

BENCHERS' DIGEST

Volume 11, Issue # 1 January, 1998

<p style="text-align: center;">Lynn B. MacDonald, Q.C. President, Law Society of Saskatchewan</p>	<p><i>Profile of the President</i></p> <p>Lynn B. MacDonald, of Radville, Saskatchewan, has been elected President of the Law Society of Saskatchewan for 1998 by the Benchers of the Law Society. She takes office January 1, 1998 and has become the first woman to attain this position since the Law Society was created in 1907.</p>
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Ms. MacDonald attended the University of Saskatchewan, obtaining a Bachelor of Arts degree, and in 1974 an LL.B. degree. She articulated to C. Ross Wimmer in 1974. In 1975, she was admitted to the Law Society of Saskatchewan, and practiced in Regina. Ms. MacDonald moved to Radville in 1976 and practiced in Weyburn and Radville. She currently practices with MacDonald & Company as a general practitioner in Radville. In 1987, she received a Certificate in Negotiation from Harvard Law School.

Ms. MacDonald has served as a Saskatchewan School Trustee, member of the Agribition Education Committee and a Director of the Saskatchewan Science Centre. In 1992, she was presented the YWCA Woman of Distinction Award for Community and Humanitarian Service.

Ms. MacDonald first became a Bencher of the Law Society of Saskatchewan in November, 1994. She has served as Chair of the Ethics Committee, on the Finance, Discipline, Insurance, Executive, Annual Meetings and Complainants Review Committees, as a member of the Board of Directors of Saskatchewan Lawyers Insurance Association, and as a representative on the Queen's Bench Bar Judicial Council, and the Federation of Law Societies of Canada.

Lynn is married to Rod MacDonald and they have two children.

President's Report

In 1997 the Law Society of Saskatchewan celebrated 90 years of service to the public and the profession.

It is important to acknowledge the good service provided by the Law Society to the profession and to the public during this time. However our work is not done. We cannot sit back and think there is no room for improvement.

As mandated by legislation, the Law Society must govern the profession in the best interests of the public. To this end, we provide licensing and regulation of our members, insurance and legal education programs.

As a Society, we began a process of forward planning three years ago with a review of our programs, the formulation of a mission statement and the establishment of goals for each committee.

Our members are telling us that they are facing increasing pressures from changes in technology, demands from the public, and more complex market forces.

The Law Society wants to be able to assist the membership in responding to these pressures and to effectively fulfill our legislated mandate in the future.

To do so we need your commitment, your help and your participation.

In March, 1998, the Law Society of Saskatchewan together with the College of Law and the Saskatchewan Department of Justice will host a conference on the Future of the Legal Profession.

During the conference we will face the issues of evolution of our profession and review:

- the changing demographics of Saskatchewan;
- the demands of the public on our profession, and examine:

the role of Legal Aid

- the role of the Law Society
- the role of the College of Law
- accessibility to legal services
- the responsible lawyer and professional accountability

This discussion will set the stage for future decisions that can affect all aspects of our profession from marketing of services to discipline.

I encourage every member to attend this conference, to participate in the debate and to take a hand in forging the future direction of the Saskatchewan legal profession.

In 1997 many new people let their names stand for election as Benchers and 9 new Benchers were elected. What a great sign of interest and what a demonstration of willingness to commit.

Congratulations to both those who sought the positions and those who were elected.

I also want to thank those people who served as Benchers over the past six years: Madam Justice Merri-Ellen Wright, Madam Justice Catherine Dawson, Joyce Attwater, Larry Zatlun, Q.C., Neil Gabrielson, Q.C., Shawn Smith, Q.C., Calvin Clark, Greg Heinrichs, Q.C., Matthew Miazga, Barry Singer, Q.C. and Murray Walter, Q.C.

Each of these individuals has done an exemplary job of providing leadership to our profession.

I look forward to 1998 and to planning our future together at the March conference.

Vice-President, Law Society of Saskatchewan

Congratulations are extended to Maurice O. Laprairie, Q.C., of Regina, a partner in the firm MacPherson, Leslie & Tyerman, on his election as Vice-President of the Law Society of Saskatchewan for the year ending 1998.

Dates for 1998 Bencher Meetings

- Jan. 29&30, 1998 - Regina
- Apr.23 & 24, 1998 - Saskatoon
- June 10& 11,1998 - Moose Jaw
- Sept.17 & 18, 1998 - Kenosee
- Oct.29 & 30, 1998 - Regina
- Dec. 10&11, 1998 - Saskatoon

Admissions & Education

Mary Ellen Wellsch (Chair)
Doug Andrews (Vice-Chair)
Willy Hodgson
Brent Klause
Barry Morgan

Ethics

Randy Baker (Chair)
Jane Lancaster (Vice-Chair)
Judy Bell
Peter MacKinnon
Robert Gibbings
Martel Popescul

Insurance

Maurice Laprairie (Chair)
Doug Andrews (Vice-Chair)
Merv Nidesh
Mike Milani
Martel Popescul
Mary Ellen Wellsch
Dennis Maher

Annual Meetings

Mervin Nidesh
John Stamatinos
Barry Morgan

Executive

Lynn MacDonald
Peter MacKinnon
Vice-President

Legislation and Policy

Maurice Laprairie (Chair)
Randy Baker (Vice-Chair)
Mike Milani

Complainants Review

Doug Andrews (Chair)
Dennis Maher
Daniel Konkin
Maurice Laprairie
Robert Gibbings
Mike Milani
John McIntosh

Finance

Randy Baker (Chair)
John Stamatinos (Vice-Chair)
John McIntosh
Judy Bell
Mike Milani

Libraries

Mervin Nidesh (Chair)
Stuart Eisner
John McIntosh
Robert Gibbings

Discipline Executive

Jane Lancaster (Chair)
Merv Nidesh (Vice-Chair)
Mary Ellen Wellsch (Vice-Chair)
Mary Ellen Hodgins (Vice-Chair)
Dennis Maher (Vice-Chair)

Gender Equity

Judy Bell (Chair)
Jane Lancaster (Vice Chair)
John Stamatinos
Brent Klause
Dan Konkin
Willy Hodgson

Professional Standards

John Stamatinos (Chair)
Peter MacKinnon (Vice-Chair)
Barry Morgan
Dan Konkin
Stuart Eisner

Public Relations

Mary Ellen Hodgins (Chair)
Doug Andrews (Vice-Chair)
Barry Morgan

Highlights of the Meeting of the Benchers held December 11 & 12, 1997

The newly elected Benchers were invited to a portion of Convocation to provide them with some measure of acclimatization to Benchers' procedures. At a special function held during Convocation, the following retiring Benchers were honoured in recognition of the dedication and service they had given during their term of office. Those Benchers are Calvin Clark, Neil Gabrielson, Q.C., Greg Heinrichs, Q.C., Matthew Miazga, Barry Singer, Q.C., Shawn Smith, Q.C., Murray Walter, Q.C., Madam Justice Merri-Ellen Wright, and Lawrence J. Zatlun, Q.C.. Larry Zatlun, Neil Gabrielson and Shawn Smith also served as President of the Society.

Our appreciation is extended to these Benchers and we offer our best wishes to them in their future endeavours.

Limitations Manual

The Law Foundation had provided funding to Mike McGuire to research and write the Limitations Manual for Saskatchewan. The manual requires some editing and corrections in order to make it a saleable item. The Benchers are of the view that this manual will become a great loss prevention tool. Marketing plans are under consideration.

Increased Insurance Deductible

Currently, the group deductible with CLIA is \$100,000. That is, SLIA is responsible for payment of the first \$100,000 of any claim. CLIA had suggested that we consider increasing that deductible to \$200,000 in order that CLIA's portion of the insurance assessment could be reduced. It was the recommendation of the Insurance Committee that there be no movement to an increased group deductible at this time. The increased amount for which SLIA would be responsible, \$200,000, would have a negative effect on SLIA's cash flow while it is still at a financially critical stage and provide little relief in the premium. If we were to experience another bad insurance year, SLIA's improving situation would be again at risk. However, it was agreed that the issue of an increased group deductible will again be considered once SLIA's financial outlook has improved.

First Year Scholarship

The 1997 recipient of the Law Society First Year Scholarship advised the Admissions and Education Committee that she was withdrawing from her studies at the College of Law and returned the \$2,000 scholarship which had been awarded to her. The College of Law had asked that the Benchers consider providing the scholarship funds to the College to assist with bursaries for needy students. Peter MacKinnon advised that funding for the bursaries is not strong and that there are many students in need of financial assistance. It was agreed that the \$2,000 which had been awarded would be paid to the College to fund bursaries for needy students.

Gender Equity

As you know, the Gender Equity Committee has since its inception in 1992 developed model policies for possible adoption by firms in the areas of Interview Guidelines, Gender Neutral Language, Alternate Work Arrangements, Parental Leave and Sexual

Harassment. However, it is also the view of the Committee that while the development of policies is helpful, there is still a considerable distance to go to change attitudes. The Committee is making preparations to hold a planning session in order to set new goals for the Committee. It is hoped that feedback can be obtained from the profession during this session.

The Committee is pleased that Chief Justice MacPherson has agreed to appoint Madam Justice Merri-Ellen Wright as the Queen's Bench representative to the Committee. The Committee now has representatives from each of the Courts as well as the Department of Justice. Madam Justice Wright is well-acquainted with the Committee as she was the Chair for the first four years of its existence.

1998 Law Society / CBA Annual Meeting

Plans are well underway for the Joint Annual Meeting of the Law Society and the Canadian Bar Association to be held June 12 & 13 in Moose Jaw, at the Temple Gardens Mineral Spa, including the business meetings, golf and a luncheon tour of the Air Force Base.

No-Fault Committee

Larry Zatlun advised that the Committee is continuing its work in advising the public of the shortcomings of the no-fault insurance legislation which came into force on January 1, 1995. The Chair of the Joint Law Society/CBA Committee, Larry Zatlun, has appeared on open line programs since the release of the Committee's report. There has been a meeting with the President and Vice-President of SGI wherein they undertook that they would recommend either a joint committee of SGI representatives and the no-fault committee representatives which could start work now on the review of the legislation or that the Law Society/CBA Committee would be allowed to be part of the review set for 1999. In addition, it has been agreed that there will be a meeting with the Minister Responsible for SGI and the Minister of Justice with the Chair of the No-Fault Committee as well as the President of the Law Society.

Rule Amendment

The Benchers approved an amendment to Rule 401 which would allow for informal conduct reviews to be conducted by non-Benchers.

Defalcation

The Benchers approved payment from the Special Fund to pay a defalcation claim against Darcy Wyonzek in the amount of \$22,950.

New Director of Library Services

Susanne Gumprich joined the Law Society of Saskatchewan as the new Director of Library Services on January 12, 1998. Ms. Gumprich is a lawyer and has a Masters of Library and Information Studies from the University of British Columbia.

A Saskatoon native, Ms. Gumprich is pleased to return to Saskatchewan after spending seven of the last nine years in Vancouver.

This is an exciting and challenging time for Libraries as technology presents us with new ways to access and disseminate information.

The Law Library has become much more than just a collection of books. Ms. Gumprich, and all of the Libraries staff, will continue to work to provide library and information services to the lawyers of Saskatchewan. She looks forward to meeting and working with the lawyers of Saskatchewan.

Professional Conduct Ruling ***(A. Kirsten Logan)***

The mandate of the Ethics Committee is to make rulings on questions of professional ethics for the guidance of the profession. The rulings given by the Ethics Committee relate to the ethics of particular situations and are not determinations of the legal issues which arise from those situations.

Confidential Information (Chapter IV)

Facts:

Lawyer X had acted for Mrs. A for many years. She had brought him several important documents for safekeeping. She instructed Lawyer A not to release the documents to anyone during her lifetime. Some years later, Lawyer X received a letter from Lawyer Y who was acting for the daughter of Mrs. A. It was their position that Mrs. A was now incompetent. A power of attorney had been signed by Mrs. A "in a lucid moment". The daughter was requesting that she be given the documents held by Lawyer X. Lawyer X was reluctant to do so in light of his client's previous instructions.

Ruling:

The Ethics Committee is of the view that the facts regarding the signing of the power of attorney were in conflict. The Ethics Committee is not in a position to determine facts in dispute. In light of that conflict and Lawyer X's instructions to retain the documents, the Committee recommended that Lawyer X not release the documents without a court order.

Retainer Agreements - Fees (Chapter XII)

Facts:

A client had retained the ABC firm to deal with two matters, one being a matrimonial matter, the second being a personal injury action. It was expected that the personal injury action would generate fees. That file was taken by the ABC firm on a contingency basis. The client did not have a great deal of cash to pay for the fees expected on the matrimonial file. The client signed a retainer agreement with the ABC firm and assigned "the proceeds to which I become entitled as a result of the personal injuries sustained by me in the motor vehicle accident which occurred on or about ___".

Ultimately, the personal injury action was unsuccessful. The client then sought other counsel with regard to the matrimonial file. Lawyer C of the ABC firm claimed a lien on the matrimonial file. Lawyer Z, the client's new counsel requested a ruling on the propriety of maintaining a lien in the circumstances.

Ruling:

The Ethics Committee was of the view that Lawyer C's billing arrangement was not inappropriate and neither was it inappropriate for him to claim a lien against the matrimonial file. The Committee also encouraged both lawyers to try to come to some solution.

Future of the Legal Profession Conference, March 26-28, 1998, Saskatoon

1998 Law Society/CBA Annual Meeting

The 1998 Annual Meeting of the Law Society/CBA is being held in Moose Jaw on June 11, 12 & 13th. The three days promise to be full of both information and entertainment. Besides the full agenda of meetings, a number of recreational and social activities are planned. On June 11th, the Law Society is holding a reception at the Heritage Inn, and a breakfast is scheduled for the following morning.

The afternoon of the 12th is set aside for golfing at the Hillcrest or a tour of the Canadian Forces Base. To round out the day, a West-em theme supper is scheduled for the Spa. On Saturday, the CBA luncheon with a guest speaker is planned for the Spa, while the rest of the afternoon is open, leaving you free to set your own agenda and take in Moose Jaw's many attractions, such as tours of the murals and the historic tunnels. Or, you could simply relax and unwind in the mineral Spa at Temple Gardens. Everything wraps up Saturday evening with a GALA supper and dance at the Heritage Inn.

Be sure to mark your calendars now and we look forward to seeing you in Moose Jaw.

Accounting Records
(Allan T. Snell, Q.C.)

Rule 940 (3) states: A member shall not withdraw funds from his/her trust account without written confirmation from a financial institution in which the trust account is held that the funds held to the credit of the matter for which the withdrawal was made are sufficient to cover the withdrawal. Such written confirmation may be:

- (a) bank statements;
- (b) bank deposit slips which have been initialed by an employee of the financial institution;

(c) a letter or facsimile message confirming that the financial institution has received the funds by means of electronic transfer."

Even where a member complies fully with this Rule, however, banking procedures are such that on occasion a late posting of a deposit by the bank will result in a technical breach. For example, if money is deposited in trust on Day 1 and a trust cheque in the same amount is immediately written on the trust account, and the deposit is not posted in the bank until Day 2 (which, depending on the hour of the deposit may happen), then the bank record will show an overdraft until the actual posting. Practically speaking, unless the deposit cheque is stopped or NSF, there is virtually no danger of the money not being available when the trust cheque is negotiated. Further, as the member will have some kind of written receipt or acknowledgment as required by the above Rule, it will be the bank's responsibility to ensure that the trust cheque is not dishonoured. This would, in most cases, mean that there is no trust shortage requiring repayment and notice to the Law Society under Rule 971.

It is essential, however, that this situation be avoided if at all possible and that careful documentation be made of such transactions. Members should consult with their financial institutions to ensure that there is no danger to clients' monies through inadvertence or a conflict between the member's expectations and the bank's posting policies.

Similarly, Rule 969 (f) requires, inter alia, that cancelled cheques be kept as part of the member's accounting records. Unfortunately, many financial institutions do not return cancelled certified cheques and therefore the member's records with respect to these are deficient. Our auditor occasionally has discovered inconsistencies between the bank record and the member's record dealing with certified cheques which would be resolved by the member's possession of the cancelled cheque or a copy of it.

While financial institutions will, in most cases upon request provide such a photocopy (which is an acceptable record) it is suggested that members who wish to or are asked to provide instruments whose amounts are guaranteed, should consider using bank drafts. These have the advantage of being irrevocable and certain as to the time and method that the money is actually withdrawn from trust. Further the supporting documentation is immediately available to the member to include in his or her records. If a certified cheque is necessary, however, members are responsible for obtaining a copy of the cancelled cheque.

Queens Counsel

The Law Society wishes to extend its congratulations to the following members who were appointed Queen's Counsel on Monday, December 29, 1997.

Frederick Dehm of Saskatoon is a Regional Crown Prosecutor with the Department of Justice in Saskatoon. He was admitted to the Saskatchewan bar in 1972;

Aaron Fox of Regina is a lawyer with the firm of McDougall Ready in Regina. Originally from Holdfast, Mr. Fox was admitted to the Saskatchewan bar in 1978;

Margaret Gordon is a lawyer with the firm of Osman, Gordon & Company in Moosomin. She was admitted to the Saskatchewan bar in 1977;

William Johnson is a lawyer with the firm of Gerrand Rath Johnson in Regina and was admitted to the Saskatchewan bar in 1978;

Frederick Kovach is a lawyer with the Ronald Miller is a lawyer with the firm of McDougall Ready in Saskatoon and President of the Saskatchewan Branch of the Canadian Bar Association. Originally from Birch Hills, Mr. Miller was admitted to the Saskatchewan bar in 1984;

George Peacock is a lawyer with the firm of Gates & Company in Regina. He was admitted to the Saskatchewan bar in 1975;

John Whyte is Deputy Minister of Justice and Deputy Attorney General. Mr. Whyte, originally from Peterborough, Ontario, was admitted to the Saskatchewan bar in 1981; and

Milton Woodard, Jr. is a lawyer for the Saskatchewan Human Rights Commission in Saskatoon. Originally from Regina, he was admitted to the Saskatchewan bar in 1976.

Prior to negotiating or executing a photocopying licence with CANCOPY, the Federation of Law Societies strongly urges law firms or lawyers to communicate directly with the Secretary/Executive Director of their Law Society or with the Federation's office

(Tel:(514)875-6350). For ongoing information on the issue of Copyright and Canadian lawyers, you are invited to visit the following website of the Federation: <http://www.flsc.ca>.

The Law Society of Saskatchewan has established a new service to provide practice and career advice. This is not a service intended to provide advice on legal or procedural matters but to assist lawyers in assessing their practice and careers in dealing with the economic and emotional pressures of practice.

The Law Society has requested that Mr. MacBean provide this service to the

members of the Law Society. Frank A. MacBean, Q.C., Past President of the Law Society of Saskatchewan, has been practicing for more than 30 years. He is presently practicing law in the City of Swift current. He is familiar with the operations and challenges of sole practitioners and smaller law firms. He has experienced the joys and frustrations of practice and may be able to help you.

Mr. MacBean has acted for the Law Society of a number of occasions to assist lawyers through some of the difficulties experienced in the practice of law.

There is no fee - there is no reporting back to the Law Society and all conversations are confidential. The goal is to help you make important decisions about your career.

Mediation of Complaints

For the past year, the Law Society has expanded its process of resolving complaints by telephone conciliation to a more formal process of mediation of certain types of written complaints about the services provided by a member of the Society, particularly where there has been ineffective communication or delay.

The Society would like to use the services of experienced mediators in specific cases in addition to the complaints officer, Iain Mentiplay. The services would be provided on a pro bono basis, subject to reimbursement of out-of-pocket expenses. Anyone wishing to volunteer his or her services should contact Iain Mentiplay, (306)569-8242, at the Law Society office.

Insurance and Loss Prevention (Thomas J. Schonhoffer)

A recent case is a reminder that dealing with unrepresented persons increases the potential for a claim even for those who are cautious. Consider the following facts:

Vendor (V) wishes to sell his real property to Purchaser (P). For tax reasons, V's shares in the corporation are transferred to P's numbered company. In consideration, V receives preferred redeemable shares in the numbered company.

P employed a lawyer who received instructions on drafting the agreements from both the Purchaser's and Vendor's accountants.

After drafting the agreements, the lawyer sent a copy of the agreements to V advising him to have his counsel or accountant review the documents.

The lawyer was surprised when both V and P attended his office together to execute the agreement. In the lawyer's examination for discovery, he states as follows:

"I was concerned at that meeting because of V being present in this arrangement. I felt that it was a commercial transaction, that V had to have independent counsel representing him because it was such a complicated transaction that it wasn't something that he could do on his own. I became alarmed and I did my very best to scare V to get him concerned enough to leave the office and find his own counsel and I would be acting only for P and the numbered company and that there was nothing that I could do for V's benefit or for his interest and that I would not be seeking to protect his interests, he was completely on his own and that he must have his own lawyer on the transaction."

V declined to obtain counsel and signed the agreement.

The second mortgage was never drafted nor registered.

Subsequently, the real property was sold and there was in excess of \$50,000 after all encumbrances were removed. The \$50,000 would have been paid to V as the second mortgagee but instead returned to the purchaser and was not recoverable.

The Vendor commenced an action alleging that even though he had not retained the lawyer, the Lawyer owed him a duty of care

to advise him that the mortgage had not been registered.

The most comprehensive review of the law in this respect is an article in the June 1993 edition of The Advocate's Quarterly, Volume 15, No.2 entitled Solicitor's Liability to Non-Clients in Negligence. In summary, the law holds that a lawyer has a duty of care to an unrepresented person where the unrepresented person relies on the lawyer and the lawyer knows or ought to know of the reliance.

In this case, there is an argument that although the lawyer had advised V that he would not give him advice with respect to the terms of the agreement, the lawyer knew that he was being relied upon to document the agreement. If the lawyer failed to complete the documentation by drafting a mortgage, then the lawyer had the responsibility to at least advise V that a mortgage had not been registered.

The lawyer in question was probably more cautious in these circumstances than many practitioners. Certainly, in a more adversarial situation, the lawyer would not have a duty of care to assist an unrepresented party after the type of warning which was provided. However, where the duties of the lawyer appear to be less adversarial and more in the nature of documenting a transaction, the expectations of the parties also changes so that reasonable reliance is arguable.

Saskatchewan Legal Education Society Inc.

Abena Buahene, Executive Director

As we enter our fifth year in operation as your primary continuing legal education provider, SKLESI's Board of Directors and staff look forward to new challenges this year including designing an electronic update service for the Saskatchewan Practice Checklists, incorporating loss prevention components in a wide range of seminars and developing skills-based training in the areas of technology and advocacy.

On the bar admissions course (BAC) side, we welcome Ken Koshgarian as the new BAC Director. Ken succeeds Gisele Dumonceaux, the immediate past Director. Ms. Dumonceaux joined SKLESI in November 1993 as its first BAC Director and implemented the current skills-based BAC program. It is in large part due to her dedication, creativity, and hard work that Saskatchewan has an excellent bar admission course.

Mr. Koshgarian attended the College of Law at the University of Saskatchewan graduating in 1987. Following articles with Mitchell Taylor Romanow Ching, he was called to the bar in 1988. He continued as an associate with that firm until 1992 when he established a sole practice primarily in real estate, corporate and commercial, and wills and estates law. Ken has lectured on Real Property at the skills segment of the BAC since 1994. He has been a member of the CBA (Sask. Branch) since 1984.

Ken hopes to bring a practical perspective to the bar admission course and looks forward to working with the many generous volunteers in the legal community who assist in its presentation each year.

And speaking of volunteers, we could not offer the BAC or CLE seminars without your support and enthusiasm. Volunteers are the backbone of many continuing legal education organizations. In 1994 the Board of Directors introduced the SKLESI Volunteer Awards. Two awards are presented annually to honour individuals who have made exceptional commitments to legal education in various capacities such as being a CLE co-ordinator and/or presenter or BAC instructor over the years. Another award is presented to recognize individuals who make significant contributions to organizational development and to supporting the development of the philosophy and direction of legal education.

In November at our "Human Rights Issues in the Workplace seminar, we honoured the following individuals:

- The Honourable Mr. Justice David Wright, Court of Queen's Bench -1997 SKLESI Outstanding Volunteer Award - North
- Ronald Bradley Hunter, of Hunter Miller - 1997 SKLESI Outstanding Volunteer Award - South
- Madeleine Butschler, former SKLESI Executive Director - 1997SKLESI Award of Excellence for Legal Education

In closing, thank you for registering for seminars and purchasing both seminar and BAC materials this past year. We would like to encourage the profession to provide us with feedback and ideas on how we can best serve your substantive law, practice management and business development educational needs. We're only a phone call away.

In Memoriam

Justice John Sopinka, of the Supreme Court of Canada, died November 24, 1997. Justice Sopinka was born in Broderick, Saskatchewan. He received his education in eastern Canada, shining as a scholar in high school and at the University of Toronto. At the same time, he played football, first for the University of Toronto and then for Montreal and Toronto in the Canadian Football League. He was a talented musician, playing violin for several years in the Hamilton Philharmonic. In 1960, he was called to the Bar of the Law Society of Upper Canada and in 1984 was admitted to the Law Society of Saskatchewan.

Justice Sopinka served as counsel to several royal commissions, including the 1979 inquiry on aviation safety, and 1986 Deschenes inquiry into war criminals in Canada, and the 1986 probe into allegations of wrongdoing against Tory minister, Sinclair Stevens. In 1974 he began teaching civil procedures at Osgoode Hall law school and later, at the University of Saskatchewan.

He was appointed to the Supreme Court in 1988.

THOM, Stuart Douglas, Q.C., LL.D., of Toronto and Regina died December 5, 1997. He was a former Treasurer of the Law Society of Upper Canada and was active in its affairs as a Bencher until this past August. He graduated from the University of Toronto, and in law from the University of Saskatchewan in 1929, and practiced law with his father in Regina until the War when he entered active service in the Naval Forces of Canada. He retired in 1945 with the rank of Lieutenant-Commander having been in command of the Summerside, and second in command of the Arnprior. He moved to Toronto in 1947 and spent most of his legal career with Osler, Hoskin & Harcourt. He was involved in a number of organizations including the Canadian Tax Foundation and the Victorian Order of Nurses. After his retirement from law practice, his activities included serving on the Ontario Securities Commission and acting as Commissioner of the Commission of Inquiry into Residential Tenancies.