

May 1, 2006

The Praecepte,

Victoria's Legal Newsletter

This newsletter will be published by the VBA approximately six times a year. It provides members of the local Bar with information about VBA events, the activities of its members and issues of importance to you. As this is a developing product, any constructive advice, criticism, or assistance is greatly appreciated. Comments can be emailed to legh@sll.ca.

NOTICE OF CHANGE FOR DEEP COVE DINNER

The date for the summer dinner at Deep Cove has been changed to **JUNE 15, 2006**. This event always sells out, please sign up as soon as possible by contacting Roxanne at rhelme@greenhelme.com \$65 and \$55 for students.

INSIGHTS INTO THE LOCAL BAR

We plan to keep members informed on any developments within the local bar. If you become aware of any members changing firms, passing away, receiving awards, or any issue that may be of general interest, please tell us.

Dennis Latham has NOT retired, as we last erroneously reported. Please note that Dennis has simply moved from a full time practice to a part-time practice with Jawl & Bundon.

T. Foster Isherwood, retired on November 30, 2005 after 54 years in the Practice of Law. **Constance D. Isherwood**, now in her 55th year of Practice, soldiers on.

The rumours of **Robert Isbister's** retirement/demise were greatly exaggerated! He did leave Horne Coupar and set up an office at home to pursue that elusive dream of greatly reduced overhead. He can be contacted at 479-9901.

Michael Paine has retired. He parted ways with the Bar and Cook Roberts with a firm party at the Deep Cove Chalet.

Virgin & Young is no more in Victoria. There is now **J. M. Young & Associates**.

Michael Nielsen has moved to Victoria and joined J. M. Young & Associates after practicing for several years in Vancouver with Hamilton Duncan. Before moving to Victoria in April, Michael travelled through Southeast Asia including China, Thailand, and Vietnam. Michael's practice is in employment and human rights, civil litigation and personal injury.

Tara Thompson has completed her articles and is continuing on with Crease & Co as an associate.

RECENT EVENTS

Call Ceremony

Victoria's first **Call ceremony** of the year was held March 30, 2006 at which time Chris Robb was called along with three other out of town lawyers, including Angelique Penhall, who is now an associate at Marion & Company in Campbell River. The VBA hosted a small reception after the Call ceremony. The next, and much larger Call ceremony will be held at the Victoria Court house on June 1, 2006. All members are encouraged to attend.

LOST

A number of our members participated in March in the Lawyers On Stage Production of **Lawyers On Broadway**, at the McPherson Playhouse. The comedy production was very well received, and the Bar was gratefully recognised for their significant contributions in helping to raise money for Kaleidoscope Children's Theatre.

Bench/Bar Spring Dinner

The **Annual Bench/Bar Spring Dinner** was held on April 20, 2006 at the Fireside Grill. The event was well attended and members enjoyed a brief update from one of our new benchers, Richard Stewart and even briefer comments from Mike Mulligan on behalf of the CBA.

Battle of the Bar Bands

The inaugural **Victoria Battle of the Bar Bands** took place on March 2, 2006 and was a resounding success. There is no question that it will become an annual event.

The event, co-sponsored by the Victoria Bar Association and the Canadian Bar Association (B.C. Branch), took place at the Central Bar and Grill where a crowd of almost 300 people gathered to hear four great rock bands, two local and two from Vancouver. In no time, those bands had the audience grooving and crowding the dance floor.

The four bands were: "Blind Elmo" (John Waddell, Q. C., Tom MacLachlan, Q. C., Jerry MacLean, and Rob Ritchie) and "Tight Briefs" (Michael Frey, John Coupar, Mark Slay, and Ted Evans) -- both from Victoria, and "Still Living at Home" (Paul Seale, Howie Mickelson, Mark Slay, Chris Ainscough and Mike Hirst) and The Defendersz (John Boice, Dieter Trenkel, John Thistle, Roger Holland, and guest appearance by Derek Brindle, Q. C.) -- both from Vancouver. For those who are paying attention, there weren't two drummers named Mark Slay. He did double duty.

The winning band (unfortunately, but unquestionably) was the Vancouver band, "Still Living at Home," three-time winner of the Vancouver Battle of the Bar Bands. The race was a tight one, though, and the "Applause Meter" (which was used to measure the audience response) registered only small differences between the competing bands.

The Victoria Battle of the Bar Bands was held to raise funds for the CBA (BC) Benevolent Society, a foundation established to provide financial assistance to lawyers and their families in times of crisis. The society was formed in the mid-1990s by B.C. lawyers who contributed approximately \$100 each during 1997 and 1998 for a total contribution of almost \$900,000. Using the interest generated by the capital fund together with money raised by fund-raising events such as this one, the society makes grants to lawyers or their families enduring traumatic circumstances like death or serious illness. The grants in 2005 totalled approximately \$90,000.

From the sale of tickets together with the kind contributions from our sponsors, Premier Verbatim Reporting, Grand Pacific Hotel, Interlock and Total Delivery Systems, the Victoria Battle of the Bar Bands was able to raise nearly \$5,000.

Mark your calendars now. We expect to schedule the second annual Victoria Battle of the Bar Bands for a Friday evening in early March of 2007. For those aspiring rock stars out there -- start rehearsing!

Law Day

Over 200 people attended **Law Day at the Victoria Courthouse** on April 22. This is more than twice the number of people that attended in 2005. The event would not have been possible without the support of individuals in the Victoria Bar and the significant support of the Law Courts Education Society, Court Services, the Legal Assistant Program at Camosun College, the Victoria Bar Association and the CBA – BC Branch. Well-attended events included the Fairy Tale Trials (where Hansel and Gretel were acquitted in both trials), the police information seminars on Crystal Meth and Dating Violence, and the Court Talks and Sheriff's Tours.

Members interested in becoming a part of the organizing committee for 2007, please let Kerry Simmons know now as work starts in September for 2007.

Humanitarian Award

The **University of Victoria Humanitarian Award**, which is sponsored by the VBA, was awarded to graduating student Andrea Louey for her work in a student pro bono program.

FUTURE EVENTS

Other **dates** to note on your calendar are:

1. Lawyer/CA golf tournament - Friday, June 2, 2006. Tournament proceeds this year will benefit the Garth Homer Society. A registration form is attached.
2. Summer Dinner at the Deep Cove Chalet - June 15, 2006
3. VBA Softball tournament - September 2006. The goal is for ten teams.
4. VBA Golf tournament at Prospect Lake - September 15, 2006
5. AGM at the Victoria Golf Club - November 2, 2006
6. Annual December Lunch at the Union Club - December 6, 2006

NOMINATIONS SOUGHT FOR THE VBA AWARDS

The Victoria Bar Association Executive is seeking nominations for the three awards, which are presented to members of the Victoria Bar annually.

1. PAMELA MURRAY AWARD
2. VBA VOLUNTEER AWARD
3. VBA AWARD FOR CONTRIBUTION TO THE LAW

If you are aware of any member of the local Bar who may be eligible to receive one of the awards, please advise the executive of the Victoria Bar Association, in confidence by **October 30, 2006**. Nomination forms are attached.

Please provide as much information as you are able regarding your reasons for nominating the individual.

COURTBOX RENEWALS

Invoices for Courtbox renewals will be arriving in your courtbox next week. The cost is \$50 per year for a courtbox, which is a good deal compared to the cost of the court registry mailing documents to lawyers at a cost of \$10.00 per mailing.

Anyone who does not yet have an assigned courtbox should contact Charlotte Salomon at csalomon@mcbop.com or her assistant Leslie Campbell at 385-1383.

NEWSLETTERS

The VBA is committed to ensuring that the local Bar is aware of matters relevant to them. We will be publishing a newsletter at the end of April, June, August, October, and December 2006. If you have any news that you would like to communicate to the members, please email the information to leg@sl.ca. We do not promise to publish the information but it certainly will not be published if you do not communicate with us.

VBA WEBSITE

Updates on our website and email communication system is still close to completion. It is hoped that it will be up and running within the next few days. The address remains the same at www.vicbar.com

UVIC LAW FACULTY NEWS, By Anne Pappas

A lot has happened at the UVic Faculty of Law over the past year. Some highlights include: our Akitsiraq Law School program graduated eleven students at a special convocation held in Nunavut; the first LL.M. degrees were granted from our new "Law and Society" Graduate Program; the Faculty completed an Academic Program Review that will help to guide us in the years ahead; funding was secured to create a National Aboriginal Economic Development Chair to be cross-appointed in the Faculties of

Business and Law; and renovations to the law building resulted in the creation of two high-tech classrooms and a new career services suite!

We are pleased to also report the following developments:

Professors **Neil Campbell** and **Martha O'Brien** were awarded tenure by the University of Victoria.

UVic law graduate **Sheridan Scott** ('81) received a UVic Distinguished Alumni Award at the University's Legacy Awards reception. An endowed scholarship has been created by friends, family, and classmates to honour Sheridan's accomplishments and commitment to UVic Law.

Professors **Michael McGonigle** and **Gerry Ferguson** were identified as "Popular Profs" in Maclean's Guide to Canadian Universities 2006.

UVic Law's **Environmental Law Clinic** (ELC) received a grant from the Tula Foundation to cover core funding for the next three years. The ELC is the first university-based environmental law clinic in Canada.

Mary Mullens has been appointed Director of our Business Law Clinic (BLC), taking over from Victoria lawyer **Jim Hutchison** who is stepping down after a two-year term as BLC Director.

UVic and UBC law schools are launching a **Public Interest Placement Project** that will enable students from both schools to work with community groups engaged in public interest service. The project is funded by the Law Foundation of British Columbia

An Alumni reception is being held Thursday, May 25, 2006, from 5:30 pm to 7:00 pm at Swans Suite Hotel Penthouse, 506 Pandora Street in Victoria in honour of Professors John McLaren and Bill Neilson. John will be retiring from the faculty this summer and Bill retired last year. Special McLaren/Neilson commemorative coffee mugs will be provided to those in attendance at the events. RSVP: joanep@uvic.ca by May 5, 2006.

2006 VBA EXECUTIVE

President	James A. S. Legh
Past President	Bruce Hallsor
Vice President/Registrar	Kerry Simmons
Treasurer	Michael Cooper
Secretary	Noel Lenaghan
Social Co-ordinators	Scott Farquhar & Richard Fyfe
Meeting Co-ordinator	Roxanne Helme

Members at large	Julie Akeroyd Nisha Bathe Kismet T. Bhandar Michael Hargraves Susen Johnson Gary Kinar	Kaye Melbye Philip J. Penner Carmen Rogers Charlotte Salomon Rick Sousa
Bencher Representatives	Kathryn Berge Richard Stewart	
CBA Representative	Eugene Raponi	
UVic Liaison	Andrew Petter	

EXECUTIVE MEETINGS

Our meetings are scheduled for the third Tuesday of each month, in the Barrister's lounge at the Court House, (unless moved in conjunction with another event such as the spring dinner). If you wish to bring a matter to the attention of the Board or to participate in a meeting, please do not hesitate to contact James Legh in advance.

CONCLUSION

Further to my last commentary on the length of submissions in chambers (compared to the time estimates), it has been suggested that the VBA could supply a small unobtrusive light system. The clerk would enter the time estimated by the counsel speaking. When the time was up a small red light would appear. It would simply be a way for the court to be aware that the time estimate had then expired. At that point it would simply be left to the judge to be concerned about it or not. Clearly there could be circumstances where there had been objections; comments from the bench and other reasons to suggest the estimate should not be followed. However, it is possible that such a system could help ensure accurate time estimates.

There is no suggestion that anyone should be limited in the time they take. It is though an issue for lawyers waiting to be heard on a short application, behind others who should not have gone ahead.

I would like to obtain some feedback on this idea, both pro and con, prior to any inquiry of the bench as to their thoughts. Please do not hesitate to contact me at 381-4040 or legh@sll.ca.

James A. S. Legh

2006 Membership Application or Renewal

The Membership Fee of \$35 is Now Due

Membership is a prerequisite to attendance at VBA dinners

Members will be able to obtain the new Court House Security Pass for free (a \$10 value)

The Victoria Bar Association:

- Organizes the summer dinner at Deep Cove Chalet and three other dinners/lunches
- Organizes social events including the Curling Bonspiel (Feb 18)
- Administers the court boxes and the Barristers' Lounge
- Recognizes lawyers for their significant work in the community and in the practice of law through annual awards including the Pam Murray Award
- Contributes to an endowment fund at the Faculty of Law for the support of law students
- Will be launching the association's new website www.vicbar.ca complete with improved communication opportunities among the bar.
- Facilitates communication of local events to the membership
- Promotes Law Day on April 22
- Liaises with Court Services, the Canadian Bar Association, the Law Society, and other law-related organizations.
- Contributes to law-related projects including Lawyers on Stage Theatre

Please return this form and your cheque in the amount of \$35 payable to the Victoria Bar Association to Kerry Simmons, Registrar, Cardinal Law, Court Box 87, or 3rd Floor, 736 Broughton Street, Victoria, British Columbia, V8W 1E1

Name: _____

Email Address: _____

Firm/Organization: _____

Mailing Address: _____

City: _____ Postal Code: _____

Telephone: _____

Fax: _____

NOMINATION FORM PAMELA MURRAY AWARD

PAMELA MURRAY AWARD:

This award was created in honour of the late Pamela Murray Q.C. who constantly upheld the highest of standards as a member of the Victoria Bar and who contributed significantly over the years in encouraging and helping her fellow lawyers do so as well. The award is to be presented not more than once each calendar year to a member practicing of the Victoria Bar who has constantly maintained high professional standards and who has contributed substantially to the well being of the local bar.

ELIGIBILITY

To qualify for the Pam Murray Award, an individual must:

- be a member of the VBA, but not a member of the Executive;
- have constantly maintained high professional standards and who has contributed substantially to the well being of the local Bar which has reflected positively on the legal profession.

NOMINATIONS

Nominations must be submitted before October 30, 2006. Each nomination requires the signature of one VBA member in good standing.

Nominations are valid for two years.

Submissions For Nomination: Please provide a summary explaining why you believe the nominee fulfils the qualifications, with details explaining what makes his or her contribution or involvement significant. Letters of support, copies of cases, legislation, news articles, or other written information, would be helpful to the Selection Committee in their deliberations. It is also recommended that you include a current curriculum vitae of the nominee.

I wish to place the following nomination before the Awards Selection Committee of the VBA:

Deleted: NOMINATION FORM

Nominee _____

Address _____

Phone Number _____

Please mail or fax completed nomination forms and any supporting materials to:

Awards Committee

c/o Stevenson Luchies & Legh

300-848 Courtney Street

Victoria, British Columbia

V8W 1C4

Fax 250.388-9406

I support this nomination for the VBA Pam Murray Award:

Nominator

Name _____

Address _____

Tel _____

Signature _____

NOMINATION FORM VOLUNTEER AWARD

VOLUNTEER AWARD:

This award is presented annually to a member of the Victoria Bar who has contributed significant efforts in a volunteer capacity, which has benefited directly or indirectly the Greater Victoria Community and which reflects positively on the legal profession.

ELIGIBILITY

To qualify for the Volunteer Award, an individual must:

- be a member of the VBA, but not a member of the Executive;
- have made significant contributions and/or achievements using his or her volunteer skills for the betterment of the community or a non-profit organization.

NOMINATIONS

Nominations must be submitted before October 30, 2006. Each nomination requires the signature of one VBA member in good standing.

Nominations are valid for two years.

Submissions For Nomination: Please provide a summary explaining why you believe the nominee fulfils the qualifications, with details explaining what makes his or her contribution unique. Letters of support, particularly from community members, would be helpful to the Selection Committee in their deliberations. It is also recommended that you include a current curriculum vitae of the nominee. Please include the following information:

- A) Time commitment involved in volunteer contribution
- B) Length of service
- C) Skill involved in commitment
- D) Whether the commitment involved managing people, events or funds
- E) The overall effort expended in pursuit of the organization's goals
- F) The direct benefit to the community resulting from the nominee's involvement

I wish to place the following nomination before the Awards Selection Committee of the VBA:

Nominee _____
Address _____
Phone Number _____

Please mail or fax completed nomination forms and any supporting materials to:
Awards Committee
c/o Stevenson Luchies & Legh
300-848 Courtney Street
Victoria, British Columbia, V8W 1C4
Fax 250.388-9406

I support this nomination for the VBA Volunteer Award:

Nominator

Name _____
Address _____
Tel _____
Signature _____

NOMINATION FORM CONTRIBUTION TO THE LAW AWARD

CONTRIBUTION TO THE LAW AWARD:

This award is presented annually to a member of the Victoria Bar who has had a significant involvement in the development of a legal issue during the year, and which involvement reflects positively on the legal profession.

ELIGIBILITY

To qualify for the Volunteer Award, an individual must:

- be a member of the VBA, but not a member of the Executive;
- have made significant contributions and/or involvement in the development of a legal issue during the year, and which involvement reflects positively on the legal profession

NOMINATIONS

Nominations must be submitted before October 30, 2006. Each nomination requires the signature of one VBA member in good standing.

Nominations are valid for two years.

Submissions For Nomination: Please provide a summary explaining why you believe the nominee fulfils the qualifications, with details explaining what makes his or her contribution or involvement significant. Letters of support, copies of cases, legislation, news articles, or other written information, would be helpful to the Selection Committee in their deliberations. It is also recommended that you include a current curriculum vitae of the nominee. Please include the following information:

- A) the nature of the contribution or involvement in a legal issue
- B) the nature of the legal issue and it's effect or significance
- C) Length of time involved
- D) Skill involved
- E) The benefit to the community or how it reflects positively on the legal profession.

I wish to place the following nomination before the Awards Selection Committee of the VBA:

Nominee _____
Address _____
Phone Number _____

Please mail or fax completed nomination forms and any supporting materials to:

Awards Committee
c/o Stevenson Luchies & Legh
300-848 Courtney Street
Victoria, British Columbia
V8W 1C4
Fax 250.388-9406

I support this nomination for the VBA Volunteer Award:

Nominator

Name _____
Address _____
Tel _____
Signature _____

**LAWYER / CA GOLF TOURNAMENT 2006
REGISTRATION FORM**

(This year the Garth Homer Foundation will be the beneficiary of all proceeds raised at this tournament. More on this to follow.)

Date: Friday, June 2, 2006
Location: Uplands Golf Club
Time: 1:30PM Shot gun start
Cost: **\$130 (Golf and Dinner with a partial donation receipt)**
\$95 (Golf Only) \$55 (Dinner Only)

Name: _____ CA ___ LAWYER ___

A) Competitive Golf Handicap _____ B) Social Golf Expected Score _____

Firm Name: _____

Telephone Number (contact person) _____

Please list the names of the other players below. Requests to play with specific individuals will be given priority, but there are no guarantees. The contact person will be informed about the tee time for the group.

2nd Name: _____ CA ___ LAWYER ___

A) Competitive Golf Handicap _____ B) Social Golf Expected Score _____

3rd Name: _____ CA ___ LAWYER ___

A) Competitive Golf Handicap _____ B) Social Golf Expected Score _____

4th Name: _____ CA ___ LAWYER ___

A) Competitive Golf Handicap _____ B) Social Golf Expected Score _____

Please fax or email the **registration form no later than MAY 26, 2006** to Lynda Mason at 386-4797 or email Lynda@cpc.com.

PAYMENT MUST BE RECEIVED BEFORE JUNE 2, 2006.

Please send a cheque payable to **THE VICTORIA C.A. ASSOCIATION** to:



Lynda Mason
C/O Crawford Paterson Campbell & McNeill
400 – 1208 Wharf Street
Victoria, BC V8W 3B9