

BENCHERS' DIGEST

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A Short History of the Law Foundation of Saskatchewan Celebrating its 25th Anniversary

(Harry H. Dahlem, Q.C., Chair, Law Foundation of Saskatchewan)

Chair and Former Chairs of the Law Foundation

(l to r) Dennis Ball, Q.C. Harry Dahlem, Q.C., Don
Woloshyn, Q.C., The Honourable Chief Justice D.K.
MacPherson, and Donald McKercher, Q.C.

On September 25, 1998, the Law Foundation of Saskatchewan celebrated its 25th Anniversary by holding a dinner with former chairpersons and members of the Courts, the Attorney General of Saskatchewan, major program recipients and representatives of financial institutions being present. Master of Ceremonies was Mr. Gordon Wicijowski, L.L.D., F.C.A, with all former chairpersons and the present chairperson contributing to the formal part of the evening. All speakers reviewed parts of the history of the Foundation from its inception in 1973.

In particular, the Honourable Chief Justice Donald K. MacPherson reviewed the first 45 meetings up to June, 1985. Chief Justice D. K. MacPherson (then D.K. MacPherson, Q.C.) had been involved in the creation of the Foundation as early as 1971 when he was advised by Mr. Darryl Heald (now Mr. Justice Heald of the Federal Court of Appeal) that *The Legal Profession Act* had been amended establishing the Law Foundation permitting lawyers to deposit trust monies into interest bearing accounts with interest going to the Foundation.

The legislation was not compulsory and not a single lawyer in the province deposited his or her interest earned in that manner. It was the present Premier of the Province, Mr. Roy Romanow, then Attorney General, who caused *The Legal Profession Act* to be amended to make it compulsory for lawyers to pay interest earned on trust funds to the Foundation.

Since that time, the Law Foundation of Saskatchewan has continued to maintain a fund to be used for the purpose of legal education, legal research, legal aid, law libraries and law reform.

The concept of law foundations is said to have originated in Australia in 1967 with British Columbia to follow in 1969. Other provinces followed shortly thereafter.

However, it is of significance that a member of the Law Society of Saskatchewan, one E.D. Bayda, Q.C. (now Chief Justice of Saskatchewan) at the annual meeting of the Law Society in June of 1966, initiated and moved the following resolution:

"BE IT RESOLVED that the Benchers of the Law Society be requested to set up a committee to consider provisions (including, if necessary, any amendments to *The Legal Profession Act*), for payment of interest by chartered banks on trust accounts of solicitors, such interest to be paid to the Law Society of Saskatchewan for deposit in the indemnity fund or for such other use as the Law Society may from time to time designate. "

The resolution passed with a majority of one vote.

One could argue that the passing of that resolution was the moment of conception of the Law Foundation. It precedes even the Australian origin of the concept of law foundations.

Following the passing of the first resolution of the Law Society in June of 1966, the Benchers and the Government of the day continued to negotiate with respect to the creation of the Foundation.

At the Convocation of Benchers held June 30 and July 1, 1971, Mr. E. D. Bayda, Q.C. (a Bencher from 1970 until his appointment to the Bench in 1972), reported to Convocation that amendments to *The Legal Profession Act* were to come into force on July 1, 1971, establishing the Law Foundation. Following the report by Mr. Bayda, the President of the Law Society, D.S. McKercher, Q.C. was appointed a committee of one with power to add in order to select the names of five appointees to the Law Foundation from the Law Society.

On September 17, 1971, the President, D.S. McKercher, Q.C., together with members of the committee, namely, Alastair Muir, Q.C. and A.

Osborn, Q.C., recommended to the Benchers that the following named persons be the first appointees of the Law Society, namely, D. K. MacPherson, Q.C., D. Wright, Q.C., E. Noble, Q.C. and Dr. Roger Carter. Other appointments were Messrs. Wooff and Bolstad.

At the Convocation of November 30, 1972, Mr. D. K. MacPherson reported that pursuant to amendments to *The Legal Profession Act* it was now compulsory for solicitors to place mixed trust funds at interest and the interest earned from such placement to be paid to the Law Foundation.

At the Convocation of December 6, 1973, Mr. D. K. MacPherson, Q.C., reported that interest on trust funds in the year 1973 had been earned in the amount of \$180,000, and at a meeting of the Law Foundation members held November 23, 1973, the members of the Foundation had retained Mr. Robert Arscott, C.A., of Regina, to be secretary of the Foundation.

Over the 25 years since its inception, the Foundation has received some \$27 million from interest earned on general mixed trust accounts which previously did not bear interest. Investment interest of \$4.8 million has been earned over this period and total grants of 26.9 million have been made.

Over the years, major grants have been made as follows:

Court House Libraries	\$ 10,000,000
Public Legal Education	\$ 4,800,000
College of Law, University of Saskatchewan	\$ 3,500,000
Saskatchewan Legal Education Association	\$ 1,900,000
Law Reform Commission	\$ 1,500,000
Legal Aid Commission	\$ 800,000
Native Law Centre, University of Saskatchewan	\$ 600,000

A grant stabilization reserve was established in 1981 and has fluctuated from a low of \$500,000.00 to a high of \$3.5 million. The reserve protects ongoing projects and allows for the orderly management in times of reduced income.

At a dinner to commemorate the Law Foundation's 25th Anniversary, two grants in the sum of \$50,000.00 each were presented to the Province's two universities. Harry H. Dahlem, Q.C., present Chair of the Foundation, presented the first cheque to Dean Kent Roach of the College of Law, University of Saskatchewan for an entrance scholarship. The second award was made to the Faculty of Social Work at the University of Regina to develop an undergraduate curriculum program on the legal context of social work practice and Dr. Robert McCulloch, Associate Vice-President, Academic, and Professor Mona Acker accepted on behalf of the University of Regina.

Robert Arscott, F.C.A. was appointed Secretary of the Law Foundation at its inception and is still acting in this capacity and has over the years managed to keep the overhead expenses of the Foundation at a minimum. The income of the Law Foundation depends on the prime rate of interest provided by the chartered banks and other financial institutions and the economic activity taking place in the province. During the 25 year period the prime rate has fluctuated from a high of 22 ¾%, 1981 to a low of 4 ¾%, 1996. Over the 25 years, the Foundation has negotiated a variety of terms with the various institutions and in the past year a special ad hoc committee, under the Chair of Mr. H. Dahlem, Q.C., was successful in negotiating the most preferred terms which are comparable to other terms obtained elsewhere in Canada.

A special thank you should go to Gordon Wicijowski, L.L.D., F.C.A., Ann Phillips, Q.C. and Robert Arscott, F.C.A., for their efforts in organizing an enjoyable dinner in honour of the Foundation's 25th Anniversary.

Highlights of the Meeting of the Benchers held October 29 & 20, 1998 (A. Kirsten Logan, Q.C.)

1999 Budget

Members will already have received the annual fee notice for 1999. At the Convocation held October 29 & 30, 1998, the Benchers approved the budget for 1999 and again set the fees at \$1,010. This budget foresees greater expenditures for Libraries, Lawyers Concerned for Lawyers, Discipline and Professional Standards. However, continued efficiencies in the Administration Office have allowed the Benchers to increase these

areas of funding while leaving the overall assessment at the same rate for eight consecutive years.

Members should be reminded that payment of the annual fees (plus GST) is due on December 4, 1998. Payments received after that date will be assessed a late payment penalty in the amount of \$10 per day. Members who fail to pay the annual fee by December 31, 1998 will be suspended.

Meeting – Minister of Justice

The President, Lynn MacDonald, Q.C. (as she then was) and the Vice-President, Maurice Laprairie, Q.C., met with the Minister of Justice prior to Convocation. They indicated to the Minister that the No-Fault Committee would like to see an impartial review panel which could include a retired judge. Regarding the LAND Project, the computerization of the Land Titles system, Mr. Laprairie expressed the view that lawyers should be exclusive users of the system as they are in New Brunswick and Ontario. A considerable amount of effort and resources will be necessary to develop practice standards and procedures. In addition, users will have to be trained in the system and an assessment of the risk to the lawyers' insurance program will have to be conducted. No guarantee of exclusive use was given by the Minister. Mr. Nilson invited the Law Society and the CBA to make representations to the Premier and the Minister of Finance to proceed with legislation allowing lawyers to incorporate since it appears that doctors will be obtaining that legislation. Ms. MacDonald and Chris Glazer, President of the Canadian Bar Association Saskatchewan Branch, have both sent letters to Mr. Romanow and Mr. Cline.

Following Convocation, the Law Society representatives to the Legal Aid Commission, Rob Gibbings and Barry Morgan, two of the Lay Benchers, Judy Bell and Willy Hodgson, and Mr. Laprairie had a meeting with the Minister of Justice, the Deputy Minister and others to discuss Legal Aid funding. It was agreed that continued discussions are needed with regard to resolving this serious issue.

Equity/Diversity

The Gender Equity Committee held a planning session on October 2, 1998 with several members of the profession attending. At the session a new "vision" for the Committee was developed. Work on a strategic plan is ongoing, however as an interim step, the Benchers agreed to amend Rule 136 to change the name of the Gender Equity Committee to the Equity/Diversity Committee.

Multi-Disciplinary Partnerships

The Legislation and Policy Committee has been studying multi-disciplinary partnerships (MDP's) for the last year. At issue is whether lawyers should be allowed to practice with other professions and how to safeguard solicitor/client privilege, determine insurance risks, etc. The Law Society of Upper Canada has prepared a report which suggests that MDP's might be approved if the partnership only offered legal services and lawyers had controlling interest in the partnerships. The Federation of Law Societies is also studying this issue and has retained a draftsperson to make suggestions of different models and rules to allow for the operation of MDP's. Kent Roach, the new Dean of the College of Law and a Bencher, had conducted a significant amount of research for the Law Society of Upper Canada prior to his arrival in Saskatchewan. He has agreed to assist the draftsperson retained by the Federation.

Limitations Manual

This reference/loss prevention tool is coming closer to publication. This project had been commenced by Mike McGuire, the former Director of Libraries. Its completion was delayed by Mr. McGuire's departure. The manuscript is now on its final update and review and should be available for initial posting on the Law Society website in January. The Insurance Committee is reviewing alternatives for more traditional publication, however, it is hoped that this early release will give members some access to this long-delayed reference.

Libraries Photocopy Rates

After a detailed cost analysis of self-serve copying and library staff copying, the Libraries Committee recommended that the rural photocopy rate of 10¢ per page be raised to 25¢ per page. It costs the Library more than 10¢ per copy to produce one photocopy without factoring staff time to make the copies. The rate of 25¢ per page is at least equivalent to lawyers being able to make the copies themselves. This rate change will come into effective January 1, 1999.

Annual Meeting

The Benchers have agreed to accept the invitation from the Prince Albert Bar Association for the 2000 Annual Meeting. In addition, a committee has been struck to make recommendations for the format of future Annual Meetings with a view to boosting attendance. In addition, the Benchers approved a new policy which would allow the profits from the Annual Meeting to be donated on behalf of the Law Society, the Canadian Bar Association and the Local Bar to a law-related charity in the locale where the Annual Meeting is held. The local committees will be advised that the aim of the Annual Meeting is not to generate a profit, and budgeting for the Annual Meeting is based on a break-even basis. However, this might give the Local Bar an opportunity to receive some benefit for their contributions to their community.

Legal Directories

A member had inquired whether he could be listed in a certain legal directory. The directory described certain lawyers and firms as being "leaders" in various practice areas. These lawyers and firms are identified as a result of surveys of the profession wherein lawyers are asked to identify those lawyers who they regard as leading practitioners in their fields. The concern is that Rule 1615 prohibits the use of such descriptions. Lawyers in other jurisdictions in Canada have not had a similar problem.

The Ethics Committee, the Committee of Benchers which oversees the advertising rules, will be developing a policy for these types of directories. In the interim, the Benchers agreed to waive the provisions of Rule 1615(1) in circumstances where members are described in a legal directory using the adjectives prohibited in the Rule as a result of positive references from others and not part of a marketing activity undertaken by the member. This waiver will remain in effect until the Convocation of Benchers set for September, 1999.

Professional Conduct Rulings (Iain A. Mentiplay, Q.C.)

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.

Practice of Law in Addition to Occupation of Property Manager – Rule 1615

Facts:

Lawyer K is employed as a commercial property manager by a property management firm which recently became the subject of a lawsuit and sought Lawyer K's services to defend the suit. Lawyer K also wishes to provide additional services to the management firm in three different areas. Firstly, continuing to act as corporate counsel for the management firm and a related brokerage firm. Secondly, contracting directly with the brokerage firm to provide lease review and drafting services at set rates. Thirdly, when the brokerage firm acts for a purchaser or a vendor on a purchase/sale transaction, he proposes to handle the legal aspects of this transaction. Lawyer K wrote the Law Society of his plans and asked for comments and recommendations on the following issues:

1. Can he defend actions brought against his employer?

Yes, so long as he is a member in good standing of the Law Society of Saskatchewan.

2. Is it a concern that he charges his employer an additional fee to do so?

It was not a concern if his employer agrees to do so.

3. Is it a concern that he act as a corporate counsel to his employer?

As a lawyer, he can provide his service with or without a fee as he chooses.

4. Is it a concern that he acts as corporate counsel to a related corporation of his employer?

It is not a problem to act as corporate counsel for related corporations, provided the conflict of interest rules set out in Chapter V, Commentaries 4 & 5 of *The Code of Professional Conduct* are observed and the interests of the corporations override the interests of its directors, officers, employees, members, shareholders or other constituents.

5. Is it a concern that he contracts independently with the related corporation to provide lease preparation services and bill for that services?

This is not a concern.

6. Is it a concern that the related corporation sells lease preparation services to its clients and bills its clients for that service?

A corporation can use lease forms prepared for it by its lawyer as it sees fit. If the forms are being filled in for use by others, that would appear to be clerical. If the documents are more complicated and the corporation's client is being charged a fee for what could be considered legal advice that would be a problem. If no legal advice is involved, there is no concern. A corporation cannot provide legal advice to a client. It will be practicing law by billing its own client for the service.

7. Is it a concern that he acts as a solicitor for a client in a related corporation in relation to purchase/sale matters on the condition that he will do so on his own name, use separate letterhead, and will keep information confidential and inaccessible to the employer or related corporation, and have an acknowledgement signed by the client of the relationship between Lawyer K and his employer?

The conflict of interest rules still apply. He may act but he should be cautioned against potential conflicts.

8. Is it a concern that he is a property manager and a lawyer at the same time?

The advertising rules of the Law Society require that he keep the activities separate and not hold himself out as a lawyer in relation to his property management services. He would not be covered under the CLIA policy of insurance for his activities as a property manager. He must not carry on the occupation of property manager in such a way that a person might reasonably find it difficult to determine whether, in any matter, he is acting in his capacity as a lawyer, and that there is a significant risk that his interests and his client's interests may in a matter in which he acts for the client, conflict.

Searching for cases considering Saskatchewan Rules of Court

Using McKeague and Voroney, Queen's Bench Rules annotated will provide you with the leading cases for sections of the Rules of Court that illustrate how that section has been interpreted by the courts. It is not the purpose of that publication to provide exhaustive coverage on each rule but to cover the main points of procedure.

To find additional cases on a section of the Rules of Court, you could do a QL search. Or, you could search the Law Society's case digest database available through the website. The following search on section 149 of the Queen's Bench Rules compares the ease of searching and the results found using QL Systems and the Law Society's case digest database. Section 149 states, "In all cases in which the party pleading relies on any misrepresentation, fraud, breach of trust, wilful default or undue influence, full particulars shall be stated". Performing a search using the section of the Rules will be much easier than trying to do a keyword search on this section. There will be many cases pulled up that have nothing to do with civil procedure when using terms such as "misrepresentation" or "fraud" or "breach of trust" and it will very time-consuming filtering the cases.

The case digest database of Court of Appeal and Queen's Bench judgments on the website is updated daily when cases arrive. The database is structured so that searching for specific sections of statutes, rules or cases considered is very simple and just a matter of filling in the blanks. There are essentially two ways of searching for section 149 of the Rules. Scroll down to the field called "Sask. Rules Considered" and enter "149" or, enter "QB rule 149". Submit your query and your results will be 18 case digests.

If you do not have a website account and your only option is to search QL, then the search strategy is different. You must know the search syntax in order to run your search effectively, or use the Query Wizard to help formulate your search. Either way, it is more complicated than filling in the blanks as above. In the Saskatchewan Judgments database, the following search produced eight cases all of which were found by the Law Society's database: **queen's /1 bench /1 rules /p 149**. To translate that into English, we are searching for the term "Queen's" beside the term "bench" beside the term "rules", which are to be in the same paragraph as "149".

If you are a seasoned QL searcher and think to limit your search to the Statutes considered filed or @5, your search will then yield six cases. You will lose the cases that are on point but do not have data in the Statutes Considered field.

The Law Society's system picked up ten more cases than a QL search and was far easier to perform. Using the /p operator on QL may have been too restrictive and to broaden the search on QL, you could replace the /p operator with the AND operator. **Queen's /1 bench /1 rules and 149** will search for the occurrences of Queen's bench rules and the number 149 anywhere in the document. The search yields 36 cases, eight of which were found in the search with the paragraph (/p) proximity operator. Out of the 28 remaining cases, there are five cases that mention section 149 of the rules. One of those cases was found by our original search on the Law Society's database. That leaves four cases with dicta on section 149 of the Rules that were not picked up by the Law Society's digest database. QL could pick up 12 cases, four of which contain dicta. The Law Society database picked up 18 cases on point.

The moral of the story: If you want to be completely comprehensive, you must check both sources, expanding your search and filtering the results yourself. If you want a quick and easy search with better coverage than QL, then you should search the Law Society's databases first. They are quick, easy, and extremely inexpensive. The source that produces the most cases on this section: **the printed source!** McKeague and Voroney covers far more cases on this section because it is not limited by a starting date for the database such as 1986 or by jurisdiction such as the Supreme Court of Canada. The Saskatchewan Judgments database and the Law Society's digest database will not cover cases that have gone to the Supreme Court of Canada. McKeague and Voroney, while not exhaustive, is very comprehensive.

This may sound like Greek to some of you. Fear not, the library staff will be preparing written guides to searching the databases that will be sent to every subscriber once they are completed. Also, the online help screens currently available are generic help screens that come with the software. The library staff will also be preparing database-specific online help screens with examples to guide you through your searches.

To subscribe to the databases, please contact the library staff in Regina at 569-8020 or in Saskatoon at 933-5141.

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Trial Advocacy Workshop Proclaimed a Success (Bruce Wiwchar, Legal Editor/Skills Instructor, Saskatchewan Legal Education Society Inc.)

The first Trial Advocacy Skills Workshop, held in Saskatoon from November 12 through 14 has been hailed as a success by participants and faculty alike. The idea for the Workshop arose in 1996 when The Honourable Mr. Justice D. H. Wright approached Saskatchewan Legal Education Society Inc. with a suggestion that there is a need for skills-based instruction in basic trial advocacy skills. A planning committee consisting of co-chairs Karen Prisciak (Robertson Stromberg, Saskatoon), and Diana K. Lee (Kanuka Thuringer, Regina), as well as The Honourable Mr. Justice W. F. Gerein and The Honourable Mr. Justice D. H. Wright was formed and planning of the seminar began early in 1998. The Workshop was modeled upon the successful trial advocacy workshops presented by the Legal Education Society of Alberta and The University of Calgary College of Law.

Twenty-four lawyers worked with 12 outstanding faculty members in an intensive workshop setting. The goal was to develop their basic advocacy skills. The faculty consisted of The Honourable Mr. Justice W. F. Gerein, the Honourable Madam Justice Y. G. Wilkinson, The Honourable Mr. Justice D. H. Wright, The Honourable Mr. Justice T. C. Zarzeczny, Jim Ehmann, Richard Elson, Peter Foley, Q.C., Aaron Fox, Q.C., Maurice Laprairie, Q.C. Diana K. Lee, Karen Prisciak, and Gary Young, Q.C.

The Workshop centered upon elements devised by the National Institute for Trial Advocacy, consisting of learning by doing, faculty critique, video review, and demonstrations and lecture. Prior to the Workshop, participants were required to prepare a number of problems from a mock civil and criminal case file. They noted that preparation alone took from 2 to 4 full days, before the Workshop started. Faculty members were also required to be fully prepared prior to the Workshop. All of the skills were superbly demonstrated by faculty members before the participants began their own performances. Participants performed a number of advocacy skills including examination-in-chief, cross-examination, introduction of exhibits, use of demonstrative evidence, impeachment and re-examination, and opening statements and final arguments. Immediately following their performances, they received critique, helpful suggestions and support and encouragement from various faculty members. As well, their performances were videotaped for further analysis and critique by different faculty members.

Although the participants and faculty were exhausted by the end of the Workshop, everyone agreed that the experience was very worthwhile, and that participants would be able to continue to build upon it in their ongoing development as courtroom practitioners.

It is a credit to the Saskatchewan Bar to have a planning committee and faculty that very generously contributed a large amount of professional time and energy to the development of excellence amongst our colleagues. SKLESI thanks you for sharing your knowledge and expertise.

Appointments

Belated congratulations are extended to **Rosemary Weisgerber** on her September 1998 appointment as a Judge of the Provincial Court of Saskatchewan. She will sit in the new position recently created in Prince Albert, bringing the total number of Provincial Court judges in the city to five.

Judge Weisgerber received her Bachelor of Laws from the University of Saskatchewan in 1976. From 1977 to 1986, she was engaged in private practice in Melville and Yorkton. From 1986 to 1993, she was employed by the Saskatchewan Legal Aid Commission in Saskatoon. She then spent a year working as a full-time prosecutor. Since February 1996, Judge Weisgerber has gained additional Provincial Court experience by travelling throughout the province as a relief judge.

She was the Director of the John Howard Society from 1994 to 1998. Judge Weisgerber has also been involved with the Saskatoon Criminal Defence Lawyers Association, the Saskatchewan Branch of the Canadian Bar Association, the Society for Involvement of Good Neighbours and many other organizations.

Congratulations are extended to **R. Peter MacKinnon, Q.C.** who has been named as the new President of the University of Saskatchewan for a five year term commencing July 1, 1999, succeeding George Ivany. Peter was Dean of the College of Law from 1988 – 1998. After receiving his law degree from Dalhousie, he was admitted to the Law Society of Upper Canada in 1974 and the Law Society of Saskatchewan in 1979. As Dean of the College of Law he served as a Bencher for 10 years, chairing several committees. He was awarded a Queen's Counsel designation in 1990. Peter has also served as President of the Council of Canadian Law Deans, President of the Canadian Association of Law Teachers, and Acting Vice-President (Academic) of the University of Saskatchewan.

Congratulations are extended to **Frederick J. Kovach** who has been appointed a Judge of the Court of Queen's Bench for Saskatchewan in Estevan/Weyburn. He replaces Mr. Justice G. N. Allbright, who replaced Mr. Justice P. Hrabinsky, who has chosen to become a supernumerary judge.

Mr. Justice Kovach graduated in law from the University of Saskatchewan in 1975 and was called to the Bar of Saskatchewan in 1976. Mr. Justice Kovach first practiced law with the firm of Woloshyn & Cawood and then joined the Attorney General of Saskatchewan's Office of Public Prosecutions in Saskatoon. Since 1978, he has been practicing criminal law, quasi-criminal law and administrative law with the firm of MacPherson, Leslie & Tyerman in Regina.

Congratulations are extended to **Gerald M. Kraus, Q.C.**, of Regina, who was appointed a Judge of the Court of Queen's Bench of Saskatchewan in Saskatoon. He replaces Madam Justice P. M. Blacklock Linn who resigned. (Madam Justice P. M. Blacklock Linn passed away in March of this year.)

Mr. Justice Kraus graduated in law from the University of Saskatchewan and was called to the Bar of Saskatchewan in 1971. He also has been a member of the Bar of Alberta since 1987 and the Bar of British Columbia since 1991. Mr. Justice Kraus has been practicing law with the firm of Kraus, McKay, Pederson in Regina. He has practiced mainly insurance law, health law, labour law and civil litigation. Mr. Justice Kraus is a former President of the Law Society of Saskatchewan.

Congratulations are extended to **Lynn B. MacDonald, Q.C.**, of Radville, who was appointed a Judge of the Court of Queen's Bench of Saskatchewan in Moose Jaw. She replaces Mr. Justice R. A. MacLean who has chosen to become a supernumerary judge.

Madam Justice MacDonald graduated in law from the University of Saskatchewan in 1974 and was called to the Bar of Saskatchewan in 1975. Madam Justice MacDonald first practiced law with the firm of Wimmer, Toews. Since 1976, she has had a general practice with the firm of MacDonald and Company, in Weyburn and Radville. Madam Justice MacDonald was President of the Law Society of Saskatchewan until her appointment to the Bench.

Congratulations are extended to **R. Dennis Maher, Q.C.**, of North Battleford, who was appointed a Judge of the Court of Queen's Bench for Saskatchewan in Prince Albert. He replaces Madam Justice A. R. Rothery, who replaced Mr. Justice J. D. Milliken, who has chosen to become a supernumerary judge.

Mr. Justice Maher graduated in law from the University of Saskatchewan in 1966 and was called to the bars of Saskatchewan and British Columbia in 1967 and in 1977, respectively. Mr. Justice Maher was elected a Bencher of the Law Society of Saskatchewan in 1997 and has held many positions in the Saskatchewan Branch of the Canadian Bar Association as well as the national organization.

Saskatchewan Legal Aid Commission Employee Recognition Awards (Jane L. Lancaster, Q.C.)

Three employees of the Saskatchewan Legal Commission were honoured on October 1, 1998 with the presentation of the Commission's first annual Employee Recognition Awards. This award recognizes exceptional service to the Legal Aid Commission, to clients, and to the law and legal profession.

A committee of legal directors determined the criteria that recognized excellence. All the staff of the Saskatchewan Legal Aid Commission, both professional and support, was eligible for nomination by staff members.

The nominations were then reviewed by a panel comprising The Honourable Mr. Justice Gerein of the Court of Queen's Bench, The Honourable Judge Stephen Carter of the Provincial Court of Saskatchewan, and Willy Hodgson, Lay Bencher with the Law Society of Saskatchewan.

Seven nominations were received, and there were no minimum or maximum number of awards to be presented.

The three recipients for 1997-98 are:

Rhonda Hofmann, a member of the support staff at the Central Office of the Commission, was recognized for her work in information technology. She showed exceptional performance in this area enhancing the ability of the Commission to provide services to clients.

Patrick Reis, staff lawyer at the Regina Rural Legal Aid Office, was recognized for the exceptional service that he provided to a client who had chosen him to represent him in a high profile murder case. The case involved Pat going considerably above and beyond what would be expected of counsel when he represented this young person. His hard work prevented the possibility that an innocent person would be convicted of a criminal offence. It recognized the particular vulnerability of many legal aid clients who cannot always help counsel in preparing their defence.

Kearney Healy, staff lawyer at the Saskatoon City Office was recognized for his exceptional work by participation on boards and community groups that further the interests of client groups serviced by legal aid. A few examples of Kearney's community work involve his interest with young persons in conflict with the law. He is involved in Communities for Children in Saskatoon, where he helped in convincing SaskTel to provide telephones to low income families where those families had been unable to obtain that resource. As well, he is involved in committee work to bring young people back to the school system. Kearney is active in Justice 2001 committees working on alternatives to incarceration, and with the Saskatoon Tribal Council on a project for family group conferencing in young offender matters. He speaks out strongly in support of young people against a growing hardening of public attitudes.

The recipients were presented with framed Aboriginal art recognizing their contributions.
