will present a CLE panel on the oil sands at the CLC and Expo in August, 2007 in Calgary.

NEERLS has increased its liaison with ABA SEER, with participation in the ABA SEER Executive Meeting and ABA SEER involvement in CBA CLE programs. There are formal liaisons through the NEERLS ABA sub-committee. The relationship is developing

very well and there is discussion about a joint meeting in Ottawa in 2008 with the ABA SEER Executive Council.

Although NEERLS did not submit any formal briefs on federal legislative initiatives, the Legislation and Law Reform Committee of NEERLS has been keeping a close eye on current federal climate change initiatives (very much a moving target), the *Canadian Environmental Assessment Act* review, the *Canadian Environmental Protection Act* and the *Fisheries Act*. A sub-committee is working on a submission on the *Fisheries Act*.

Following a previously successful initiative concerning the *Fisheries Act*, NEERLS, in conjunction with Business Law Section, has held three telephone conferences on climate change. The April 2007 telephone conference call had 137 participants and the May 2007 telephone conference call had 108 participants. Numbers for this final call are expected to be similar.

The spring 2007 meeting of the Executive Committee was held in Montréal and a Section Business meeting will be held in August 2007, in Calgary. Both meetings are/will be open to CBA section members. In addition, there have been regular executive meetings by conference call.

This section has 1,528 members. The section has expanded its mandate four years ago to include energy and natural resources and it is a continuing initiative to attract participation of lawyers practising in those fields.

This was the second year for the law school essay contest (David Estrin Prize) funded through private sponsors foundation (foundation sponsor Gowlings) and there was a marked increase in participation of law school students.

The NEERLS newsletter, Eco Bulletin, was distributed electronically three times this year.

FAMILY LAW SECTION

ELAINE KEENAN BENGTS, CHAIR

Regular Meetings

The Family Law Section normally meets twice a year - once in the fall and once in the spring. This year, we decided to hold our fall meeting in conjunction with the annual Department of Justice meetings so that more of our members could participate in those exchanges of information. This worked out very well and we are hoping to be able to continue this as a tradition in the future. We have an excellent working relationship with the Department of Justice and normally have at least one representative of that office in attendance at our meetings. This year, we discussed a number of issues with the Department of Justice Representatives including:

- Unified Family Courts,
- Passport applications for children of separated families,
- Problems with the uniform legislation concerning Interjurisdictional Support Orders in non- divorce situations,
- Spousal support,
- Changes at Canada Revenue regarding requests for copies of income tax information
- Recalculation programs under the Child Support Guidelines

In our Section meeting in November, we also continued our discussions with respect to the Draft Spousal Support Advisory Guidelines and our submission to Rollie Thompson and Carol Rogerson with respect to those guidelines. We also continued our ongoing discussions about how to make our section more relevant to our members and how to keep them involved and informed. Our Nova Scotia members announced that the 5th World Congress on Family Law and Children's Rights will be held in Halifax in August of 2009 and there was discussion on how we might be able to participate in that conference in a meaningful way.

Our second meeting of the year is being held in Yellowknife, Northwest Territories from June 7th to June 9th. Items on the agenda for this meeting include an update on the Spousal Support Advisory Guideline project, Faith Based Arbitration, and Interjurisdictional Support Orders issues as well as the World Congress in Halifax in 2009. In conjunction with this meeting our table officers will be participating in a two hour Public Legal Education and a full day Continuing Legal Education program for local members of the bar

Newsletters

This year, thanks to the efforts of our former chair, Judith Huddart, we have been able to complete two electronic editions of *The Family Way/En famille*, the first of which was published in January, 2007 and the second version is expected to be published prior to this summer's CLC.

Legislation and Law Reform

Our major project this year has been our submission to Rollie Thompson and Carol Rogerson on the Draft Spousal Support Advisory Guidelines. We found that this was a difficult project because of different applications of the guidelines across the country but with Gaylene Schellenberg's persistence and guidance, we were able to complete the submissions earlier this spring.

As a result of our fall meeting with the Department of Justice, the section has sent a letter to the Department with respect to Interjurisdictional Support Orders legislation and it is hoped that this will begin a discussion on ways to improve that system.

Resolutions

At the Mid-Winter Meeting in Mont-Tremblant, Quebec, council adopted Resolution 07-03-M regarding the Rights of the Child to Legal Counsel in Child Welfare Proceedings. The resolution passed unanimously.

National and Continuing Legal Education and Collaboration with Colleagues

This year, as noted above, the section will be presenting a public legal education session and a CLE program in Yellowknife, Northwest Territories in conjunction with the spring meeting of the section in Yellowknife. In addition, our members are involved in the organization of the 5th Annual Congress on Family Law and Children's Rights to be held in Halifax in August of 2009 and it is anticipated that our members will be participating in the program of events.

Liaison Activities

We continue to have meetings and discussions with the Department of Justice staff on issues concerning family law. We also support our earlier initiative undertaken by the Section whereby each provincial/territorial representative is encouraged to provide the Chair with family law concerns arising in their jurisdictions which the Chair, in turn, can communicate to provincial government agencies as part of our continuing efforts to harmonize family laws throughout the country.

We also continue to liaise with the American Bar Association through the person of Dick Podell, who regularly attends our meetings either in person or by telephone to provide us with an update on family law issues in the United States.

Participation in Canadian Legal Conference, Calgary

Our Section is sponsoring a program in August in Calgary. Heather McKay and Ed McCann will be our speakers on the topic "Who's Your Momma? - Law Moves into the Bedrooms of the Nation" The program is intended to discuss the implications in several areas of the law as a result of the evolving definition of the family. Serial monogamy, polygamy, same-sex relationships, surrogacy arrangements, and the brave new world of reproductive technologies will be on the agenda.

Long Range Plans

- Continuation of close working relationship with the federal DOJ
- Participation in the 2009 World Congress on Family Law and the Children's Rights
- On-going profile and participation of the Section in the Federation of Law Society's National Family Law Program
- Continued work with Rollie Thompson and Carol Rogerson with respect to the Spousal Support Advisory Guidelines
- Implementation of On-Line CLE's
- Continued improvement on communication with membership

HEALTH LAW SECTION

TRACEY M. BAILEY, CHAIR

The section held the first ever stand alone CLE in Toronto on May 3 and 4, 2007. Entitled “Critical Issues in Health Law: A National Summit”, the conference heard from over 20 speakers from across Canada on three main areas: Private Health Initiatives; The Business and Legal Side of Healthcare; Developments in Patient Safety and Policy; and Medical Malpractice Litigation. There were approximately 130 registrants from 9 provinces and one of the Territories.

The section brought back a newsletter to report on current issues in the area from various jurisdictions. The newsletter, entitled “Pulse”, came out with its first edition highlighting recent developments in case law and legislative changes from different provinces.

Meetings were held in November 2006 with representatives from the federal departments of Justice and Health. In the half day allotted to this meeting, discussion occurred around developing work in the areas of federal privacy legislation and the impacts of the U. S. Patriot Act; the tracking of Chaoulli-like litigation across the country; the monitoring of provincial legislative and other responses to the Chaoulli decision; and the federal legislative renewal project (covering, for example, the federal *Quarantine Act* and the *Food and Drugs Act*). While the meeting was informative, the time allotted did not allow for discussion of other current initiatives at the federal level such as pharmaceuticals, public health initiatives around pandemic planning and obesity, patient safety, and the development of regulations under the federal legislation governing assisted human reproductive technologies, to name a few.

Prior to the section meeting in May 2007, the Chair met with representatives from the Canadian Medical Association and the Canadian Nurses Association. This provided an update on their current legal and ethical projects, and an indication of new policy documents to come. Current work focused on issues such as private health care, pandemic planning and increased government oversight of self-regulating professions.

Our membership continued with the Canadian Patient Safety Institute. Correspondence was exchanged to clarify the section’s role with this organization.

In addition to several conference calls, the section had a productive meeting in Toronto in May to report on the past year and plan for the upcoming work of the section. One recent initiative has been the submission of an application for a CLE to be held in conjunction with the National Civil Litigation section in Quebec in 2008 on class actions in the health care area.

INSURANCE LAW SECTION

GRAHAM R. NATTRESS, CHAIR

The 2006/2007 year was an active one for the Insurance Section. The emphasis of activities during this time period focused on the Section's advocacy role in matters regarding insurance in Canada.

A submission to the Canadian Council of Insurance Regulators ("CCIR") with respect to issues surrounding privilege for self-assessment reports and whistle blower protection was worked on throughout the year. Two submissions were provided. These issues are ongoing and the Insurance Section will be involved, as required.

A newsletter was distributed in the Spring of 2006 and the website continues to be updated. Membership of the Section remains high at 2,288. As well, the Executive has grown with an increase of Members-at-Large from three to ten. The Section has good representation from across the country.

No continuing legal education programs were sponsored by the Section this year. The Section will continue to consider becoming involved in the future CLE, however, at the present time, CLE seminars provided by private companies, law firms and Provincial Bar Associations have led the Section to determine that, with respect to insurance issues, members of the legal profession are being well served.

Liaison relationships continue with the Civil Litigation Section, where many issues are shared, continue. Contact has been made with the American Bar Association's Tort, Trial and Insurance Practice Section. It is anticipated that a liaison relationship will be developed with our American counterparts.

Legislative changes in the Provinces of Alberta, British Columbia, Ontario and Manitoba may occur in the near future. The Insurance Section will keep its members apprised of any potential changes that will affect the practice of law in the insurance realm.

It is anticipated that the advocacy role of the Insurance Section will continue to be the Insurance Section's focus in the 2007-2008 year. The Section is committed to addressing the needs of all lawyers involved in insurance matters in the Country.

INTELLECTUAL PROPERTY LAW SECTION

SUSAN D. BEAUBIEN, CHAIR

ANNUAL PLANNING SESSIONS

Executive Committee Meetings (held and/or scheduled):

HELD

September 27, 2006 (Conference call)
October 19, 2006 (Conference call)
November 7, 2006 (In person, Toronto)
December 13, 2006 (Conference Call)
January 18, 2007 (Conference call – postponed)
February 15, 2007 (In person, Montreal)
March 21, 2007 (Conference Call)
April 19, 2007 (Conference call)
May 18, 2007 (In Person in Ottawa)
June 18, 2007 (In Person, Halifax)

SCHEDULED

August 13, 2007 from 10:30 – 12:00 (Calgary)

MAJOR SECTION INITIATIVES

The Section sought to establish a closer relationship with the IP Section of the provincial branches. The Section indicated that it would be prepared to visit the branches and provide speakers on CLE or other topics that would be of interest to the branches. These initiatives have been commenced/ implemented by means of a visit by the Chair (Susan Beaubien) to the Southern Alberta (Calgary) branch and to the Newfoundland/Labrador branch. On the occasion of the Executive's face to face meeting in Halifax, a meeting was held with some members of the Nova Scotia branch. These meetings were very fruitful in that members of the branches were given an opportunity to express concerns and to make suggestions as to ways in which the National Section could provide a larger role.

Proposals for meetings with the Manitoba and Northern Alberta (Edmonton) branches were well received, but scheduling has been deferred.

Consideration has been given to setting up a branch in British Columbia, and initial steps have been taken towards this goal.

The Section furthered its dialogue with the American Bar Association Intellectual Property Law Section, with a view to collaborating on CLE programs. The Section opened a similar dialogue with the Intellectual Property Section of the International Bar Association.

The Section again held the Annual Federal Courts Judges' Dinner, organized by the Court Practice Committee. This year's event enjoyed record attendance. Attendees from Ontario, Quebec, British Columbia, Manitoba, Saskatchewan, Alberta and British

Columbia were present. This is the most geographically diverse attendance in the history of the event. A council member of the ABA also attended.

LEGISLATION & LAW REFORM

The Section was invited to work with an internal committee of the Federal Court with respect to proposed reform of the intellectual property litigation process. Feedback on proposed reform was obtained at a "Town Hall" meeting held in conjunction with the CLE and the Federal Courts' Judges' Dinner. Attendance was excellent. Feedback was also solicited from the membership by way of informal consultation and meetings with the branches. A formal report to the Court is being prepared.

COMMITTEE ACTIVITIES

The CLE Committee continues to offer excellent programming. The May 17, 2007 program was held in Ottawa in conjunction with the Annual Federal Court Judges dinner. The program was well received and well attended. The next CLE program will be at the 2007 CLC.

Committee membership was solicited through a request for expression of interest, by way of e-mail. Several dormant activities have been reactivated as a result.

Committees are being asked to undertake projects with respect to actual or possible legislative reform in the areas of patents, trade-marks, copyright, trade secrets, anti-counterfeiting, litigation reform and security interests

NEWSLETTER

The newsletter for Section members are distributed by e-mail only, and take the form of digests of recent significant court decisions in the area of intellectual property. Feedback from the membership continues to be excellent. In order to raise the profile of the Section, a working proposal for a newsletter with general IP news is being looked at.

LIAISON ACTIVITIES

The IP Chair met with Cal Becker of the Department of Justice over lunch in November 2006 to discuss making the annual meetings more meaningful, and increasing Department of Justice involvement in CBA. The meeting was very successful in that a number of areas of future legislative reform have been identified. A follow-up meeting has been requested.

The Section had successful liaison with the branches, and with the ABA, IBA through meetings attended by the Chair with the Executive of those organizations. The Chair also attended an event of the New York Intellectual Property Law Association, as an invited guest of the NYIPLA.

MEMBERSHIP

At each Annual Conference, the National IP Section holds a business meeting open to the Section members at the Annual Conference.

PARTICIPATION IN CBA ANNUAL MEETINGS

The CLE Committee is preparing a proposal for CLE for the 2008 AGM.

Will participate in Annual Conference in Calgary in August 2007, including National Sections' Council Meeting, CBA Council Meetings, National IP Section Business meeting and Executive Meeting.

Attended National Sections Council Meeting in November 2006 (Susan Beaubien, Chair).

Participated in Mid-Winter meeting in Mont Tremblant in February 2007 (Susan Beaubien, Chair).

LONG RANGE PLANS

Organization of a joint CLE/networking program with either the ABA and/or IBA, possibly for 2008.

Greater committee involvement in the review of proposed legislation and a greater advocacy role for the CBA with respect to law reform and legislative reform in the area of intellectual property.

INTERNATIONAL LAW SECTION

CLIFFORD SOSNOW, CHAIR

1. Achievements

Building on a committee governance structure developed over the last two years as a way of reflecting the richness and diversity of issues that make up the international law section, continues to deepen the Committee's roots as the repository of continuing legal education needs of the Canadian international law bar. Focussed on the four core issues of International Dispute Resolution, International Trade and Investment, International Law and the Rights of Persons and Communities and International Business Transactions and Regulations, the committees have invigorated the work of the section and the variety of CLE programs and initiatives that have been implemented or in the process of being considered are testament to the success of the committee initiative.

Consistent with the importance of the Canadian perspective on international law as practiced by the Canadian international law bar, the Section has been approached by other international law associations in Canada and abroad to participate in the various global international law issues that demand the attention of its practitioners.

2. Annual Planning Session

The most recent planning session was held in Montreal in September, 2006 at which time key decisions were made on the composition and mandate of the Executive. The Section decided to respond to the rich variety of applicants for positions on the Executive by taking the strategic decision to increase the size of the Committee and in so doing to choose members that in addition to ability would reflect the linguistic, geographic and equity profile of the international law bar in Canada.

3. Communications

First, there is the Section's *International Law Bulletin* edited by the Section's Wendy Wagner. It contains a rich source of content that notes key issues and developments as reported by Section members, Section news, and Committee and Branch reports.

Second, under Bernard Colas, the President of the Quebec Branch of the Section and a member of the Executive Committee, the Section publishes two editions of the *Canadian International Lawyer*. Under Bernard's leadership, advertising dollars are now coming to the Section to help ensure that it can continue to bi-annually publish the magazine.

The third prong of the Section's communication strategy is reflected in the decision of each Committee to put in place International Listserves. These act as electronic "community squares" where Committee members raise new issues, advise of new decisions, plan meetings and seek advice from others who have worked on similar matters.

4. Continuing Legal Education

Under the direction of the Chair of the International Dispute Resolution Committee, the Executive agreed to conduct a CLE program at the Calgary August CBA Annual Conference entitled *Globalization of Class Actions*. In addition, the Section is putting on

a substantive business meeting at the Calgary Annual Conference entitled *Issues Arising in International Agreements*. Consistent with the intention of highlighting the Alberta international bar the panel, which is comprised of four Alberta international law practitioners, will examine a diverse array of issues including international agreements in the oil and gas sector.

In addition, the Committee's have put on a rich variety of programs throughout the year. The International Dispute Resolution Committee hosted a teleconference on the topic of "Enforcement of foreign non-monetary orders in Canada" focussing on the recent case of *Pro Swing Inc. v. Elta Golf Inc.* The Rights of Persons and Communities Committee hosted a teleconference on the *UN Convention on the Rights of Persons With Disabilities*. And the International Trade and Investment Committee held several programs including the negotiation of a Foreign Investment Protection Agreement between Canada and China and between Canada and India.

The American Branch of the International Law Association is hosting an International Law Week in New York City in October, 2007. The Section has worked with the Canadian Council on International Law to put forward a proposed panel on border security, which recently received acceptance by the ILA planning committee.

Finally, the Section has recently received approval for its Fall 2008 CLE program that will explore and examine customary international law, and "soft law" norms, their role in international dispute resolution and legal development, and their incorporation into and interaction with Canada's domestic legal system.

5. Equity Issues

In addition, to the Rights of Persons and Communities Committee that promotes a deeper understanding of international law issues with respect to gender, race, disability, ethnicity and other perspectives/disadvantages; our section leadership puts into action the section's commitment to equity principles and values. Three of the five officers of the section are women including the Secretary, Treasurer and Past Chair. Three of the four section committee's are either chaired or co-chaired by women. More than one third of the executive is comprised of women, the highest proportion of women the executive has seen. In addition, the executive itself is comprised of members from visible minority communities, both of Canada's official language linguistic groups and from every region of Canada.

6. Legislation & Law Reform

Under the direction of the Chair of the Rights of Persons and Communities which took the lead role in bringing the matter to the attention of the Section, the Section approved and the Section Chair signed together with the CBA and several NGO's an open letter that urged the Prime Minister to ensure Canada's signature to the *UN Convention on the Rights of Persons with Disabilities*; - an initiative that proved successful.

Under the direction of the International Trade and Investment Committee and further to a request from the DOJ to the Chair of the Section, the International Trade and Investment Committee drafted a letter to the Canadian Minister of International Trade, signed by the Section Chair, with the Executive's approval, urging speedy ratification by the Canadian government of Bill-53, the SETTLEMENT OF INTERNATIONAL INVESTMENT DISPUTES ACT. This legislation ratifies Canada's signature to the 1965 Convention on the Settlement of Investment Disputes between States and Nationals of Other States.

Further to a request for support from the Wills and Estates Section and under the carriage of the Chair of the International Business Transactions and Regulations committee, the Executive agreed to co-sponsor a letter to the Prime Minister urging the Canadian government to sign the *Hague Convention on the International Protection of Adults*.

In addition, International Business Transactions and Regulations committee and the International Dispute Resolution committee actively participant with the DOJ in the ongoing work to revise the UNCITRAL Rules.

Finally, through the work of both the International Business Transactions and Regulations and the Rights of Persons and Communities committees, the Section continues to be involved in ongoing technical consultations with the DOJ on the *Hague Convention on the Civil Aspects of International Child Abduction and Group VI of the UNCITRAL Working Group on Secured Transactions*.

7. Liaison Activities

The Section continues to maintain close relations with CCIL, ABA, IBA, ILA and other legal associations, primarily as content providers to their various programs but also as co-sponsoring associations to their events. For example, in May, 2007 the Section, further to the approval of the Director of Professional Development, agreed to act as a “cooperating entity” with the ABA’s International Law Section regarding their section’s International Law Spring meeting, which had 1200 registrants. This non-financial commitment helped raise the profile of the Section not only with the ABA’s International Law Section leadership, but provided important “brand awareness” to the North American international law bar.

In addition the Section, further to the approval of the CBA's Director of Professional Development agreed to provide support to publicize the upcoming ICDR North America Dispute Resolution Series conference in Toronto, September 27 and 28, 2007. In exchange, the CBA would be identified as one of the supporters of the conference and the CBA logo would be given appropriate visibility at the conference.

The Section also maintains a close relationship with the DOJ and various “front line” departments such as Foreign Affairs and International Trade Canada. Consistent with that relationship, the DOJ has named the Section a “core table” for the annual October meetings between the CBA and the DOJ. And consistent with the agreed objective of the Executive to ensure deeper linkages between the Section and the DOJ, each of the Section’s committee’s have agreed to seek to increase the frequency of meetings with DOJ representatives in the light of the continuing nature of issues demanding the Section’s attention.

8. Meetings

Monthly Executive conference call meetings are scheduled where Branches, Committee Chairs and Executive members are actively involved. Section Committees and Branches too have regularly scheduled meetings and the results of those meetings contributes to the richness of our monthly executive calls.

9. Membership

The Section was successful in increasing membership over the previous year and now stands at 1187, an increase of 8.3 per cent over the previous year. Further to the successful establishment of a Branch in Manitoba, the Executive will consider how to more deeply engage Northern Communities and those few provinces that are not currently represented at the Branch level, primarily in Atlantic Canada.

LABOUR AND EMPLOYMENT LAW SECTION

DAVID J. CORRY, CHAIR

Current Year Achievements

Submission by Malcolm Boyle and the section was incorporated into the Arthurs' report on Canada Labour Code (Part III). Ongoing liaison with Federal Dept. of Justice regarding future proposed amendments to Canada Labour Code.

Organizing and co-hosting the pre-eminent National CLE on Employment and Labour Law and Administrative Law – Ottawa, November, 2006. This will continue next year.

Conference call CLE to NWT Section by David Corry in Winter 2006.

Annual Planning Session

An annual planning session was held in Ottawa in November, 2006 resulting in the following:

Investigate and consider hosting a National CLE Conference sponsored by the National Labour & Employment Law and National Elder Law Sections. The conference would focus on such issues as mandatory retirement, pension issues and other labour and employment issues particular to the elder population, we would hope to include the National Pensions & Benefits Section also. Pierre Moreau, Incoming Chair, National Labour & Employment is working on this initiative.

Consider on-line CLE's in the labour and employment field to permit participation from lawyers outside of major urban centers.

A further planning session will be held in Ottawa in conjunction with the Administration and Employment Law CLE in November, 2007.

Communications

Loretta Bouwmeester (NWT Section Chair) was responsible for our Section newsletter *Perspective* which included contributors from the National Executive, Members At Large, and Provincial Chairs respectively. Newsletters were published in June 2006 and January 2007. Further editions are expected as soon as enough submissions have been received. We will assess the impact and value of providing two newsletters to consider whether that is the best and most appropriate means of communication with our section members.

Continuing Legal Education

Employment Catastrophies - August 2006 - St. John's, Nfld at CBA CLC.

National Labour/Administrative Conference: *Through the Frosted Glass: Practical Advice and Trends Towards Transparency in the Law*, November 2006.

Next Year(s):

- National Labour/Administrative Conference: November, 2007 (Ottawa):
- Proposal for Annual CBA Conference for summer, 2008 pending
- Possible CLE National Labour/Elder Law Conference: (Toronto)
- Consider on-line CLEs to reach lawyers outside of major urban centres

CBA Strategic Plan

Review and Implementation of CBA Strategic Plan 2007-2012 as it relates to the Section

Legislation & Law Reform

Met with the Federal Department of Justice representatives, including a researcher for the Canada Labour Code Part III Review Committee. To review and comment on any proposed legislation if and when it is introduced.

Liaison Activities

A.B.A. Labour & Employment Law Section (M. Boyle), Canadian Association of Labour Lawyers' - P. Moreau, Canadian Association of Counsel to Employers' C. Harrison; D. Corry.

Consider labour and employment law representative to IBA.

Meetings

Branch Section Chairs actively involved and excellent representation in all jurisdictions at our National Meeting in November 2006.

The Section was represented at the National Section's Council and C.B.A. Council in August, 2006; National Section Council in November, 2006 (Ottawa); C.B.A. Midwinter Meeting February 2007 as well as Section Executive Meeting, November 2007 (Ottawa).

Membership (Outreach, Member Feedback)

On-going recruitment at the Provincial Section level. Plan to investigate establishing provincial section in Manitoba.

LAW PRACTICE MANAGEMENT & TECHNOLOGY SECTION

Not submitted.

MARTIME LAW SECTION

RICHARD F. SOUTHCOTT, CHAIR

HIGHLIGHTS - CURRENT YEAR ACHIEVEMENTS

- Executive Meeting held in Halifax, June 16, 2006, in conjunction with Eastern Admiralty Law Association Conference on New Directions in Maritime Law
- Annual General Meeting of Section, open to all Section members, held in Halifax June 16, 2006, following Executive Meeting
- Section Meeting in August, 2006, at St. John's CBA Canadian Legal Conference
- Meeting with Department of Justice in Ottawa on November 3, 2006
- Participation in Transport Canada Focus Group on Adventure Tourism activity in Ottawa, November 20-21, 2006
- Written submissions to Canadian Transportation Safety Board regarding proposed modifications to Transportation Safety Board Regulations (December, 2006)
- Consultation with Transport Canada on draft Wreck Removal Convention (February, 2007)
- Participation in meetings of National Sections Council and CBA Council at CBA Semi-Annual Meeting (February, 2007)
- Responses to Transport Canada Consultation Papers on Ship Suppliers Liens and Sister Ship Arrest, following-up on May, 2005, Transport Canada Discussion Paper on Maritime Law Reform (April, 2007).

GOALS - NEXT YEAR(S)

- Further Legislation and Law Reform work
- Enhanced communication with Section members

COMMUNICATIONS

- Section Webpage

LEGISLATION & LAW REFORM

- Participation in Transport Canada Focus Group on Adventure Tourism activity in Ottawa, November 20-21, 2006
- Written submissions to Canadian Transportation Safety Board regarding proposed modifications to Transportation Safety Board Regulations (December, 2006)
- Consultation with Transport Canada on draft Wreck Removal Convention (February, 2007).

- Responses to Transport Canada Consultation Papers on Ship Suppliers Liens and Sister Ship Arrest, following-up on May, 2005, Transport Canada Discussion Paper on Maritime Law reform (April, 2007)

LIAISON ACTIVITIES

- Canadian Maritime Law Association
- Transport Canada
- Department of Fisheries and Oceans
- Federal Court Bench & Bar Liaison Committee

MEDIA & COMMUNICATIONS SECTION

Not submitted.

MILITARY LAW SECTION

LIEUTENANT-COLONEL BRUCE MACGREGOR,
TREASURER

HIGHLIGHTS - CURRENT YEAR ACHIEVEMENTS

- CLE August 2007: *The Law in the Midst of Armed Conflict* (Calgary CLC)
- October 2006 CLE (Ottawa) included a presentation by the Honourable Peter MacKay, Minister of Foreign Affairs

GOALS - NEXT YEAR

- National CLE Fall 2007
- Expanding the Military Law Section's Reach
- Outreach to the CBA community on Military Law Issues
- Cooperation with other national CBA sections
- Two meetings annually open to Section members
- Encouraging members outside the National Capital Region to locally organize similar activities and initiatives across the country in association with the Section and the CBA

COMMUNICATIONS

- Newsletter - *Sword & Scale/Salut militaire*, Latest Edition December 2006; Section aims for next newsletter to be distributed to members in July 2007
- Section webpage constantly updated with Section activities and submissions
- E-mail updates to members

CONTINUING LEGAL EDUCATION

Current Year:

- *Equality and the Military* August 14, morning, 2006 (St. John's CBA Canadian Legal Conference)
- *Military operations and amendments to the NDA*, fall 2006 CLE October 25, Ottawa
- *The Law in the Midst of Armed Conflict: the Afghan Experience* - August 14, 2007 (Calgary CBA Canadian Legal Conference)

Next Year:

- CLE planned for CLC + Expo in August 2008 in Quebec City
- Planning underway for fall 2007 program

LIAISON ACTIVITIES

- ii. Canada:
 - Office of the Judge Advocate General
 - Court Martial Appeal Court
 - Canadian Forces Grievance Board
 - Military Police Complaints Commission
 - Canadian Forces Ombudsman

- iii. U.S.:
 - Judge Advocates Association.
 - National Institute of Military Justice

- iv. International:
 - Asia Pacific Centre for Military Law
 - Commonwealth Association of Armed Forces Lawyers

MEETINGS

- Executive Committee meeting May 2007 (Ottawa). Open to all members
- Section meeting August 14, 2007 (Calgary CBA Canadian Legal Conference)

MEMBERSHIP

- Section Bylaws amended in February 2005 to make operation of Section more transparent and inclusive
- Continued liaison to ensure all JAG lawyers are Section members
- Members advised of annual Section meeting and agenda by e-mail
- Through the webpage, members are linked to relevant legislation, regulations and orders as well as to Canadian and international Military Law and Justice websites

MUNICIPAL LAW SECTION

BRUCE A. NOBLE, Q.C., CHAIR

1. CURRENT YEAR ACTIVITIES

The membership benefited from the reports arising from the meeting of the Executive in Toronto on March 3rd, 2007. Issues of a municipal concern from all Provinces and Territories were discussed. A primary focus, yet to be implemented, was introduction of a new webpage / newsletter. The listserv is up and running but is not being utilized as it could. The suggestion has been made that we attempt to increase our contact with our members so as to confirm our existence and the nature of the discussions.

2. ANNUAL PLANNING SESSION

The Section has submitted a request to host/sponsor a presentation at the 2008 CLC in Quebec City. Subject to the approval of the Committee, the Section will invite DeWitt (Mac) McCarley, the City Attorney of Charlotte, North Carolina to speak upon the process and the techniques to obtain a positive outcome in any negotiation situation. In addition, the annual meeting of the Section in Calgary will include a discussion on recent decisions and issues involving the federal government and municipalities in Canada.

3. COMMUNICATIONS

As noted above, work is in progress on the revised web-site newsletter. Additional efforts on the use of the listserv are required.

4. MEETINGS

The Section Business meeting will take place in Calgary on Monday, August 13th, 2007.

5. MEMBERSHIP

There have been significant increases in the number of participants in our meetings. This, in no small part, is as a result of the substantial increase in the number of Members-at-Large on the Executive. It is also expected that the recent proliferation of higher profile issues that have led to greater litigation for municipalities may well have encouraged lawyers to become members.

PENSIONS AND BENEFITS SECTION

Not submitted.

PRIVACY LAW SECTION

BRIAN T. D. BOWMAN, CHAIR

The Privacy and Access Law Section has remained active over the last year with ongoing and new initiatives on our Agenda.

I am pleased to report that one of the most significant undertakings for the Section – participation in the 2006 review of the *Personal Information Protection and Electronic Documents Act* (PIPEDA) – has been a success. The Section's Advocacy and Government Relations Committee provided extensive written submissions to Industry Canada, the Office of the Privacy Commissioner of Canada, as well as to members of Parliament. It appears that several of our recommendations have been given significant weight by the House of Commons Committee on Access to Information, Privacy and Ethics in its recently released Report on the statutory five year review of PIPEDA.

At the time of drafting this report, the Section Executive is looking forward to meeting with the Canadian Information and Privacy Commissioners in Fredericton, New Brunswick in late June, 2007. This upcoming meeting, like others in previous years, provides an excellent forum for members of the Section to discuss issues relating to privacy and access to information law, face to face with the Information and Privacy Commissioners.

Finally, we continue to prepare for the Section's CLE Conference to be held in Calgary in August, 2007, which will be focused on international development and privacy/access law.

The Section Executive continues to meet by teleconference on a monthly basis and the Section's committees continue their important work.

Administration of Justice:

- The Section participated in the Air India Inquiry.

Advocacy and Government Relations:

- The Section appeared before the House of Commons Committee on Access to Information, Privacy and Ethics in its statutory five (5) year review of PIPEDA.

Communications:

- The Section circulated two (2) issues of its newsletter, *Privacy Pages*, this year.

Continuing Legal Education:

- CBA Annual Conference CLE on International development in privacy access law (Calgary 2007).

Liaison:

- The Section met with the Department of Justice (November 2006) and Information and Privacy Commissioners (June 2007). We anticipate a similar schedule next year.

Meetings:

- The Executive meets by teleconference monthly. Various committees have additional meetings as required. Section was represented in February at the NSC Meeting and NSC and CBA Council in Mont-Tremblant, Quebec.

Expectations for next year:

- As next year will be the fifth (5th) year of the Section's existence, to provide an opportunity to "refresh" the leadership of the Section committees. We will continue to build on the activities noted above.

REAL PROPERTY SECTION

GEORGE ROBERT LAMONTAGNE, CHAIR

PARTICIPATION AND CBA ANNUAL MEETING

A business meeting will be held at the 2007 August CLC in Calgary.

LEGISLATION & LAW REFORM

A meeting was held with representatives of the Federal Department of Justice on November 3, 2006. The meeting was attended by Colleen Brady, Counsel, Property Law Section of the Department of Justice, Marie-Andrée Soucis, Senior Notary of the Notarial Group and Rhonda Lazarus, Senior Counsel, Finance of the Department of Justice, along with Maria Mascaro, Policy Analyst, Financial Institutions Division and Beth Woloski, Chief, Consumer Issues, Financial Institutions Division, of the Department of Finance, together with George Lamontagne, Richard Wenner and Timothy Kennedy of the Real Property Section.

There were a number of discussions related to the questions of timely releases on mortgage discharges, title insurance and limitations on Justice property practitioners to provide undertakings in the area of deposit or payment of monies out of trust accounts. Discussions were also conducted with a view to expanding future involvement between the Real Property Section and the Department of Justice.

MEETINGS

The National Real Property Section Executive Committee meeting was held in Ottawa on November 19, 2006, and was well attended. Numerous matters were considered including questions related to title insurance issues.

Conference calls involving the majority of the members of the Section were conducted through the course of the year.

The Section was represented at both the 2007 midwinter and 2006 annual of the CBA

ANNUAL PLANNING SESSION

The annual session was held as part of the Executive Committee Meeting in November 2006.

COMMUNICATIONS

The newly formed communications committee has started to review the Section webpage and has plans for another newsletter.

LIAISON ACTIVITIES

Representatives of the National Real Property Section met with representatives of the title insurance industry, to discuss issues of interest to the parties.

CLE

The Section has commenced working on developing a topic for the 2008 CLC

SALES & COMMODITY TAX SECTION

ALLAN J. GELKOPF, CHAIR

The Section held a seminar on August 15, 2006 at the Annual CBA meeting entitled, "Customs/GST Border Issues and International Trade Law Remedy Developments".

The Tax Court of Canada Bench and Bar Committee held meetings on September 13, 2006 in Toronto and on February 6, 2007 in Vancouver. The Minutes of the September 13 meeting have been posted on the Section website. The next meeting is scheduled for June 28, 2007.

The Section submitted a letter dated October 12, 2006 to Matthew Sreter, Canada Border Services Agency, Trade Program Directorate regarding the CBSA's Re-investigation Policy.

The Section held a joint meeting with Department of Justice officials in Ottawa on November 3, 2006. The Minutes of the meeting have been posted on the Section website.

The Section held a meeting of the Canadian International Trade Tribunal/CBA Bench & Bar Committee in Ottawa on December 5, 2006.

The Section submitted comments to the Canada Border Services Agency on January 30, 2007 on proposed changes to Customs Memorandum D13-1-3, "Purchaser in Canada" Regulations.

The CBA/Canadian Institute of Chartered Accountants Trade Policy Sub-Committee meeting with the Canada Border Services Agency was held in Ottawa on February 7, 2007.

The annual GST/HST meeting with the Canada Revenue Agency Rulings Directorate was held in Ottawa on March 8, 2007. Questions and CRA responses will be posted on the Section website when they become available.

The Section held a CLE program on May 17, 2007 in Ottawa entitled, "Best Practices Before the CITT and CBSA/GST and Customs Cross-Border Issues".

The Section is proposing to hold a meeting with the Department of Justice officials in Ottawa in the Fall of 2007.

The Section is proposing to hold a meeting of the Canadian International Trade Tribunal/CBA Bench & Bar Committee in the Fall of 2007.

The Section plans to publish a newsletter in the Fall of 2007. The Section plans to meet with the Department of Finance, Sales Tax Division in Ottawa in 2007 after the new Director has been appointed.

TAXATION LAW SECTION

WILLIAM HOLMES, CHAIR

1. Activities

The main activity of the National Tax Section is its participation in The Joint Committee on Taxation of the Canadian Bar Association and the Canadian Institute of Chartered Accountants (the “Joint Committee”). The Joint Committee makes submissions to the Department of Finance and the Canada Revenue Agency regarding various income tax matters, and meets with officials of those two entities. The Section also works with other CBA Sections, such as the Commodity Tax, Customs and Trade Section and the Wills, Estates and Trusts Section, where matters arise that have an income tax aspect.

2. Submissions

The following are the submissions made by the Joint Committee since our last report of June 2006.

<i>Date</i>	<i>Topic</i>	<i>Sent to</i>
June 1, 2007	Proposed Amendments to Foreign Affiliate Rules	Finance
May 7, 2007	International Fair Tax Initiative	Minister of Finance
March 7, 2007	Bill C-33—Proposed Amendments to Paragraphs 52(3)(a) and 53(1)(b)	Finance
February 21, 2007	December 15, 2006 Release – Guidance on “Normal Growth” for Income Trusts and Other Flow-Through Entities	Finance
January 31, 2007	December 21, 2006 Draft Legislation on Specified Investment Flow-Through Trusts and Partnerships	Finance
December 4, 2006	Questions for CRA Regarding Application of Eligible Dividend Rules	CRA
September 29, 2006	June 29, 2006 Draft Legislation on Taxation of Dividends	Finance
June 30, 2006	Proposals for Next Technical Amendments Bill	Finance

3. Meetings with Government Officials

The Section, through the Joint Committee, met with senior officials of the Department of Finance in conjunction with the 2006 annual conference of the Canadian Tax Foundation. The Chair of the Section is presently participating in the Anti-Tax Haven Initiative Roundtable announced by the Minister of Finance on May 14, 2007.

4. Continuing Legal Education

Since 1995, the Section has sponsored a successful 6-day continuing legal education program in Niagara-on-the-Lake. This year's program entitled "2007 Tax Law for Lawyers" was well attended. The program will be held again in 2008.

WILLS, ESTATES & TRUSTS SECTION

JOHN E. S. POYSER, CHAIR

Current Year's Highlights and Achievements:

The Section received representations from the Department of Justice as to the current status of various international conventions relevant to wills, trusts and substitute decision making. The Section identified one convention dealing with the inter-jurisdictional recognition of powers of attorney and medical directives to be of particular importance. The Section has engaged in a lobbying effort, supported by the Elder Law Section, to raise awareness of the Convention and urge its adoption across Canada.

Significant progress has been made in finalizing a national chart of concordance, summarizing and comparing the laws across Canada relating to estates, estate planning, and incapacity. The chart is to be posted on the "members only" section of the CBA website.

The Section is engaged in an initial consideration of laws related to powers of attorney across Canada and is attempting to identify issues for future attention.

Two income tax issues remain before the government as a result of Section proposals.

Goals:

In terms of goals for the upcoming year, the Section plans to:

- Post the national concordance chart and complete a 2007 – 2008 update, finalizing arrangements to licence the content to Thompson Carswell for an annual licence fee.
- Complete the lobbying effort relating to the international convention on powers of attorney and living wills.
- Push forward on income tax lobbying, dealing with both the rollover of registered investments into spousal trusts and dealing with total return investing.
-
- Developing provincial table of comparative laws on wills, enduring powers of attorney and health care directives
- Will continue to expand provincial table of comparative laws on estate law including comparison of rights of common-law and same sex spouses

Equity Issues

- Reviewed rights of common-law spouses and same-sex spouses to inheritance across Canada
- Will continue to seek uniformity of provincial law on common-law and same-sex rights to inheritance

Legislation and Law Reform

- Submission to Finance Canada on rollovers of RRSP/RRIFs to trust for child or grandchild has resulted in draft legislation under the Income Tax Act
- Will discuss required changes to Income Tax Act with Finance Canada and Canada Revenue Agency to permit total return investing
- Will follow-up and lobby Finance Canada concerning proposal for amendment to the Income Tax Act to allow for the rollover of an RRSP or RRIF to a trust for a spouse or common-law partner
- Will follow-up with Finance Canada concerning the wording of amendment to the Income Tax Act to allow for the rollover of an RRSP or RRIF to a trust for a child or grandchild of a deceased
- Will pursue uniformity of law on exemption of future income from creditors plans (RRSPs and RRIFs) on death

Liaison Activities

- Appointed Liaison from Wills, Estates and Trusts Section to monitor and report on activities of Elder Law Section

Meetings

Executive meetings were held as follows:

by conference call :	October 26, 2005
	December 15, 2005
	March 23, 2006
	May 11, 2006
in person	February 4, 2006 (Toronto)
conference call (to be held)	June 29, 2006

- Chair attended CBA Orientation Workshop and National Sections Council Meeting in Ottawa October 1, 2005
- Chair attended CBA Mid-Winter Meeting in Cancun, Mexico February 16 – 20
- Chair will attend Annual CBA Meeting in St. John's, August 2006

Membership

- Requested additional funding to support Section development in low-subscribing jurisdictions

Conferences

CANADIAN JUDGES' FORUM

JUDGE SHEILA P. WHELAN, CO-CHAIRS

ANNUAL EVENTS

Our primary focus is on events that take place at the CLC each year, including: a Monday morning panel presented in cooperation with the International Commission of Jurists, Judges Day which is planned by the Canadian Superior Court Judges Association and the Forum, a Sunday afternoon reception for judges and guests where the Forum features a *Colleague in the Spotlight*, and the Forum's annual business meeting immediately following Monday's panel.

CHANGES FOR VOX JUDICIA

We have been producing a newsletter, *Vox Judicia*, once per year in printed format and have distributed it by mail to all judges across Canada to encourage new membership. In the upcoming year, *Vox Judicia* will change to electronic format. The success of this change will depend upon the voluntary provision by individual judges of their email addresses.

OPEN TO ALL JUDGES FROM ALL COURTS

In keeping with our Bylaws, the Judges' Forum works to maintain participation of judges from all courts of record. We have been fortunate to count among our more active members, judges of the highest calibre who have distinguished themselves in many areas.

PROTOCOL WITH CANADIAN SUPERIOR COURT JUDGES ASSOCIATION

In late August of 2006, this written protocol recognized the fairly longstanding practice of working cooperatively with the CSCJA with respect to the Judges' Forum Monday CLC panel and the Tuesday Judges Day Program. This was an important step for future cooperative efforts.

CHALLENGES FOR THE FUTURE

There are many opportunities for judges from different geographical and jurisdictional venues to participate in organizations that operate on a provincial, national and international basis. However there is no other venue for judges from all courts to come together in pursuit of common interests. Two of the key objectives of the Forum are to provide a means for judges from all courts to promote the views and interests of judges and to provide a means for the exchange of information and ideas amongst judges of all courts and between judges and members of the bar. These goals continue to be very important.

With these goals in mind, the Forum Executive will propose at the upcoming annual meeting to focus its efforts in the area of administrative independence. This is of interest to judges across Canada regardless of jurisdiction. We believe that like judicial independence it will receive the understanding and support of the CBA at large.

CONFERENCE OF FRENCH SPEAKING COMMON LAW MEMBERS

MIRIAM MAISONVILLE, CHAIR

ACHIEVEMENTS

The Conference has been very active since last year. It warmly welcomed Maître Daniel Boivin of Ontario as Secretary-Treasurer and Maître Christian Michaud of New Brunswick as Vice-President. Maître Boivin is the outgoing President of the Association of French-Speaking Jurists of Ontario. Maître Michaud has been involved in various language cases, including the case concerning amendments to the New Brunswick *Code of Professional Conduct* for the recognition of language rights.

At St. John's, a resolution proposed by the CJEF was adopted; it urged the federal government to support the continuation of the Court Challenges Program, as well as increase its funding in order to ensure its long-term financial stability. Unfortunately, the government has terminated the Program. However, our Conference continues to examine the possibility of finding a way to re-establish the Program, including acting as an intervenor in a lawsuit.

The CJEF organized a CLE on police services in French in Canada in August 2006, at the annual CBA meeting in St. John's. Commissioner Zacardelli of the RCMP and Jack Ewatski, President of the Canadian Association of Chiefs of Police, clarified police services currently available in French in Canada; Maître Mark Power gave an update on the linguistic obligations of police forces in Canada. There was a high rate of participation in this CLE.

The CJEF continues to strengthen its ties with other associations of French-speaking jurists, so as to improve their integration into the CBA and promote access to justice in both official languages across Canada.

Our Conference was invited to the Advisory Sub-Committee meeting of the Department of Justice on *Access to Justice in Both Official Languages*, in Ottawa on November 3, 2006. The President of the Conference had the honour of representing the Canadian Bar Association on this occasion.

The CJEF has issued an edition of *La Clef*, distributed it to its members by e-mail and held Executive Committee teleconferences monthly.

In August 2007, at the CBA Canadian Legal Conference in Calgary, we are organizing a CLE with Graham Fraser, Commissioner of Official Languages, and author of *Sorry, I don't speak French*, as keynote speaker; he will deal with language rights in Canada.

GENERAL PRACTICE, SOLO AND SMALL FIRM CONFERENCE

ROBERT MCCULLOCH

The past year has been an active one for the General Practice, Solo and Small Firm Conference.

The Executive of the Conference held its 2007 Fall Planning Session in Moncton, New Brunswick on September 30, 2006, in conjunction with the New Brunswick Bar Association's Continuing Legal Education Program on « Technology Relevant To Your Practice ».

This experience was such a success that we are currently planning for our 2008 Fall Meeting in conjunction with the Pacific Legal and Technology Trade Conference in Vancouver, which, in fact, we are co-sponsoring.

Two productive Conference Calls have also been held and, as a result, communication among the Executive of the Conference has been much improved. This, in turn, allows us to better communicate the Conference's initiatives to its members.

Past Chair Jean Beauchamp attended the American Bar Association Tech Show in Chicago and will be sharing the technological information he obtained at the Conference not only with GPSSC members but also with the CBA membership at large, through seminars and articles, both in Quebec and elsewhere in Canada.

Continuing on the technology theme, we are partnering with LPAC in presenting a « Jack and Jill » CLE program at the CLC in Calgary which will follow the lives of two lawyers, one of whom embraces new technology while the other avoids it at all costs. The Executive of the Conference anticipates the CLE will be well attended, entertaining and informative.

We are again planning to partner with LPAC in Quebec City for the 2008 CLC, on a CLE session dealing with personal security issues in the practice of law.

The Conference has also returned to publishing two newsletters and has had positive feedback from the membership with respect to the articles published therein.

2006-07 was a year in which we met our mandate, that is to address the needs of lawyers and notaries in general practice, ranging from sole and small firm practitioners in both rural and urban settings, to those practicing law in medium and large firms

Our Conference Table Officers and Executive would like to thank the Canadian Bar Association's National Office for its continuing support, along with a special thank you to our new staff liaison, Edith Perusse.

LEGAL PROFESSION ASSISTANCE CONFERENCE

PATRICK CASSIDY, Q.C., CHAIR

Through compassionate assistance by lawyers, for lawyers, LPAC continues to support our provincial Lawyer Assistance Programs in an effort to achieve a shift in culture that creates an improvement in the health and well-being of all members of the legal profession.

Some highlights of the past year:

- Invited to address conference of Upstate New York/Ontario Assistant Law Schools Deans, June 2007
- Presentation to Peer Volunteer Training Workshop held by New Brunswick Lawyers' Assistance Program, June 2007
- Presentation to Saskatchewan Legal Education Services Inc., May 2007
- 3rd Annual LAP/LPAC Symposium, "*Rx for Wellness: Building the Safety Net*" held in Montreal, September 2006. LAP representatives from all Provinces (except Northwest Territories) attended.
- Successful presentations to law students at McGill University, Osgoode Hall Law School. Assisted OLAP with presentation for University of Windsor and at Ottawa University.
- Presentations also made to Young Lawyers in Saskatchewan, Saskatchewan Court Services and CBA Yukon
- Fundraising initiatives from non-traditional sources
- Established a Peer Volunteer program with the assistance of the Ontario Lawyers' Assistance Program in Newfoundland & Labrador, as well as some training for LAP NB Peer Volunteers.

Still to come:

- Establish LAPs in Yukon, Northwest Territories and Nunavut with assistance of Representatives from those areas
- Continued identification/development of alternate funding sources for LPAC and LAP programs
- Expand partnership development with ABA Co-LAP; General Practitioners, Solo and Small Firms Conference; Young Lawyers Conference
- Develop a more comprehensive National Workshop program for Halifax 2007

In summary, with the continued partnership of our provincial Lawyer Assistance Programs, LPAC will be an important contributor to grass root activities that will promote the health and well-being of those in the legal community.

PUBLIC SECTOR LAWYERS' FORUM

MARK L. BERLIN, CHAIR

The Public Sector Lawyers' Forum provides a platform for CBA members employed as lawyers at some level of government or in public sector agencies. One of the primary objectives of the Forum is to provide mechanisms for public sector lawyers to exchange information and ideas. In addition, the Forum serves as a national network enabling public sector lawyers to connect on shared issues.

The Executive Committee met in November in Ottawa and was well attended by Branch Representatives. The Officers held an additional meeting in April in Montreal. The Forum was represented at the Conference Chairs orientation session in November 2006

In February 2006, the Forum presented a one hour national CLE video-conference program "The Search for Bureaucratic Independence in Canada" was held in collaboration with the Department of Justice. The program was titled "The Search for Bureaucratic independence in Canada". Over 90 people signed up for the program and participated via video teleconference from several Canadian cities. Planning is currently underway for the next video teleconference.

At the CBA CLC 2007 in Calgary, the Forum will host Happy Hour (member networking opportunity) on August 12 and will also present "Ethics in the Public Sector" August 14. The John Tait Award, bestowed each year to a public sector lawyer exemplifying preeminent public service, will be presented on Monday, August 13 to Donald Manderscheid, Q.C. from Edmonton, Alberta.

CLE programming continues to be one of the Forum's main priorities. The Forum has submitted three proposals for the CBA 2008 CLC in Quebec City.

The Forum continues to publish a newsletter, the most recent was published April 2006 and a 2nd edition is in the works. All of our newsletters are distributed electronically and are also available on the CBA website for easy reference by CBA members.

We anticipate next year will be just as busy for the executive.

SEXUAL ORIENTATION AND GENDER IDENTITY CONFERENCE

ROBERT MUIR, FIRST CO-CHAIR

The year 2007 is the tenth anniversary of the Sexual Orientation and Gender Identity Conference (SOGIC), which continues to serve the needs and interests of lesbian, gay, bisexual, trans-gendered and two-spirited CBA members. SOGIC Conference/Sections have also been established in various provinces throughout Canada and inroads are being made at developing sections in additional provinces. In the provinces without branch sections, we are working to build stronger ties to the National Conference.

SOGIC has met at every annual meeting since its inception (its inaugural meeting was in Ottawa in August, 1997), with membership retention and the recruitment of new members continuing to be its key focus. SOGIC continues its outreach activities to promote awareness of the Conference and the many activities and resources available to members. SOGIC had a membership of 193 as of May, 2007.

Since 1999, SOGIC has presented its annual "Hero" and "Ally" awards at the CBA annual Canadian Legal Conference and Expo. These awards recognize excellence within the Canadian Legal Profession in advancing the cause of equality for lesbian, gay, bisexual, trans-gendered and two-spirited people.

SOGIC regularly sponsors CLE programs at the annual Canadian Legal Conference and Expo.

Triangle, the SOGIC E-newsletter, is published three to four times per year and has been very well received. *Triangle*, has also been used as a vehicle for membership recruitment and retention.

SOGIC continues to be very involved in the legislation and law reform front. In the recent past, we have participated in the CBA intervention in the marriage reference case before the Supreme Court of Canada and have participated in consultation with the Criminal Justice Section in support of Bill C-250 (Hate Propaganda) which amended the *Criminal Code* to add groups distinguished by their sexual orientation to other protected groups.

SOGIC has also worked in recent months with the Criminal Justice Section in making submissions to the House of Commons Standing Committee on Justice and Human Rights with respect to Bill C-22 (criminal code amendments relating to the age of protection).

2006-2007 HIGHLIGHTS

SOGIC has an ongoing need to maintain and improve its national profile and to attract new members. There is a continuing need to develop new SOGIC sections in selected Branches and to support the growth and outreach of the existing Branch groups. Priorities that emerged as a result of our annual Executive meeting held in Toronto earlier this year include:

- continued support to Branch sections;
- outreach and support for the establishment of new Branch Sections or Committees with particular emphasis on British Columbia, Alberta and Quebec;
- outreach and support of members in provinces without Branch Sections;
- increased distribution of *Triangle* E-newsletter;
- continued contribution to CBA legislation and law reform work;
- ongoing activities including CLE programs, listserv, “Hero” and “Ally” awards;
- continued CLE involvement.

SOGIC will be presenting a CLE program at the Canadian Legal Conference and Expo in Calgary in August, 2007 entitled “*When Rights Collide: Equality Rights and Freedom of Religion*”.

While challenges remain in recruitment and retention of members, the National Executive and Branch Executives remain committed to ensuring that SOGIC continues its important mandate and work across Canada to the benefit of CBA members and our profession.

WOMEN LAWYERS FORUM

KERRY-LYNNE FINDLAY Q.C., CHAIR

The past year and a half has been very busy for the National Women Lawyers Forum as we develop and grow as a National Forum. The exciting initiative begun in B.C. four years ago, to support women in the practice of law and enhance their individual and collective experience in the profession, has now truly reached a national platform. Since our inaugural meeting at the August 2005 Canadian Legal Conference (CLC) in Vancouver, the Forum executive has spent a great deal of time setting goals and objectives for the Forum, and creating a lasting structure. One of our main objectives has been to provide support and guidance to Branches as they developed local Forums. To date we have been an integral player in the creation of Branch Forums in 5 jurisdictions (Alberta, Manitoba, New Brunswick, Nova Scotia and Newfoundland Labrador) and we anticipate another 2 Branches (Quebec and Saskatchewan) creating Women Lawyers Forums in the next few months. We are delighted with the level of growth our Forum has seen in such a short amount of time! Our feedback is that the National Women Lawyers Forum and its Branch activities are a much needed member service, and our programs fit well with the National CBA's Strategic Plan.

In addition to these goals we have joined with the Standing Committee on Equity to present a panel at the CLC in Calgary on Aug. 14 titled "Supporting Women in Law." This promises to be an interesting and engaging panel discussion and we are delighted to have Supreme Court Chief Justice Beverly McLachlin joining us on the Panel. In addition to the CLE, we will be hosting a reception and holding a business meeting open to all delegates.

The National Women Lawyers Forum is in the process of creating an Annual Women Lawyers Award aimed at recognizing women who have achieved professional excellence in their field and influenced other women to pursue legal careers, supported other women in career advancement or opened doors for women lawyers in a variety of job settings that historically were closed to them. The launch of the award will be held at the Forum's reception in Calgary.

It has been my honour to serve as the first Chair of the National Women Lawyers Forum (2005 – 2007) and I look forward to seeing the legacy of our efforts as the years go by. Our Vice-Chair, Veronica Jackson of Manitoba, and Secretary/Treasurer, Sandra Schulz, Q.C. of Alberta, have each been a tremendous asset to the Forum's executive leadership team with their energy, enthusiasm and ideas.

YOUNG LAWYERS

ANNETTE HORST, CHAIR

The Young Lawyers-Canadian Bar Association (YL-CBA) is one of 10 conferences within the CBA and represents approximately 40 percent of CBA members.

WINNING ADVOCACY CLE FOR CALGARY 2007

This year's annual winning advocacy program is "Winning in the Court of Public Opinion." Focusing on the high profile cases that come up from time to time, the panel will consider practical considerations for planning a media strategy, ethical constraints, as well as a perspective from the bench. Confirmed speakers are Lorne Waldman – Toronto; Darrell Pink - Executive Director of the Nova Scotia Barristers' Society; Justice John Gomery – Quebec; and Gordon Jaremko – Media/Moderator.

PRO BONO AWARD

The deadline for submission of nominations for this award was extended to June 15. Seven (7) nominations were received. The winner is selected in July and receives the award at the Young Lawyers Luncheon at the CLC in Calgary on Aug. 11.

2007 DIRECTORATE MEETING

The YL-CBA directorate meeting was held in May this year, immediately following the ABA-YLD conference held joint with the Jeune Barreau de Montreal. The Young Lawyers-CBA were provided complimentary registration to attend CLE programs during this conference. First Vice-President Bernard Amyot delivered greetings to the ABA-YLD Council and was an enthusiastic participant in the social functions.

ABA-YLD Chair Jay Ray, of Texas, along with President of the European Young Lawyers Association Ben Rigby of London, joined the YL-CBA directorate meeting breakout sessions to discuss their current programs.

CBA hosted a very successful Late Night Party for the ABA-YLD and Jeune Barreau. These events provided a unique opportunity to meet young lawyers from the ABA, international organizations, and with the Jeune Barreau.

LAW SCHOOL STUDENT LOAN RESOLUTION

Progress continues to be made on our initiative to provide debt relief to students. Letters have been prepared to go to each province, territory and the federal government. Much credit is due to our CBA staff Hannah Bernstein and Emily Porter for their work on this important project. Although there are unique programs being developed in each province to address the issue, articling is consistently not recognized as part of a student's period of study, and student loans do not cover the full cost of tuition.

DIRECTORATE MEETING 2007-2008

The Directorate meeting for 2007-2008 will occur in the fall. Given that it follows so closely on the heels of the spring meeting, the approach will be to devote time and energy to a planning exercise and a look at priorities and projects for YL-CBA. The planning will be undertaken in the context of the CBA's newly-adopted Strategic Plan.

COMMUNICATION

YL-CBA is considering new communication strategies for our directorate. To begin, plans are underway to increase the number and frequency of conference calls to allow Branch reps to feel a greater communication between Branches and the YL Executive.

After many years of publishing a hard copy newsletter, YL-CBA is considering a greater online presence including a podcast of the Winning Advocacy Skills workshop. CBIA has been a strong and loyal supporter of young lawyers, and the Conference is very grateful for their ongoing support.