

BENCHERS' DIGEST

November 2010

Volume 23, Issue Number 4

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www.lawsociety.sk.ca

Communication Policy

by: Tom Schonhoffer, Q.C.



It is important for the Law Society to keep lawyers current on numerous membership issues. In the past, it has depended on the Benchers' Digest and other mail-outs. The problem with this process is that it uses substantial staff time, printing and postage. In addition, it takes time, and so the message is often out-of-date.

The Law Society will continue to publish the Digest on a quarterly basis, but is moving to communicate more regularly through email.

In 2009, the Law Society installed a membership database and asked all members to supply an email address. Of the 1,688 practising members, all but 35 have cooperated. This technology allows

the Law Society to email all members or target a specific audience.

If you're like me, you probably receive many emails in any given day, and by necessity, prioritize accordingly. Some messages have high importance and are read immediately, while others are read later, sometimes much later. Still other messages are deleted as junk. I want to convince you to give Law Society email some priority in your day by making some commitments to you, as follows:

1. We will not overload your in-box. The Law Society will restrict the number of email messages to no more than 1 per week and less, if possible.
2. We will restrict the messages to important and time-sensitive subjects.
3. We will prioritize the most important messages in any communication so that you need not read the entire email in one sitting.

Lawyers also have an obligation to keep current on Law Society issues and we would appreciate the following:

1. To the 35 lawyers without an email address on the database - if you do not provide an email address, you will miss important information.
2. Always maintain a current email address. You can check your address yearly during the annual renewal or change it any time during the year by logging onto your member profile on the Law Society website. You can also call 569-8242 and request a change.
3. Get in the habit of scanning your Law Society email immediately for important information.

The Law Society will be depending upon email communication increasingly in the future. Thanks to everyone for making this a success.

Highlights of the Meeting of Benchers

held September 9th and 10th, 2010

Rule Amendments

The Benchers approved amendments to Rules 150, 171 and 211. Each of these Rules enumerates the requirements for admission to the Law Society. Some requirements were removed, and others added. The following deletions were made:

1. Requirement for Canadian Citizenship or permanent residency – this requirement has been deleted by numerous Law Societies following a decision in the *Law Society of British Columbia vs. Andrews* and recommendations from the Competition Bureau.
2. Submission of a Birth Certificate – the requirement of a Birth Certificate proving age was replaced with the requirement to provide documents verifying identification.

Other requirements were added, as follows:

1. The requirement to actually be of good character;
2. The requirement to be entitled to work in Canada;
3. The requirement for a police record check upon admission as a student-at-law;
4. Recognition of the JD degree in addition to the LLB degree.

The Benchers also passed rules creating a new category of membership known as a Canadian Legal Advisor. All Common Law jurisdictions subscribe to either the National Mobility Agreement or the Territorial Mobility Agreement. This reciprocity was not possible with Quebec, because of its civil law system. In 2008, Quebec instituted a Canadian Legal Advisor category, which allowed common law lawyers to practice law in Quebec on the following:

- the law of their home province
- matters under Federal jurisdiction
- matters involving public international law

An agreement, executed by Saskatchewan in March 2010, extends the same privileges to Quebec lawyers in Saskatchewan.

Representatives to Other Organizations

The following appointments were made:

O.C. Selection Committee

Along with Karl Bazin, O.C., past President, the following appointments were made:

- Darcia Schirr, O.C.
- Della Stumborg
- Robert Gibbings, O.C.

Law Foundation

Following amendments to *The Legal Profession Act, 1990*, an additional appointment to the Law Foundation was required. Lana Krogan-Stevely was appointed.

Compensation Committee

The Benchers established a new committee to review compensation for publicly appointed Benchers. Members of the committee are:

- Evert Van Olst
- Laura Lacoursiere
- Loreley Berra

Resignation

Arless Dellow's application to resign from the Law Society was granted.

Sentencing

Albert Angus was convicted by a Decision dated July 19, 2010 and was sentenced to a one year suspension. Details of the Decision can be found on the Law Society website.

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.

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

EDITOR

Liz Lynchuk

Highlights of the Meeting of Benchers

held October 22, 2010

SLIA AGM

The Benchers convened the Annual General Meeting of Saskatchewan Lawyers' Insurance Association Inc. The Agenda included approval of the audited financial statements and the reappointment of Virtus Group as auditors. Errors and Omissions Insurance is one of the cornerstones of self-regulation, providing protection to both the public and to lawyers. SLIA continues to maintain a healthy surplus, thus ensuring the security of coverage.

Law Society Budget 2011

The Benchers reviewed the Law Society Budget for 2011 and approved annual fees to remain at \$1,615 per member for another year. Your fees support many important Law Society initiatives including:

	\$
Admissions and Regulation (competency, discipline, ethics)	903
Libraries	310
Special Fund (misappropriation of funds)	145
Education	68
Bar Course	62
Lawyers Concerned for Lawyers	35
CanLII	33
Law Review	24
Federation of Law Societies of Canada	20
PBLS	15
	1,615

Code of Professional Conduct

The Benchers discussed the conflict section of the Model Code as it relates to current clients. This important chapter is currently under national consideration by the Federation of Law Societies.

President's Dinner

October 22, 2010

The Law Society's Annual President's Dinner took place in Regina at the Regency Ballroom, Hotel Saskatchewan on the evening of October 22nd. During the reception, guests were entertained by D'Accord Duo with Karen Constant on violin and Cécile Denis on harp. Special guests in attendance included Glen Ridgway, Q.C.,

Law Society of BC, Irene Hamilton from the Law Society of Manitoba and Rodney Jerke, Q.C., from the Law Society of Alberta.

Eileen Libby, Q.C. is depicted below, accepting the President's Certificate from Paul Korpan, Q.C., for her term as President in 2010.



Eileen Libby, Q.C., President of the Law Society, accepts Certificate from Paul Korpan, Q.C., Vice-President of the Law Society



Eileen Libby, Q.C. and the Hon. Madam Justice Donna Wilson

Founding Member of the Law Foundation Retires



Gordon Wicijowski, LLD (Hon.), FCA

Gordon Wicijowski, LLD (Hon.), FCA retired from the Law Foundation on June 30, 2010 after serving as Treasurer for 37 years.

He qualified as a Chartered Accountant in 1958 and received an Honourary Doctor of Laws Degree from the University of Regina in 1997. He was a senior partner of Ernst & Young, Chartered Accountants, and was the reference partner to many major Saskatchewan audit clients on all major consulting assignments. For over 40 years he provided professional accounting, auditing and advisory services. Mr. Wicijowski also served as Governor of the Canadian Institute of Chartered Accountants, President of the Institute of Chartered Accountants of Saskatchewan and Chairman of the Board of Governors at the University of Regina.

Mr. Wicijowski was also one of the founding members of the Law Foundation in 1973, along with Donald K. MacPherson, Q.C., David Wright, Q.C., G. Edward Noble, Q.C., Dean of Law Roger Carter, Q.C., David Wooff, Wes Bolstad and Kenneth Lysyk. Robert Arscott, FCA was named Secretary of the Foundation. The Law Foundation was created for the purpose of establishing and maintaining a fund for legal education, legal research, legal aid, law libraries and law reform. The Foundation's funds are derived from interest earned on lawyers mixed trust accounts and the investment income earned on those funds.

Bob Watt, FCA was appointed July 1, 2010 by the Minister of Justice and succeeds Mr. Wicijowski as Treasurer of the Foundation.

Caution: Dealing with Settlement Payments Under the Indian Residential Schools Settlement Agreement May be Hazardous!

by: Stephen McLellan, Insurance Counsel

A very interesting case has been brought to my attention.

In *Fontaine v. The Attorney General of Canada* (2008 BCCA 329), the British Columbia Court of Appeal was asked to provide direction with respect to transactions that were or were purported to be assignments of settlement funds under the Indian Residential Schools Settlement Agreement.

Section 67 of the *Financial Administration Act* stipulates that a Crown debt is not assignable and "no transaction purporting to be an assignment of Crown debt is effective to confer on any person any rights or remedies of that debt."

The settlement agreement itself also has a clause that prohibits assignment. Clause 18.01 states that "no amount payable under this Agreement can be assigned and such assignment is null and void except as otherwise provided for in this Agreement."

Although a direct assignment of the debt owed by the Federal Government would appear to be ineffective based on section 67 and clause 18.01, in *Fontaine*, the Federal Government was seeking direction with respect to "direction to pay" to a claimant's lawyer. The Federal Government took the position that paying settlement funds to a claimant's lawyer under a direction to pay ought to be prohibited because it was still, in effect, an assignment.

In the first instance, in the British Columbia Supreme Court, Chief Justice Brenner agreed with the Federal Government's position and characterized the issues as follows:

"It seems to me that this issue is best answered by posing this question: under these "directions to pay" does the CEP claimant still retain the right to deal with the proceeds in an unrestricted manner? If so, there would arguably be no assignment.

But if funds are directed to a solicitor in trust it is not clear that the CEP claimant retains such a right....

Both the law (s. 67 of the FAA) and the Settlement Agreement (s. 18.01) are clear. The CEP payments must be paid by Canada to the CEP recipients. Once received, the CEP recipients are of course free to use or dispose of the funds in any manner they consider appropriate. But until 100% of the CEP monies are placed in their hands, the Crown debt will not have been discharged."

The British Columbia Court of Appeal upheld the decision of Chief Justice Brenner that the direction to pay was part of one transaction that was "intended to fetter the class member's settlement proceeds the instant they became payable [to the lawyer]" and as a result the Federal Government was not bound to honour the direction to pay.

The Court of Appeal expressed the following concern:

"The effect of the transaction was to assign wholly the amounts payable under the Settlement Agreement to lenders, contrary to the intent of s. 18.01 of the Settlement Agreement. It is not beyond human experience that a compensation scheme broadcast widely (as was this one) would attract people seeking a share of the proceeds in arrangements such as these. I think it may be safely said that one purpose of s. 18.01 was to limit the potential for the class members to be fleeced of their funds, or any portion of them, before they were received by the individual. That it was intended they should receive the entire payment is apparent from the restriction in the Settlement Agreement to their counsel charging fees in respect to these payments. In other words, an end run around the Settlement Agreement ought not to be countenanced."

As a result, a lawyer who is involved in any transactions involving the payment of Residential Schools Settlement funds to someone other than the claimant must keep the *Fontaine* decision in mind and ask the question: Does this transaction prevent the claimant from dealing with the proceeds in an unrestricted manner? If it does, this should be a very big "red flag" and the lawyer would be well advised to get directions from a Saskatchewan court before proceeding.

Conflict of Interest and Cross-Examination of Former Clients

by: Melissa Isbister, Law Student

Chapter 5 of the *Code of Professional Conduct* sets out the rules regarding impartiality and conflict of interest between clients. *MacDonald Estate v. Martin*, [2009] 3 S.C.R. 1235, is the governing authority on the standard to be applied in determining what constitutes a disqualifying conflict of interest. The Supreme Court determined the appropriate test must be such that the public represented by the reasonably informed person would be satisfied that no use of confidential information would occur. In other words, persons who consult lawyers must be satisfied that the confidential information they provide will remain confidential and not be used at a later date to assist the same lawyer in cross-examination. Questions included in cross-examination about personal matters, for example, would create the uneasy feeling that they originated in the previous legal relationship.

R v. Brissett, 2005 CanLII 2761 (ON SC), cites M. Proulx and D. Layton in *Ethics and Canadian Criminal Law* at para. 40:

"It has been suggested that defence counsel who cross-examines a former client who

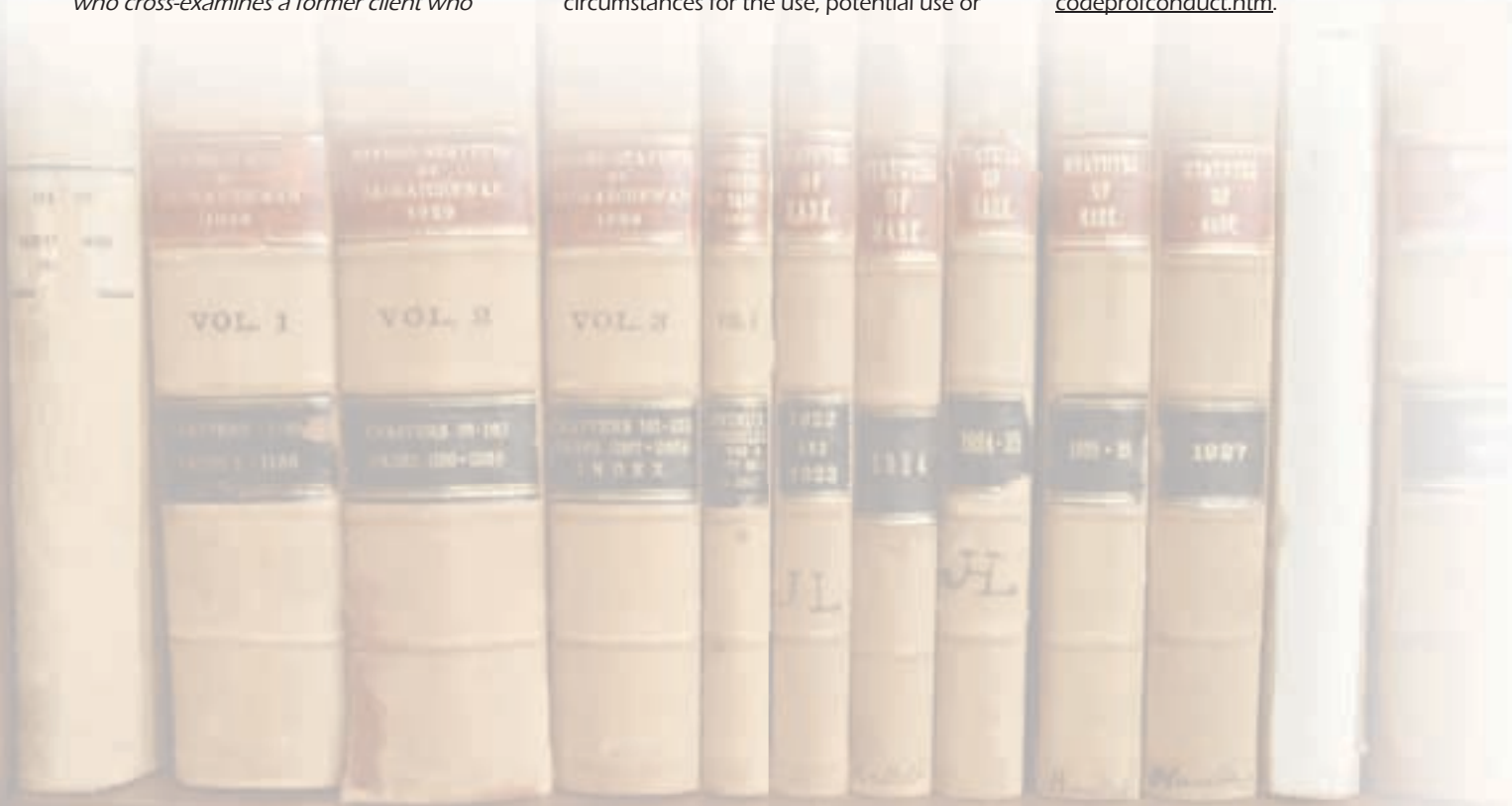
is an adverse Crown witness is not "acting against" a former client, because the former client is not a party in the case and in particular is not an accused and hence faces no jeopardy in the proceedings. It has also been held that "acting against" within the meaning of the ethical rules does not encompass counsel's broad base activities that cause harm to a former client. However, in our view this narrow interpretation of "acting against" should not be used to support a less stringent conflict of interest test where counsel is poised to cross-examine a former client turned Crown witness. The duty of loyalty owed to a former client is broad and should not be attenuated simply because the client is not a named party in a proceeding or does not face criminal sanctions. Where there is no real adversity between the former and present clients, however, conflict of interest problems are less likely. We therefore prefer the "materially adverse" terminology..."

Further, even where the prior representation did not involve substantially the same subject matter as what is at issue in the present situation, there may still exist circumstances for the use, potential use or

appearance of temptation or opportunity to use confidential information secured in a prior retainer with the new prosecution witness. This is especially so where the credibility of the witness (or former client) is at issue in the case.

However, the Superior Court of Ontario in *R v. Louis Raphael Woodcock*, 2010 ONSC 484, cites the case *R v. Robillard*, [1986] O.J. No 261 (Ont. C.A.), in which it was found that disqualification is not automatic where defense counsel has represented a Crown witness in the past. The Superior Court reproduces the decision in *Robillard* by stating at para. 9, "[t]his does not mean that counsel who has represented a Crown witness in the past would necessarily, in all situations, be in a position of conflict of interest in cross-examining the witness at a later date. Whether or not counsel would be precluded from continuing to act would depend on the particular facts of the case."

Please also see Professional Conduct Ruling 2009 SKLSPC 7, which can be found on the Law Society website at <http://www.lawsociety.sk.ca/DatabasesPub/codeprofconduct.htm>.





Pro Bono Law
Saskatchewan

Benchers' Digest Report

Kara-Dawn Jordan, Executive Director

www.pblsask.ca

2011 GOWN TO GOWN LAWYERS' CHARITY GALA

The 2011 Lawyers' Charity Gala will be held on Friday, January 28, 2011 at the Hotel Saskatchewan Radisson Plaza in Regina. This annual event alternates between Saskatoon and Regina, benefitting CLASSIC (Community Legal Services for Saskatoon Inner City) and Pro Bono Law Saskatchewan respectively. This will be the second annual Lawyers' Charity Gala and proceeds will benefit PBLs. The event is a great opportunity for lawyers to enjoy an evening together while supporting access to justice across the province! Tickets can be purchased online by visiting pblsask.ca/tickets or by submitting an order form to:

David E. Thera
McKercher LLP
500 – 2220 – 12th Avenue,
Regina SK S4P 0M8 or
d.thera@mckercher.ca

A charitable receipt will be issued for the donation portion of the ticket price. We look forward to seeing you there!

2011 PRO BONO SERVICE AWARD

The 2011 Pro Bono Service Award will be presented at the 2011 Gown to Gown Lawyers' Charity Gala. PBLs and the Law Society of Saskatchewan established this

annual award to recognize outstanding *pro bono* service in the province. To be eligible for the award, an individual must be a resident of Saskatchewan, a member in good standing of the Law Society of Saskatchewan, and have demonstrated an outstanding contribution to access to justice in Saskatchewan, whether by delivering *pro bono* services, assisting with the establishment of *pro bono* programs, coordinating *pro bono* services, or educating or advocating to promote a *pro bono* culture. The deadline for nominations is **January 3, 2011**. Nomination information and forms are available online at www.pblsask.ca or by contacting the Executive Director of PBLs.

PRO BONO SPOTLIGHT

www.pblsask.ca/spotlight.shtml



Steven Dribnenki, Featured Lawyer

Steven is an associate with McKercher LLP in Regina. He obtained his Bachelor of Laws from the University of Saskatchewan in 2005 and a Bachelor of Arts, with Distinction, in Political Studies in 2006. Steven was called to the Saskatchewan Bar in 2008 and practices in the areas of civil litigation, corporate and commercial litigation, insurance law, employment law and criminal law. In addition to a busy practice, Steven volunteers with PBLs's solicitor and general panel programs through which he provides full *pro bono* representation to persons and organizations of limited means. He is also a regular volunteer with the Regina Free Legal Clinic, providing summary legal advice to needy persons several times per year.

Steven is an extremely bright and capable lawyer. Those clients who have benefitted from his assistance through PBLs programs have noted his compassionate and down to earth approach. Thank you, Steven, for your ongoing contributions to improving access to justice in this province!

Many Thanks

by: Donna Sigmeth, Complaints Counsel/Deputy Director

The Benchers and professional staff of the Law Society of Saskatchewan wish to express their sincere gratitude to members of the profession who volunteered their time to act as *pro bono* counsel to members facing discipline, to those who sat on Hearing Committees and to those who acted as "alternate" Complaints Counsel to

review complaints against staff, Benchers or Benchers firms.

We would also like to extend thanks to Law Society members and members of the judiciary who have contributed their time as members of various Law Society Committees and as Law Society representatives to

other organizations. We recognize that the vocation of law is demanding and greatly appreciate the invaluable contribution of the time of Law Society members and members of the judiciary.

Many thanks to the following people...

Non-Benchers Volunteers for 2010

Law Society Committee Members and Representatives to Other Organizations:

Michael Milani, Q.C.	Randy Sandbeck	Marusia Kobrynsky
Karl Bazin, Q.C.	Randy Rooke, Q.C.	Ken Neil
Tyla Olenchuk	Catherine Knox	Norma Sim, Q.C.
Eric Neufeld, Q.C.	Patricia Quaroni	Heather Jensen
Hon. Chief Justice J.M. Klebuc	John McIntosh, Q.C.	Robert Kennedy, Q.C.
Hon. Chief Justice R.D. Laing	Robert Gibbings, Q.C.	Karen Topolinski
Professor Tim Quigley	Brent Gough, Q.C.	Ken Koshgarian
Graeme Mitchell, Q.C.	Ron Kruzeniski, Q.C.	Robert Kasian
Craig Zawada	Jay Watson	Greg (George) Willows
Scott Hopley	Christine Glazer, Q.C.	Marianne Kramchynsky
Brian Hendrickson, Q.C.	Alan McIntyre	Lana Krogan-Stevely
Marianne Kramchynsky	Bruce Wirth	Donna Taylor
Ken Koshgarian	Gary Young, Q.C.	
Patrick Kelly, Q.C.	Don Phillips, Q.C.	

Designated Complaints Counsel:

Michael Fisher, Q.C.	Leslie Sullivan	Reché McKeague
John McIntosh, Q.C.	Robert Kennedy, Q.C.	
Lawrence Zatlun, Q.C.	Catherine Zuck, Q.C.	

Volunteers for Discipline Hearing Committees:

Harry Dahlem, Q.C.	W.J. Davern	Eric Neufeld, Q.C.
Robert Gibbings, Q.C.	Amanda Doucette	Ronalda Nordal
Sharon Ludlow	David Flett	Neil Robertson, Q.C.

Jason Mohrbutter

Jeffery Galbraith

Karen Prisciak, Q.C.

Keely Rieger

Kirk Rondeau

Cliff Wheatley

Catherine Zuck, Q.C.

Kevin Bell

Gregory Bobbitt, Q.C.

Nicholas Cann

Alan McIntyre

April Cook

Darien Moore

Volunteers for Education:

Dr. Jim Arnold

Beaty Beaubier

Hon. Justice Harvey Brownstone

Hon. Justice G.M. Currie

Richard Elson, Q.C.

Aaron Fox, Q.C.

Gwen Goebel

Patricia Warsaba

Jay Watson

Hon. Mdm. Justice D.L. Wilson

Don Wilson, Q.C.

Nancy Hopkins, Q.C.

Hon. Justice M.D. Popescul

Victor Dietz, Q.C.

Estes Fonkalsrud

Joanne Moser

David Gerecke

Daniel Heffernan

Brenda Hildebrandt, Q.C.

Collin Hirschfeld

Christie Hoffman

Karen Jones

Sharon Martin

Dawn McBride

George Combe

Tim McLeod

Erin Kleisinger

Jackie Lane

Hon. Justice J.G. Lane

Sharon Ludlow

Alan McIntyre

Hon. Mdm. Justice J.E. McMurtry

Eugene Meehan, Q.C.

Judy Halyk Maathuis

Russell Hart

Brian Hendrickson, Q.C.

Michelle Ouellette, Q.C.

Dan Pinnington

Hon. Mdm. Justice G.R. Jackson

Sharon Pratchler, Q.C.

Nikki Rudachyk

Michael Ryan, Q.C.

Lee Anne Schienbein

Douglas Schmeiser, Q.C.

Murray Walter, Q.C.

Gail Wartman

Mary Ellen Wellsch

Colleen Wiegers

Keely Bytheway

Henri Chabanole

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Richard Danyliuk, Q.C.

Hon. Justice R.G. Richards

Michel Riou

Lian Schwann, Q.C.

Jeff Scott

Dean Sinclair

James Vogel

Brent Gough, Q.C.

Malcolm Mercer

Hon. Judge J.A. Nightingale

Hon. Justice R.K. Ottenbreit

Fred Zinkhan

Hon. Judge M.D. Irwin

John Poyser

Hon. J.M. Klebuc,

Chief Justice of Saskatchewan

2011 Convocation Dates of the Benchers of the Law Society of Saskatchewan

February 9th, 10th and 11th – Regina

April 13th, 14th and 15th – Saskatoon

June 22nd, 23rd and 24th – Regina
(annual meeting set for evening of Thursday, June 23rd)

September 7th, 8th and 9th – Waskesiu

October 19th, 20th and 21st – Regina

December 7th, 8th and 9th – Saskatoon

Bar Admissions Program

Samuel J. Bergerman, Director of Bar Admissions, would like to congratulate Anna Singer and Darcy Neufeld for their exemplary performance in the 2009 - 2010 CPLED Bar Admissions Program. Anna and Darcy each received the Law Society's Award of Distinction for displaying the highest levels of academic achievement in the CPLED Program.

Nominations Open for the C. Willy Hodgson Award

The C. Willy Hodgson Award is intended to recognize individuals or organizations who exemplify integrity, leadership and character, and have made or are making outstanding contributions to advancing equity and diversity in legal education, the legal profession and/or the administration of justice in Saskatchewan or in Canada.

Nominations are now open for the 2010 award which will be presented in 2011. Nomination forms and more information can be located on the website at www.lawsociety.sk.ca. The deadline for nominations is **November 26, 2010**.

Volunteers Needed

Call for Non-Bencher Volunteers to Sit on Discipline Hearing Committees

If you are prepared to volunteer to sit as a "non-Bencher" member of a Hearing Committee to hear and determine whether charges of conduct unbecoming against a member are founded and determine sentence, please provide your contact information and year of call via email to Donna Sigmeth at dsigmeth@lawsociety.sk.ca.

Pro Bono Counsel for Members Facing Discipline

The Law Society of Saskatchewan is looking for volunteers to act as *pro bono* counsel to members facing discipline.

If you are prepared to volunteer time to represent a member in this situation, please contact Donna Sigmeth at dsigmeth@lawsociety.sk.ca.

In Memory

Theodore Geatros, Q.C., former Justice of the Court of Queen's Bench, passed away August 10, 2010. He leaves behind his wife of 14 years, Karen Perkins-Winsor and her daughters Tanya and Paula; and his 3 sons, Tim, Gregory and Ted junior.

Ted Geatros' parents emigrated from Greece, settling in Weyburn, where they operated a family restaurant that served as Weyburn's social hub for nearly half a century. After graduating high school, he joined the British Air Arm Fleet and served in England. He then attended the College of Law in Saskatoon and graduated with his law degree in 1948. Ted practiced law and served in his community both in Weyburn and southern Saskatchewan.

He was appointed to the District Court in Melville in 1970 and then in 1982 was appointed a Justice of the Court of Queen's Bench. Ted was honoured to be Canada's first federally appointed judge of Greek descent and after having served 30 years on the Bench, he retired as the longest sitting judge on the Court of Queen's Bench in Saskatchewan.

Hon. Darrel Heald, Q.C. passed away on August 8, 2010. He is survived by this wife, Doris, of 59 years, and their two children Lynn and Brian.

In 1942, he graduated from the University of Saskatchewan with a B.A. and a law degree. He served in the R.C.A.F. during World War II and after the war, began practicing with the firm of Gerein, Heald and Molisky in Regina. He was involved in the Regina community as a Mason, Shriner and member of the Kiwanis Club. He enjoyed curling and was President of the Regina Curling Club. He also enjoyed football and was on the Executive of the Saskatchewan Roughriders Football Club.

In 1964, he ran for public office and was elected as a member of the Legislative Assembly of Saskatchewan, representing the Lumsden constituency. He served as the Attorney General of Saskatchewan under the government of Premier Ross Thatcher. In 1971, he was appointed to the Federal Court of Canada in Ottawa and served as a Justice on both the Trial and Appeal Divisions of the Federal Court. He retired in 1999 and he and his wife enjoyed the first few years of retirement in Ottawa and then moved to BC to be closer to family.

Gary Marlin passed away October 22, 2010. Predeceased by his wife, Sharon, he leaves behind his daughter Sarah. He was admitted to the Law Society of Saskatchewan in July 1975.

Leo Morgan, LLB passed away on October 16, 2010 after a short battle with cancer. He leaves behind his partner, Marcia Frid and four children, Brian, Jerry, Michael and Kim.

Leo Morgan was born and raised in Saskatoon and attended the University of Saskatchewan where he received his law degree in 1956. After completing his law degree, he articulated with the law firm Francis, Woods, Gauley and Hughes of Saskatoon. Shortly after being called to the Bar, he moved to Regina where he stayed and practiced law for 45 years. He was a member of the Law Society for over 50 years and retired in June 2002.

Leo Morgan was actively involved in his community as past President of the Regina Bar Association, the Norman McKenzie Art Gallery Society, Lakeshore Tennis Club, Regina Duplicate Bridge Club and the Beth Jacob Synagogue. He was closely connected to the Jewish community, sitting on the Board of the Beth Jacob Synagogue and participating in numerous community projects and causes. After retiring, he remained active in all his favourite activities and looked forward to winter trips with Marcia in Palm Springs, Ca.

John Moss, Q.C. passed away September 25, 2010 in Victoria, BC. He was the Moss of Balfour Moss and in his day, was a highly respected lawyer.

John Moss was born in Brighton, England. His father was a policeman, however, he was more interested in law and at age 16 articulated to a London solicitor. When the Second War broke out, he joined the British Army and was sent to North Africa. After the war, he returned to England, completed his legal studies and practiced in London for 8 years. He emigrated to Canada in 1954, and with the encouragement of the Law Society of Saskatchewan, set up his practice in Leader. He later moved to Regina and joined the Balfour Law firm, now known as Balfour Moss LLP.

He was a brilliant lawyer and will be remembered as a supportive partner and mentor to the younger members of the firm. He represented a wide range of clients on significant matters in all the courts of Canada. John Moss was a Benchler of the Law Society from 1967 – 1973 and served as the Society's President in 1972.

* Excerpts rendered from obituaries printed in local newspapers.

EQUITY OMBUDSPERSON

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, Q.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**.

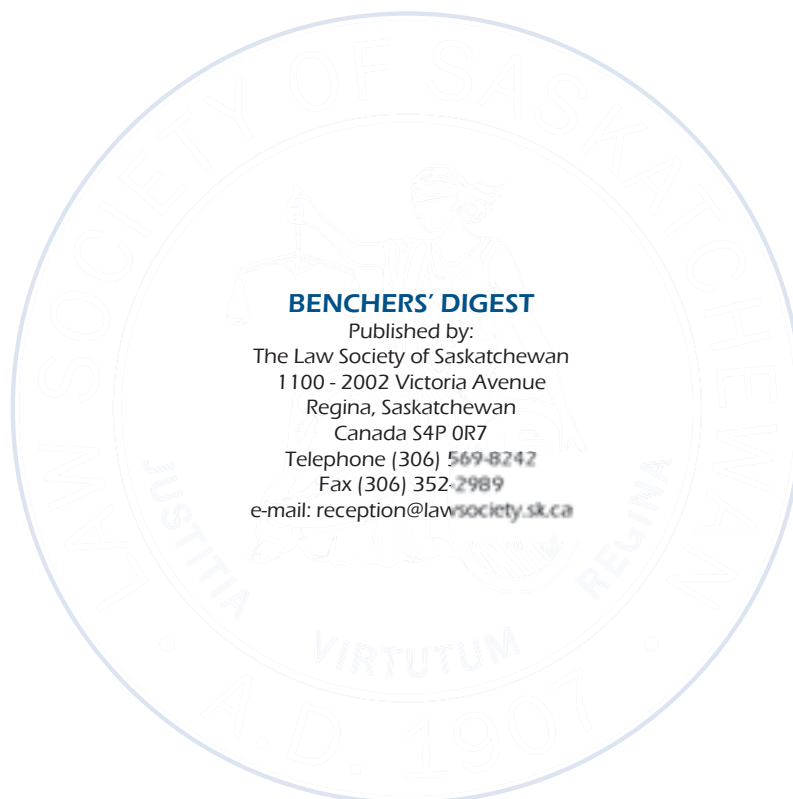
This office is funded by The Law Society of Saskatchewan.

LAWYERS CONCERNED FOR LAWYERS

Provides to Saskatchewan lawyers and their family members:

- CONFIDENTIAL assistance in effectively dealing with problems;
- the services of an INDEPENDENT professional consultant;
- services provided without charge

For confidential information and assistance call 1-800-780-5256.



BENCHERS' DIGEST

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