

# BENCHERS' DIGEST

April 2009

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

## Library Review

by Ronald Kruzeniski, Q.C.



It is time to take a serious look at the provision of library services to members. Such a review has not happened for quite some time. We have all experienced the way technology has changed how we research and obtain information necessary for the practice of law. The way to "do libraries" is rapidly changing, too. For all these reasons, it is timely and appropriate that we review the Society's provision of library services to its members. As a result, our President Karl Bazin, Q.C. has appointed a task force to review the Law Society libraries and the types of services

provided. Toby Willis-Camp was appointed as the new Director of Libraries on March 2, 2009. She will work closely with the task force on this review.

The task force has met and has approved a plan to obtain information, determine trends, consult with the members, develop a report and make recommendations to the Benchers. We want all members to be a part of that process.

The task force is interested in obtaining information from members as to which library services are used by members; what types of online services members need now and will need in the future; how members use the reference services; and what changes should be made in providing library services.

The task force plans to consult with members, prepare a preliminary report, provide it to the Benchers for approval in principle, provide it to the membership and request feedback, finalize the report and forward it to the Benchers for final approval. We will consult through emails, the website and the Digest.

You will be receiving an email asking you a number of questions regarding library service. I would ask that all members respond to the email.

If you have opinions, suggestions, advice or concerns, please write to Toby Willis-Camp at 2425 Victoria Avenue, Regina, SK S4P 3M3 or email her at [twilliscamp@lawsociety.sk.ca](mailto:twilliscamp@lawsociety.sk.ca). After reviewing your comments, library usage, data, costs, trends and directions, the task force and the Benchers will consider the issue further, develop recommendations and seek further input. Please take part in the process.

# Highlights of the Meeting of Benchers

held February 12th and 13th, 2009

## Appointments

*Senate of the University of Regina*

Lana Krogan-Stevely was appointed for a second term on the University of Regina Senate.

## Senior Life Memberships

David Conroy, Joseph Kanuka, Q.C., Nicholas Kaufman, Q.C., Olivia Lozinski, William MacIsaac, Q.C. and Barry Strayer were awarded Senior Life Memberships.

## Client Identification Rules

Amendments to the Rules were passed at Convocation and the implementation date will be July 1, 2009. Please refer to the article on page 3 of this issue and the Law Society website for further information.

## The Legal Profession Act, 1990

The Law Society has requested amendments to *The Legal Profession Act, 1990*. At Convocation, Benchers met with representatives from legislative drafting and approved a report from the Discipline Restructure Committee. The amendments are in response to a national study to streamline the Law Society discipline process.

## Federation of Law Societies

Graeme Mitchell, Q.C., council member to the Federation of Law Societies, updated the Benchers on amendments to the Client Identification Rules, a proposed new law school at Lakehead University and a review of CanLII.

## Title Insurance

The Benchers reviewed a report from an *ad hoc* Bencher Real Estate Committee which is examining whether lawyers who purchase title insurance on behalf of a client are acting as Agents, contrary to the *Saskatchewan Insurance Act*. The matter was reserved for further study.

## Public Representatives

The committee on Public Representatives tabled its first report, outlining the role that public representatives play in the governance of the Law Society. The committee will study further issues and prepare a final report in due course.

# Toby Willis-Camp Rejoins the Law Society



The Law Society of Saskatchewan is pleased to announce the appointment of Toby Willis-Camp as the new Director of Libraries.

Toby is no stranger to the Law Society Libraries, having worked as a reference librarian in the Regina courthouse library for four years before taking the past year to explore freelance opportunities. Her first job after completing her Masters in Library and Information Science at the University of British Columbia was with the Courthouse Library Society of B.C. Two years at the Vancouver Courthouse Library formed her passion for legal research and working with the legal profession and the public.

When she is not at the library or busy with family, Toby is involved with the University of Regina Women's Club and works with the lay leadership team at Grace Mennonite Church. She is currently providing editing and research assistance to Donald Layh, Q.C. for his text on the *Saskatchewan Farm Security Act*.

## BENCHERS' DIGEST

The *Benchers' Digest* is published by the Law Society of Saskatchewan to update Saskatchewan lawyers on policy and regulatory decisions made by the Benchers after each Convocation, to inform members about Society programs and activities, and to provide news and announcements of interest to the legal profession. Members are encouraged to send in articles and photos of interest, however, publication rests with the Editor. Articles and photos can be submitted to [llynchuk@lawsociety.sk.ca](mailto:llynchuk@lawsociety.sk.ca).

Current and archived issues may be viewed on the Law Society Website – see [www.lawsociety.sk.ca](http://www.lawsociety.sk.ca), "Publications/Benchers' Digest."

## EDITOR

Liz Lynchuk



# Client Identification and Verification Requirements

by: Thomas J. Schonhoffer, Q.C.

The Client Identification Rules will become effective on July 1, 2009.

Although there are no shortcuts for either lawyers or key office personnel to reading the Rules and understanding them, we have provided some aids and resources. Lawyers should visit the "Client Identification" section located on the homepage of the Law Society

website located at [www.lawsociety.sk.ca](http://www.lawsociety.sk.ca) where you will find the following:

1. Brief history
2. Introduction to the Rules
3. Client Identification and Verification Rules
4. Frequently asked questions and answers

5. Link to video from the Law Societies of Alberta and BC
6. Sample forms
7. Links to other Law Society websites

## ISC - Legal Advisory Committee Formed

by: Ken Koshgarian, Sole Practitioner and  
Lora Bansley, Strategic Account Manager, ISC

Shortly after the land titles registry was converted from a paper-based system to an online, electronic one, a committee was formed by Information Services Corporation (ISC), the Law Society and the Canadian Bar Association (CBA). The committee met monthly to discuss details of concern to the legal profession that arose during the conversion process, with a focus on practical and technical issues as to how the system did or did not work.

With most lawyers and their staff successfully making the transition to the new system, adjusting to the new procedures, and the committee ensuring that ISC is aware of outstanding issues, it seemed that the committee had completed its work. However, longer-term policy issues, amendments to *The Land Titles Act (2000)*, and the expansion of new services from ISC are sufficiently important to warrant a continued dialogue between ISC and the legal profession.

Accordingly, a new committee was formed with four appointees from the Law Society and four from the CBA. In 2008, the Law Society appointed the following members to serve on the Legal Advisory Committee:

- Randy Sandbeck, Olive Waller Zinkhan Waller LLP, Regina
- Randy Rooke, Q.C., McKercher LLP, Saskatoon
- Ken Koshgarian, sole practitioner, Saskatoon
- Marianne Kramchynsky, Sanderson, Balicki, Parchomchuk, Rosthern

The CBA appointed the following members:

- Kevin Rogers, Leland Kimpinski LLP, Saskatoon
- James Camplin, MacPherson Leslie Tyerman LLP, Regina

- Bernard Duchin, Duchin, Bayda, & Kroczyński, Regina
- Cindy Haynes, sole practitioner, Regina

These individuals meet four times a year with representatives from ISC. They have discussed matters affecting the legal profession such as a reduction in fees, standard form documents and legislative changes. Their input is valuable to ISC and it is important for the legal profession to have some say in changes that will affect its practices.

If you have any questions or comments of concern (other than technical "how-to" problems) that you would like raised with ISC, please feel free to contact any or all of these members. Because they represent you, it is important for them to know your thoughts and opinions.

# Queen's Counsel Ceremony, February 13, 2009

## Government House

### Regina



*Left to Right:* Thomas Schonhoffer, Q.C. and Hon. Minister Don Morgan, Q.C.



Anthony Koschinsky, Q.C.



*Left to Right:* Darin Chow, Q.C., Denise Batters, Q.C. and James Rybchuk, Q.C.



**Back Row:** Brian Hendrickson, Q.C., Murray Sawatzky, Q.C., Richard Mayer, Q.C., James Rybchuk, Q.C., Shaunt Parthev, Q.C., Darin Chow, Q.C., Gary Meschishnick, Q.C., William

**Front Row:** Lyle Zuk, Q.C., Gordon Wyant, Q.C., Susan Barber, Q.C., Hon. Dr. Gordon Barnhart, Hon. Don Morgan, Q.C., Denise Batters, Q.C., Barbara Tomkins





**Left to Right:** Brian Hendrickson, Q.C. (former Law Society Bencher), Deputy Minister Doug Moen, Q.C. and Barbara Tomkins, Q.C.



**Right:** Susan Barber, Q.C. Bencher of the Law Society



**Left to Right:** Patrick Reis, Q.C., son Ethan and spouse Desiree



**Left to Right:** Gordon Wyant, Q.C. and his brother Peter Wyant



Preston, Q.C., Anthony Koschinsky, Q.C., Q.C., Patrick Reis, Q.C.

**Left to Right:** Shaunt Parthev, Q.C., grandson Dylan Cook and Inspector Len Delpino





Pro Bono Law  
Saskatchewan

# Benchers' Digest Report

[www.pblsask.ca](http://www.pblsask.ca)

## PRO BONO SERVICE AWARD

[www.pblsask.ca/news.shtml](http://www.pblsask.ca/news.shtml)

In recognition of the contribution of lawyers in Saskatchewan to supporting access to justice for persons of limited means, Pro Bono Law Saskatchewan and the Law Society of Saskatchewan have established an annual award to recognize outstanding *pro bono* service. Nominations are due April 30th and the award will be presented at the Law Society's Annual General Meeting. Nomination forms are available on both the Pro Bono Law Saskatchewan and Law Society websites.

## PROGRAMS

[www.pblsask.ca/gettinginvolved.shtml](http://www.pblsask.ca/gettinginvolved.shtml)

Volunteering with an organized *pro bono* program is one of the best ways to efficiently and effectively provide much needed legal assistance to persons and organizations of limited means. As a brief reminder, here is a list of current projects and programs – there is something for everyone!

**CLINIC PROGRAM** – attend regularly (e.g. a three hour session every two months) at a free legal clinic;

**PANEL PROGRAM** – receive screened referrals (one to five files per year which can be accepted or declined) and provide full *pro bono* representation;

### Specialized Panels:

- Child & Youth Panel Program
- Seniors Legal Assistance Panel Program

- Immigration & Refugee Panel Program
- Criminal Appeal Panel Program

**SOLICITOR PROGRAM** – provide assistance to a charitable, non-profit, or community organization of limited means;

**MENTOR PROGRAM** – supervise a law student or mentor another lawyer providing *pro bono* legal services;

**SUPPORT PROGRAM** – provide support services (e.g. precedent preparation, clinic coordination) for Pro Bono Law Saskatchewan programs.

Simply contact Pam ([pam@pblsask.ca](mailto:pam@pblsask.ca)) at Pro Bono Law Saskatchewan to get involved!

## LAWYER RESOURCES

[www.pblsask.ca/lawyerresources.shtml](http://www.pblsask.ca/lawyerresources.shtml)

In addition to creating, facilitating, and promoting opportunities for lawyers to provide *pro bono* assistance to persons of limited means, Pro Bono Law Saskatchewan also provides direct support to lawyers who are engaged in *pro bono* work. The Lawyers Resource section of the Pro Bono Law Saskatchewan website contains a sign-in prompt which permits members of the Law Society of Saskatchewan to access practical resources such as a sample *pro bono* engagement letter and specialized information for Panel Programs. The Lawyers Resource site is a work-in-progress and any suggestions for the site are welcome.

## PRO BONO SPOTLIGHT

[www.pblsask.ca/spotlight.shtml](http://www.pblsask.ca/spotlight.shtml)

Tom Campbell, Featured Lawyer



Tom is a partner at Stamatinos Leland Campbell LLP in Kamsack and recently provided significant *pro bono* assistance to a group of widowed pensioners who were before the Supreme Court of Canada in *Ravndahl v. Saskatchewan*, 2009 SCC 7. Tom is an active member of his community serving as a school board representative and member of the Lions Club and Knights of Columbus. Tom also actively contributes to the legal community as a Saskatchewan Trial Lawyers Association District Governor and Bencher of the Law Society of Saskatchewan. **Thanks Tom!**

## Weyburn Courthouse Closed for Renovations

Please take notice that effective Monday, March 30, 2009, the Weyburn Courthouse is closed for an extended period to permit major renovations. The Courthouse will re-open in 2010.

Court registry operations and court sittings will be temporarily relocated to the Pepper Building, 2nd floor, 110 Souris Avenue, Weyburn. Textbooks and SKLESI materials will also be available at the temporary library located on the second floor of the Pepper Building.

All phone and fax numbers will remain the same during the renovation period.

For more detailed information regarding available services during the renovation period, please call (306) 848-2360 or visit the Saskatchewan Courts website at [www.sasklawcourts.ca](http://www.sasklawcourts.ca).



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## E.M. Culliton Scholarship Endowment

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As a tribute to the former Chief Justice E. M. Culliton, an endowment was established by the Law Society of Saskatchewan to provide that in perpetuity a special scholarship is to be awarded for the pursuit of post-graduate studies in criminal law.

The value of the scholarship to be awarded in 2009 has not yet been finally determined, but the maximum amount available is expected to be \$10,000. Up to two scholarships may be awarded in any one year. The deadline date for receipt of applications is May 11th, 2009.

Application forms are available on our website at [www.lawsociety.sk.ca](http://www.lawsociety.sk.ca).

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## Senior Life Members

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The Law Society of Saskatchewan is pleased to announce our 2009 Senior Life Members. Certificates will be presented at our Annual General Meeting in Regina scheduled for the evening of Thursday, June 11th, 2009.

**David Conroy**

**Olivia Lozinski**

**Joseph Kanuka, Q.C.**

**William MacIsaac, Q.C.**

**Nicholas Kaufman, Q.C.**

**Barry Strayer**

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## In Memory

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**The Honourable Judge D. Murray Brown** of Regina passed away on February 6, 2009. He graduated from the University of Saskatchewan, College of Law, in 1975 and was with Public Prosecutions until 2007. He was Director of Appeals from 1988 – 2001 when he was appointed Executive Director of Public Prosecutions. He received a Queen's Counsel appointment in 1991. Judge Brown taught in the criminal law field at the Saskatchewan Police College, the Western Canada Crown Conference and the National Criminal Law Program. He was also a member of the Canadian Police College Advisory Council on Investigative Excellence. In September 2007, he was appointed a judge of the Provincial Court for Regina.

**Roger Carter, OC, Q.C., SOM, LL.D.**, of Saskatoon passed away on February 10, 2009. He leaves behind his wife of 61 years, retired Madam Justice Mary Carter, and children Stephen, Sarah, Martha, Michael, Mark and Adam. After serving as a pilot in the R.C.A.F., he returned to Saskatchewan where he met and married Mary. Roger received his law degree from the University of Saskatchewan in 1947 and articulated with Peter Makaroff, Q.C. in 1947. He practiced in the firm Makaroff Carter and Carter with his wife Mary. He received a Queen's Counsel designation in 1958. In 1963, he joined the University of Saskatchewan, College of Law and served as Dean from 1968 – 1974. Roger was the founding director of the University of Saskatchewan's Program of Legal Studies for Native People in 1973. In 1974, he resigned as Dean to assist in establishing Saskatchewan's legal aid plan. Then in 1975 he became founding director of the Native Law Centre and remained there until 1981. Upon retirement, he was named professor emeritus of law. A few of the many awards and honours Roger received were: the Saskatchewan Order of Merit in 1998, Distinguished Service award from the CBA in 1999, and Officer of the Order of Canada in 2001.

**The Honourable Justice Paul Hrabinsky** passed away January 25, 2009 in Hope, BC after a courageous battle with cancer. He is survived by his wife of 51 years, Joanne, and children Lana, Robert and Peter. Justice Hrabinsky was called to the bar in 1962 and received a Queen's Counsel designation in 1979. He was President of the Law Society of Saskatchewan from 1979 – 1980 prior to being named an honorary member. He was a respected school teacher, lawyer and judge of the Court of Queen's Bench for 25 years.

**Robert Milliken, Q.C.** passed away in January, 2009. Robert was predeceased by his first wife, Helen Milliken in 1988 and his son Robert in 2002. He is survived by his second wife, Shirley Downes, and children Laurie, Judith, Susan and Jack, and stepchildren Sandra and Dan. He served in WWII as Captain on loan through CanLoan to the British Army from 1944 – 1946. He returned to Saskatchewan, obtained his law degree and practiced in Regina from 1948 – 1985. He was proud that both he and his father served as general counsel to the Sask. Wheat Pool for over 60 years. Robert obtained a Queen's Counsel designation in 1964. He served as president of the Regina Chamber of Commerce, Regina Rotary Club, Regina Royal Canadian Legion, Regina Liberal Association and the Regina Bar Association. He was also chair of the Regina Salvation Army Advisory Board, honorary solicitor to the Boy Scouts Regina Branch and the Provincial Command of Royal Canadian Legion who awarded him a Meritorious Service Medal.

**Dwayne Walters** passed away on January 14, 2009 after a brief battle with cancer. He leaves behind his wife of 38 years, Maxine, his daughter Kimberly and sons Ryan and Doug. He received a Bachelor of Arts degree as well as a Bachelor of Law degree and practiced law in Saskatoon for 38 years. Dwayne also taught the Bar Admission Course within the College of Law for many years.

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## EQUITY OMBUDSPERSON

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The Office of the Equity Ombudsperson is committed to eliminating both discrimination and harassment in the legal profession.

If you are a support staff, articling student or lawyer within a law firm, you can contact the Equity Ombudsperson, Kathryn Ford, O.C., for advice, information and assistance. All information is confidential.

This office is not a lawyer referral service and cannot provide legal advice. Call **toll free: 1-866-444-4885**.

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- the services of an INDEPENDENT professional consultant;
- services provided without charge.

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### **BENCHERS' DIGEST**

Published by:

The Law Society of Saskatchewan

1100 - 2002 Victoria Avenue

Regina, Saskatchewan

Canada S4P 0R7

Telephone (306) 569-8242

Fax (306) 352-2989

e-mail: [reception@lawsociety.sk.ca](mailto:reception@lawsociety.sk.ca)