

BENCHERS' DIGEST



Volume 15, Issue Number 4

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Law Society Snapshots #2

by Allan T. Snell, Q.C.

In April, 2002 we published an article entitled *Law Society Snapshots*. The response was whelming – neither over nor under. Coming from the glass half-full school, as we do, that kind of response is sufficient encouragement for us to do it again.

- 1. Mobility:** The national move towards Western style lawyer mobility proceeds apace. A proposed protocol was presented to the delegates at the August Annual Meeting of the Federation of Law Societies and will be considered/amended over the next few months. In addition to the work on harmonizing the Bar Course, CLE and trust account Rules in the West, there is also a project underway to review and revise *The Code of Professional Conduct*. Benchers, raconteur and ethical theorist Brent Gough is Saskatchewan's representative on the Committee. Brent welcomes suggestions, not just concerning the *Code*, but concerning ethics generally, his height, etc.
- 2. Federation of Law Societies:** Also on the agenda in August was a plan to restructure the Federation so that it can accomplish its role more efficiently. There was an animated discussion, however, consensus proved elusive. It was agreed that the Federation had done great things in the past and will do even more great things in the future, but there were differing views as to what it should look like as it accomplished these. We are hopeful. And patient.
- 3. Collaborative Law:** The Law Society of Saskatchewan has been meeting with members who practice collaborative law to try to determine what, if any, regulation is required for this innovative way to practice law. We are in fact "collaborating" on the issue.
- 4. Complaints:** There are 549 complaint files as of October 9th. The Law Society has begun a process which will, it is hoped, result in quicker and more consistent resolution of complaints. We are very aware that it is unpleasant to have an unresolved complaint hanging over your head and that it is in everyone's best interest to deal with complaints as quickly as possible.
- 5. Bar Judicial Council:** Representatives of the Law Society and the CBA meet regularly with Chief Justice Gerein and Madam Justice Hunter and also with Chief Judge Seniuk and Judge Kolenick to discuss issues of concern between the Bar and the Bench. These meetings are frank and candid on both sides and have been useful in addressing minor irritants before they become major. Members who have concerns with respect to Judges, Court procedure, etc. which they would like raised on an informal basis with the Bench should contact the Law Society or your local Benchers.
- 6. CanLII:** Most members will be aware of the recent purchase by Lexis Nexis of QuickLaw. Library costs for firms has been increasing at rates many times that of inflation for some time now. Added to this, copyright issues have further complicated and added to the cost of retrieval of information necessary to practice law. To some extent, this environment can be compared to the situation lawyers found themselves in in the mid 80's when liability insurance became more and more expensive and less easy to

www.lawsociety.sk.ca

obtain. The result was the creation of CLIA and the Law Society owned captive insurance companies in other provinces.

CanLII is a similar sort of animal. It is funded by the Law Societies and available free of charge to anyone who has access to the Internet. While it is in the process of growing and its collection is, at present, modest, there was overwhelming support at the annual meeting of the Federation of Law Societies in August to fund a substantial expansion of CanLII's collection. Although funding issues are still to be resolved, it is intended that collections in all provinces of case law will go back to 1990 and that old

statutes and regulations will be available, either directly or through links. Furthermore, the collection is expanding to include decisions of tribunals which are not presently available in other forums.

The CanLII website is www.canlii.ca. The Law Society would like to encourage members to visit and make use of the collection and provide any comments or suggested improvements to Allan Snell, Q.C. or Susan Baer.

7. **Lawyer Referral:** One of the day-to-day duties of the Law Society is fielding phone calls from members of the public. We try to do this with grace and good humour. Some of the

callers are friendly and calm, some are distraught, some are angry and some are confused. I write this in the waning of a particularly potent full moon and wish to advise that the Law Society Lawyer Referral Service is seeking lawyers who are willing to represent people who are:

- (a) being spied on by the CIA;
- (b) have been impregnated by aliens;
- (c) are personal friends with the Prime Minister who advises that their case against the government for \$30,000,000 is rock solid;
- (d) any combination of the above.

Please contact the Law Society offices.

Highlights of the Meeting of the Benchers Held September 11, 12th and 13th

Discipline Investigator

The new Law Society Discipline Investigator, Greg McCullagh, was introduced to the Benchers at the September Convocation. Mr. McCullagh comes highly qualified for this position, having previously been the Chief of Police of the Prince Albert Police Service. He commenced his duties in June and has already provided invaluable assistance to a number of Discipline Investigation Committees. The discipline investigation process is described in the April, 2002 edition of the Benchers' Digest. We look forward to his continued assistance in the future.

Trust Accounting Practices

In October of 2001, the Benchers conducted a "post-mortem" of the various systems and processes involved in discipline, monitoring of trust account records and the like as

a result of the Lamontagne resolution. One of those resolutions is a more less tolerant position with regard to inadequate and incomplete trust accounting records and the filing of annual trust account forms. As a result of discussion at this Convocation, members are advised that failure to comply with the trust account Rules will result in a referral to discipline and may result in interim suspension.

Compulsory Insurance Coverage

Pursuant to Rule 605, practicing lawyers (except Provincial Prosecutors and Justice Canada employees) must be insured for errors and omissions coverage, which in Saskatchewan is provided through Saskatchewan Lawyers' Insurance Association by Canadian Lawyers' Insurance Association. CLIA began in 1988 and provides the compulsory insurance for 9 jurisdictions in Canada. CLIA also provides optional

excess insurance. The amount of the compulsory coverage has remained at \$1,000,000 since the inception of the program.

CLIA is considering an increase of the compulsory level to \$2,000,000 per occurrence, with a \$4,000,000 aggregate. The Insurance Committee was in favour of such an increase, which CLIA will discuss further at its Fall Advisory Board meeting.

Willy Hodgson, C.M., S.O.M., R.N.

The Benchers unanimously passed a motion of congratulations in recognition of the honour recently bestowed upon our former Lay Benchers, Willy Hodgson, the Order of Canada. The Benchers are proud of their association with Ms Hodgson, who was recognized for her career in social work and human resources and her lifelong work to advance Aboriginal people in Saskatchewan.

A New Option for Students: Articling at the Provincial Court

by Kaylea Dunn @ McKercher McKercher & Whitmore

At the May 2002 installment of the Bar Admission Course, there was a certain degree of reflection going on amongst my classmates and I, as we compared the highs and lows and lessons learned during the articling year. A unifying theme of these conversations was that those of us who did a stint at one of the courts or government offices or, conversely, those who took a month away from a position at one of those venues to work at a private practice firm, were very pleased with our experience, and felt that we had received a well-rounded set of articles. The purpose of this article is to broadcast to the legal community that there is a new option available to students seeking to diversify their articles: a month at the Provincial Court.

Most law students choose their articling position after only two years of exposure to the legal world. When I went through articling interviews, I was rather unaware of all of the different articling options, aside from the standard, private practice firm. My decision to work at McKercher McKercher & Whitmore was based partly upon an interest in insurance law, but mostly upon a gut feeling. After hearing about the different paths that my classmates were following, I was mildly curious about whether my choice of private practice should have been such a foregone conclusion. I am now convinced that my decision was right, but having a month away from the firm during my articles helped me to identify this.

Even though it was a little difficult to uproot myself for a month just as I had finally adjusted to my little corner of the legal community,

I would advocate to all current and prospective articling students the practice of comparing one's own environment to at least one of the others that could have been chosen. After the articling year, there aren't really any opportunities to step into another workplace for a brief time, in order to confirm that you have steered yourself in the direction to which you are best-suited. While most will perhaps prefer the environment that they got to know first, I know at least one classmate of mine whose suspicions were confirmed while spending a month away from his firm: he was completely at home in the Crown Prosecutor's milieu, and has since moved away from private practice.

All of the above said, firms should not decline to send their students out for a month for fear of losing them. Most students have already accurately identified their interests prior to selecting an articling position, and furthermore, most hosts will not be in a position to offer a job opportunity. Simply put, firms stand to gain a great deal from surrendering their student for a month, since the student returns with an immeasurably expanded legal perspective.

I was fortunate enough to be the first student to test the waters at the Provincial Court in Saskatoon. Although the judges have never had an articling student work with them for the entire articling year, and do not anticipate being able to provide a complete set of articles to students in the near future, the Saskatoon bench was extremely responsive to a request that I might encroach upon their chambers for a month last spring. The seed was planted for this arrangement at the Saskatoon Bar

admission ceremonies last fall, when Judge Nutting read some remarks prepared by Chief Judge Seniuk, who was unable to attend the event. My ears perked up when I heard that, while the Provincial Court had never hosted an articling student, this was something that they were keenly interested in doing. A couple of phone calls later and it was arranged: a month across the street from my normal articling quarters at McKercher McKercher & Whitmore, with the Saskatoon branch of the Saskatchewan Provincial Court.

Some readers might note that McKercher, where I am now happily ensconced as an associate, isn't exactly a hotbed of criminal law activity, which is precisely why I was so happy to be heading across the street. Having never even been to observe proceedings in Provincial Court, I knew that spending a month there would reveal an entirely different legal realm. The bustling pace in the corridors and the filled seating gallery in the court rooms is a far cry from the almost reverent hush that generally falls over the interior of the Queen's Bench Court House, and the sheer variety of matters that are heard on a daily basis at the Provincial Court is amazing. During my days at the Court, I observed everything from bail hearings to trials. I could pop into a courtroom and watch a witness testifying and visit another to see a mental fitness hearing. As well, the chance to hear a judge's perspective about what he or she had just presided over was invaluable.

As well as doing research and writing, the staple activity for all articling students, I was able to sit in on small claims pre-trial conferences, and go out on circuit to

watch court sit at the Elks Hall in Kindersley and at the hockey rink at Beardy's Reservation. I enjoyed a vantage point that I doubt I shall ever experience again when I sat up on the Bench next to Judge Whelan during Youth Docket Court and observed how she keeps pace with the barrage of matters that she hears in a day. I conversed with various prosecutors and legal aid counsel to gain an understanding of the basic etiquette among the different tiers of our legal community, and to see how many different matters these people - Provincial Court fixtures in their own right - have on their plate every day. The general understanding that I gained of the Court and of all of its rules (many of which are unwritten), has made subsequent appearances in the Court much less daunting than they would otherwise have been.

Since I have never spent any time at one of the other venues that have traditionally been available to articling students, it is difficult for me to compare the Provincial Court experience to the others, and even more difficult to enumerate the specific advantages that the Court offers to an articling student over those other venues. What I can do, though, is convey the variety of legal issues to which I was exposed while at the Court. I researched automatism issues for one of the judges, and

observed a seasoned legal aid lawyer successfully invoke the defence of necessity on behalf of his young offender client (granted, these issues aren't normally on the judges plates, and I lucked out in this regard). I dealt with and discussed contract law issues with a couple of judges who were handling small claims trials, and was even given the chance to step into a judge's shoes with respect to one small claims action. I reviewed that judges notes, taken at trial, and the briefs and pleadings, and drafted a decision of my own to discuss with the judge. It made me realize what a difficult job judges have, and brought home to me what they need to see from counsel in order to make a reasoned decision.

When I started this article, the Provincial Court was not on the Law Society's list of venues approved for a secondment by an articling student, but as a result of my positive experience, the Rules were amended at the May Convocation and future students will not need to obtain specific approval from the Law Society to enjoy a stint with the Court.

Some five months after its completion, I can say with hindsight that my month at the Provincial Court was a fantastic experience, and I am exceedingly fortunate that circumstances allowed me to be the

first student to enjoy that experience. I thank the judges for their hospitality and for the interest that they took in expanding my horizons while I was there, and I also thank the articling committee and my Principal at McKercher McKercher & Whitmore for supporting my choice of secondment venue. The fact that there was no student to fill my chair for the month that I was away was not an impediment to obtaining approval to go to the Court, as McKercher's articling committee approaches the articling year with educational motives rather than purely economic ones. As well, I would suggest that receiving a student on trade is of marginal benefit to the firm anyhow, since the student can only do shorter term assignments and generally spends the first week orienting themselves with their temporary surroundings.

While it is unfortunate that students have not historically benefited from spending part of their articles at the Provincial Court, I suggest that Chief Judge Seniuk's interest in involving the Court in the Saskatchewan articling scene should no longer be overlooked by students and articling committees, but should, rather, be taken advantage of by future newcomers to the profession.

Trust Account Forms

Further to our article in the April edition of the Benchers' Digest, as a result of the Lamontagne defalcation, there is a view that the annual trust account forms do not provide as much information as they could. John Allen, the auditor/inspector, has been compiling information and forms from the other jurisdictions in Canada. He has proposed new forms, Report of Accountant (currently Form TA-5), and the Annual Practice Declaration (currently form TA-3).

The proposed forms are more extensive. It is expected that accountants will charge more for the completion of the report. On the other hand, Mr. Allen will have more helpful information for the spot audit program, and may have earlier warning systems for potential problems. The proposed new forms are loaded onto our website in the Members' Section at www.lawsociety.sk.ca/newlook/members/trust.htm. We welcome members to view the proposed forms and provide Mr. Allen with input.

Ethics Rulings – September 2002 Convocation

Chapter XV, “Responsibility to Profession Generally” - Allegation of Unpro- fessional Letter, September 2002

Facts:

Lawyer T had written Lawyer R to request a copy of a transcript of a cross-examination of Client T on his affidavit. At the time of cross-examination, another lawyer, Lawyer P, represented Client T. Lawyer R's letter of May 13th, 2002, in response, suggested that if former Lawyer P had a copy of the transcript, he may not wish to release same if he was asserting a solicitor's lien for unpaid accounts. Lawyer R asked that Lawyer T contact former Lawyer P directly to request a copy of the transcript and make the necessary arrangements.

Client T was extremely upset by Lawyer R's letter and the fact that it was cc'd to Lawyer R's client, as he was insulted by the suggestion that he might not have paid his account with former Lawyer P and that former Lawyer P would have to rely on a solicitor's lien to recover his costs, and complained to the Law Society.

In response, Lawyer R accepted that former Lawyer P did not have a solicitor's lien on Client T's transcript. However, Lawyer R indicated that it was a fair assumption to make as it would be unusual for the examining party to have a copy of the transcript and for the party being examined not to have a copy of the transcript.

Ruling:

The Committee ruled that there is nothing unethical about what Lawyer R did in questioning why he was asked for the transcript rather

than having Counsel T obtaining same from former Lawyer P. This letter was not “published” but rather was only sent to opposing counsel, and cc'd to Lawyer R's client. The assumption was reasonable and the letter was only sent to parties, thus was “controlled”.

Chapter XIX “The Lawyer as Advocate” Courtesy owed to wit- nesses, September 2002

Facts:

Dr. U complained about Lawyer V's failure to pay his bill.

Dr. U was served a subpoena by Lawyer V to appear in court at 9:00 a.m. to give material evidence for the defence, and he appeared. Dr. U travelled a significant distance and was advised the case did not commence until 2:00 p.m. Dr. U billed Lawyer V for his travel and fee for his day away from work shortly after the date of his appearance and received no response. Dr. U tried a second time to collect his account and received no response. On a third attempt, Dr. U advised Lawyer V that the matter of the bill would be referred to the Law Society if he failed to pay. Lawyer V apologized for not responding, and indicated that he believed it was the responsibility of the Department of Justice to pay Dr. U's bill and he would send a letter the following week. The letter never arrived.

The Justice Department advised Dr. U that if he were called to provide material evidence for the defence, that would be the responsibility of the defence lawyer. Dr. U complained to the Law Society.

Lawyer V indicated that he subpoenaed Dr. U as a regular witness and not an expert witness and undertook to research what his legal obligation would be to this witness. Lawyer V obtained a legal opinion from another lawyer who provided an opinion that there was no requirement for a witness fee and conduct money to accompany a summary convictions subpoena.

Ruling:

The Committee ruled that Lawyer V's behaviour was not “unethical”, however, the Committee wished to remind Lawyer V that he owed a courtesy to professional witnesses and the matter was referred to the Professional Standards Committee for review of Lawyer V's conduct in this circumstance.

The Committee cannot rule on the actual issue of money payable to the Doctor, but the Professional Standards Committee will review Lawyer V's conduct with respect to courtesy owed to professional witnesses and wanted Dr. U to be advised of this referral to the Professional Standards Committee.

Chapter VIII “Preservation of Clients' Property”, Unclaimed Trust Money – September 2002

Facts:

The Committee reviewed Lawyer W's request for ruling with respect to Client W and her refusal to accept a cheque for a personal injury claim in the amount of \$37,000.00 and her instructions to “pay it to charity”. Client W is receiving Social Assistance. Social Services advised Lawyer W on a hypothetical basis that \$10,000 of the monies for pain and suffering was exempt, but the remaining \$27,000.00 would be applied to Client W and her suste-

nance costs and her benefits would cease until that was exhausted. She would not have the right to donate the money to a charity. The money was paid to the Law Society Unclaimed Trust Money Fund. Mr. Snell asked the Committee how to handle this matter. As Client W may be mentally ill, Mr. Snell suggested perhaps contacting the Public Trustee's Office. If the money is left in the Unclaimed Trust Money Fund, it would eventually be paid to the government. There is a concern that if the Law Society paid the money to charity as per Client W's instructions, this could well trigger the Social Services consequences.

Ruling:

The Committee ruled that the Law Society may wish to try one more time to communicate with Client W and if this is not successful, the matter should be referred to the Public Trustee's Office.

Chapter III "Advising Clients" – Estate Lawyer's Duty to Beneficiaries – September 2002

Facts:

Lawyer Y acts as Estate lawyer for the Executors. The Executors are the son and daughter-in-law of the deceased. Their estranged son, the deceased's grandson, was residual beneficiary of 10% of the estate. The Executor parents were receiving 60% of the estate. The Will stated that in the event the parents should pre-decease, their share would go solely to their daughter, sister of the estranged grandson. The Executors realize they have an obligation to provide the son/grandson with accounts and the final release. However, the Executors do not wish to send a copy of the grandmother's will to the estranged son/grandson along with the Executors' account and final release unless the son/grandson asks for a copy of same. Lawyer Y asked the Ethics

Committee to rule on whether or not he had an obligation to provide a copy of the will to the son/grandson in this instance.

Ruling:

Lawyer Y's conduct in following his client's instructions in this instance would not be seen to be inappropriate or unethical.

Chapter XVI "Responsibility to Lawyers Individually" and Chapter XI - Trust Conditions – Conduct Money Not to be Applied to Fees – September 2002

Facts:

Lawyer A received service of an appointment for Examinations for Discovery along with conduct money and a cover letter from opposing counsel, Lawyer B stating:

"I am enclosing for service upon you, as solicitor for (your client), an appointment for the above noted action along with our cheque in the amount of \$400+ tendered in trust as conduct money which includes travel and one night's hotel expenses".

The cheque was made payable to Lawyer A's office. The client failed to attend at Examinations for Discovery. Lawyer A's office withdrew and filed a Notice of Withdrawal of Solicitor with respect to this matter, and wished to exercise a solicitor's lien for unpaid fees against the funds in the client's trust account deriving from the conduct money. Lawyer B indicated that when the money was not returned, he lodged an application for an Order to require attendance at Examinations for Discovery and for costs, including the conduct money paid. The Order was granted. Lawyer B took the position that Lawyer A could not turn the conduct money over to the client after the client had failed to appear at Examinations for Discovery, and if Lawyer A exercised a solicitor's

lien against his client's indebtedness it would amount to the same thing.

Ruling:

The Ethics Committee ruled that the money was sent by Lawyer B to Lawyer A, "tendered in trust as conduct money". The money was "earmarked" money and was held for a specific purpose, thus, trust conditions were imposed on this money and Lawyer A would not be free to convert it to any other purpose.

Chapter XVI "Responsibility to Lawyers Individually" – GST dispute - Sep- tember 2002

Facts:

Lawyer D acted for Client D, a home builder. Lawyer F acted for couple F on the purchase of a home, pursuant to a building contract with Client D. Various problems necessitated a meeting between the lawyers and their clients prior to taking possession of the new home.

Lawyer D indicated that the buyer expressed concerns with respect to minor matters, and credit was provided by Client D, in the amount of \$350.00. He indicated that all parties left the meeting with the understanding that Lawyer F, on behalf of the buyers, was entitled to deduct the sum of \$350.00 from the balance of cash to close the transaction and trust conditions were amended accordingly. However, Lawyer F forwarded the funds to Lawyer D's office and, in addition to taking the \$350.00 credit, he took credit for the GST, at which point Lawyer D advised the Law Society, as he disagreed with the inclusion of GST.

Ruling:

The Committee was of the opinion that the dispute between Lawyer F and Lawyer D was a contractual,

legal question. During the meeting where the parties supposedly agreed that \$350.00 would with be paid or deducted, GST was not discussed, nor was their a “meeting of the minds” on the nature of the \$350.00 credit/deduction. The Law Society of Saskatchewan Ethics Committee is not in a position to rule on legal matters or on matters in which the facts are contested.

Report on the Fourth International Conference on the Law via the Internet

The Fourth International Conference on the Law via the Internet was held in Montreal on October 2 – 4, 2002. Hosted by the LexUM team from the University of Montreal and sponsored in part by CanLII (Canadian Legal Information Institute), the conference brought specialists together from around the world to discuss issues relating to new technologies for law and those used to improve access to the law. Previous conferences were held in Australia and were organized by AustLII (Australian Legal Information Institute). Approximately 400 people attended the conference in Montreal, being comprised of computer specialists, university professors, government officials, judges from various courts, court administrators, law librarians, and publishers. It was a well-organized international conference. Four judges from the Saskatchewan judiciary and the Director of Libraries for the Law Society represented Saskatchewan at the conference.

The issues discussed at the conference are very relevant for the development of CanLII. CanLII is one of several Legal Information Institutes (LII's) around the world that now exist for making court judgments and legislation freely

available on the Internet. The Federation of Law Societies of Canada funds CanLII whose website was launched as a prototype in August 2000 (<http://www.canlii.org>). AustLII is the pioneer that forged the way for BIALII (British and Irish Legal Information Institute) and provided the search software for Canada to begin its project for CanLII. An increasing number of countries now make their case law and statutes available on the Internet, many with the assistance of the AustLII team. In fact, the Australian team has now developed WorldLII (<http://www.worldlii.org/>) that is a search engine to search all of the LII's at once. Unfortunately, at this time, CanLII is not searchable through WorldLII and until some technical issues are resolved, the speed of using a service such as WorldLII will certainly detract from its usefulness.

The main issues covered included privacy and court judgments, e-filing projects and the technical, social, and legal implications, copyright of electronic documents, standardization of court judgments and legislation. There were separate sessions especially for the judges on the same topics.

The paper entitled *The Preparation of Documents for Electronic Distribution* contains information on stripping hidden information from MS-Word and WordPerfect documents. The paper is relevant for anyone providing an electronic copy of a document to another since the recipient can reveal all prior editing of a document. It has ramifications for client confidentiality when existing contracts and precedents are used in the firm to create new contracts and legal documents. The paper can be found on the Canadian Citation Committee's website at <http://www.lexum.umontreal.ca/citation/en>.

The new standards for preparing court judgments called the *Canadian Guide to the Uniform Preparation of Judgments* were announced at the conference. The guide, which is a sequel to the *Standards for the Preparation, Distribution and Citation of Canadian Judgments in Electronic Form*, was adopted by the Canadian Judicial Council just days before the conference. The guide provides the standards for preparing judgments to allow for the easy loading and distribution in an Internet environment, regardless of the software used to create the documents.

The other main issues of privacy and copyright are complicated topics. The next standard that requires work in Canada is a standard for creating the short form of the style of cause. The work in this area will have to cover the privacy issues of court judgments because the style of cause must be changed to initials in certain cases. Many speakers expressed the challenges regarding privacy of electronic documents on the Internet but only Alberta has been working with its judges in an attempt to identify decisions where the privacy of individuals involved must be considered for that decision. Judges in Alberta complete a form that identifies publication bans and what type of ban, and allows the judge to identify if the judgment should be edited for the protection of the privacy of those involved. In Saskatchewan, the Law Society Library creates the short form of the style of cause and edits the judgments for privacy before loading them on the website. The same edited judgments are sent to CanLII. Not every jurisdiction has the capability to send edited judgments to CanLII, which affects the comprehensiveness of the website.

Conference delegates learned that in Canada it is a violation of copyright to take materials from an

Internet site to use in another form or product without the express consent of the author. The laws in the United States are quite different, making it possible for a site such as Cornell University's Legal Information Institute (<http://www.law.cornell.edu/>), to spider to various sites to copy the documents at its website. The copyright laws differ from country to country and therefore there is confusion over what is actually permitted. The information at the conference was timely since the government is currently working on Phase III of the Copyright Act, which deals with the copyright of electronic media.

Many sessions were conducted in French and if there is one criticism of the conference it must be about

the translation. Justice Canada announced that they would be launching point-in-time statutes for the federal statutes. If the translation was accurate, October 15 was the date they will be available. You can check Justice Canada's website at <http://laws.justice.gc.ca/en/index.html>.

The final session on Friday afternoon was very useful. A panel of delegates representing the LII's answered specific questions from the moderator and delegates from the audience. Of interest was whether the LII's would be able to continue to operate offering free access to statutes and case law. The question may have been raised because of a comment made by QL Systems in a previous session about its concern over government funds being used

to publish decisions and legislation on the Internet when commercial publishers were performing that function. The free access to primary legal materials serves the public interest in a way that the publishers would never fill the community's needs. The answer was a definite yes, and that cooperation and partnerships were needed to sustain the Legal Information Institutes.

The conference was certainly an opportunity for LexUM to showcase its talents. They were certainly visible during the conference and are to be congratulated for organizing such an ambitious conference. Proceedings may be available in the future, I hope, in a bilingual form. You can check LexUM's website at <http://www.lexum.umontreal.ca>.

Equity Ombudsperson

The Equity Ombudsperson, **Norma Farkvam**, provides neutral and confidential assistance to lawyers, articling students and support staff working for legal employers who ask for help in resolving complaints of discrimination or harassment. Norma may be contacted at: Box 22012, RPO Wildwood, Saskatoon, S7H 5P1. She can also be reached at (306) 242-4885 or toll free throughout Saskatchewan at (866) 444-4885.

You are cordially invited
to join the library
in celebrating the holiday season
at our annual Christmas reception
to be held
on Thursday, November 28, 2002
from 3:00 to 6:00 pm.

Refreshments will be served

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