

THE
MIDDLESEX LAW
ASSOCIATION

Snail



September Issue

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President's Message



Contributed by:

Karen Hulan / Beckett Personal Injury Lawyers and MLA Board President

I have always regarded September, rather than January, as the beginning of the new year.

The Labour Day long weekend separates leisurely days of summer from heavy fall calendars and the routines of family and work life. The MLA is here to help with that transition. A social for sole practitioners and lawyers who practice in smaller firms (15 lawyers or fewer) will be held at Toboggan on September 8. The following week, on September 15, all MLA lawyers are welcome to attend the Fall Opening of the Courts event and reception. It will be held at Museum London. Regional Senior Justice Thomas is the keynote speaker. Justice Grace, Justice Henderson, and Justice Carnegie will formally welcome to the bench those who were appointed during the pandemic. Similarly, LSO Treasurer Horvat will attend to welcome lawyers who were called to the bar since 2020. The following awards will be presented to MLA lawyers: Distinguished Service, Philanthropy, Access to Justice, and Rising Star. [Please RSVP](#). We look forward to seeing you soon.

Later in the month, our estates committee is offering a CPD program concerning Medical Assistance in Dying (MAiD) law on September 20. Dr. Emily Jones will outline the process for patients and requirements for health providers. Issues of consent and capacity from a legal point of view, as well as medical and legal ethical perspectives will be addressed. You do not need to practice in the area of estates law to benefit from this interesting seminar.

LSO bench elections are approaching in the year ahead. One of the matters we have been concerned with this summer is policies that the Legal Information and Resource Network (LiRN) is developing with respect to Practice Resource Centre (PRC) services and indirectly, funding it could provide to associations to support the services we offer. LiRN was created by the LSO to administer county law library services. The LSO determines the funding it will make available to LiRN for county law libraries. The MLA also funds the PRC. I commend to you, LSO Benchers, Joseph Groia's article at page 8, "The critical importance of getting lawyers to vote in bench elections". During my time on the MLA Board of Trustees, I have learned the importance of

understanding bench candidates' positions on issues that affect our local associations and Practice Resource Centres. It is critical to the longstanding viability of both that the LSO benchers we elect understand the vital role that associations and PRCs have in supporting the work we do.

In reviewing other articles for this month's edition of the newsletter, it occurred to me that there are overlapping topics related to technology, privacy, and the workplace. That was quite unintentional, but it does speak to the increasing role that technology has in our personal and professional lives. Thank you to all contributors for these updates and for offering your insights.

For the October edition of the Snail we are looking for content in the areas of corporate, criminal, family, in-house, personal injury, real estate, and estates law. If you would like to contribute, then please contact the Practice Area Subcommittee leads whose contact information appear at page 26.

All the best as we begin this New Year.

Karen Hulan
PRESIDENT





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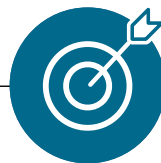
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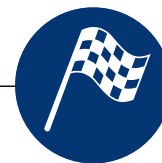
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Practice Resource Centre News



Contributed by:
Cynthia Simpson and Shabira Tamachi
library@middlaw.on.ca

Have a Research Question? Ask Us!

Are you having trouble finding something and don't know where to look? Well, ask us! We are here to assist you with your reference questions. We won't write your research memo, but we will provide you with the resources to complete it. You can reach us by email at library@middlaw.on.ca.

We have always asked that our members email us their requests as it is easier to formulate a search strategy if the individual has laid out the request in writing (and, to be honest, it helps you put together a succinct request better than an off-the-top-of-your-head phone call).

Case Law and Legislation

We have access to WestlawNext, Lexis Advance, Hein Online, vLex, plus CanLII and other freely available website sources. Looking for an old piece of legislation from the 1950's or need to know how a current day section read in 1992? We love those questions.

Texts and Loose-leaf Titles

We have online access to our active Thomson Reuters loose-leaf titles through the ProView platform, plus the resources available through vLex, Lexis Advance Quicklaw, and WestlawNext, including the leading texts in various areas of law. We also have a document delivery service amongst the 48 county and district law association libraries, plus the Great Library at Osgoode Hall, and can access resources not part of our local collection.

Precedents

We subscribe to the full O'Brien's Encyclopedia of Forms collection and

have access to Canadian Forms & Precedents and Williston & Rolls Ontario Court Forms through Lexis Advance Quicklaw. In addition, we have access to Lexis Practical Guidance, which has a wealth of forms and precedents on it. There are also precedents available in the various modules in WestlawNext. Another pro tip is to check the LSO's [AccessCLE](#) portal for precedents available in its CPD seminars going back to the mid-2000's.

Quantum Searches

Need to know the notice period for a 45-year-old middle management employee who has been employed for 16 years? There's a Wrongful Dismissal Notice Searcher in Lexis Advance Quicklaw, not to mention breach of contract, child and spousal support, medical negligence, and personal injury quantum services in both Lexis Advance Quicklaw and WestlawNext.

Just [send us an email](#) and let us do the work!

Multi-lingual MLA Members

We recently had a lawyer contact us looking to see if we had any members listed who could provide legal services in a particular language. We used to maintain a list on our website of MLA members who provided services in languages other than English. Our new membership management system now has a languages field on each member's profile, and we encourage all MLA members to check their profile and review all the information there. You can add in any languages in which you provide legal services and even update your dietary preferences and allergies now that some in-person CPD and social events are happening again.

In fact, you can search our [members' directory](#) yourself to see who offers services in the language you require. Click the Advanced Search option to access the languages field. This will only show those members who have added languages to their profile, so we encourage everyone to check and update their listings today.

To update your information, you simply need to [log in to your profile](#) using the email address we have for you in our system. If you have not logged in prior to today, you will need to set a password. To do that, click the Forgot Password link. You can then create your own password and you will then be directed to your profile. Passwords were not pre-set, and we do not have access to the one you create.

Please do not start a new profile with a different email address. If your email has changed, please contact us to update it in our system so you can then log into your profile.

Courthouse Entry – Reminder

The security staff at the courthouse would like us to remind MLA members and articling students about the procedure for using the staff/lawyer bypass entrance. Current MLA Members and registered articling students all have an online profile that includes a membership card.

You can use the bypass entrance with EITHER of the following pieces of identification:

- Law Society of Ontario Photo ID Card;
OR
- MLA Membership Card (printed or displayed on phone) and Government-Issued Photo ID.



To access your profile to get your membership card, [simply click here to Log In](#), using the email address we have for you in our system. If this is your first time accessing your profile (or you forgot the password you created the last time), click Forgot Password. Create your own password and you will then be directed to your profile. Passwords were not pre-set, and we do not have access to the one you create. Please do not start a new profile with a different email address. If your email has changed, please [contact us](#) to update it in our system so you can then log into your profile.

New Books

Carthy/Millar/Cowan. **Ontario Annual Practice 2022/23**, Thomson Reuters

Estey, Wilfred. **Legal opinions in commercial transactions, 4th ed.**, LexisNexis

Gold, Alan D. **Defending drinking, drugs and driving cases 2022**, Thomson Reuters

Houlden, L.W. et al. **2022 Annotated Bankruptcy & Insolvency Act**, Thomson Reuters

Lavender, T. Stephen. **2022-2023 Annotated Ontario Employment Standards Act**, Thomson Reuters

LSO. **Eight-minute municipal lawyer, 2022**

LSO. **Eight-minute estates lawyer, 2022**

LSO. **Eight-minute labour lawyer, 2022**

LSO. **Eight-minute employment lawyer, 2022**

MacDonald, James C. **2022 annotated Divorce Act**, Thomson Reuters

n/a. **Canadian Income Tax Act with regulations, annotated 113th ed.**, 2022 Spring, Wolters Kluwer

Missing Books

Auerback, Stephen. **Annotated Municipal Act, Volume 3**, Carswell

Bourgeois, Donald J. **Charities and not-for-profit administration and governance handbook, 2nd ed.**, LexisNexis, 2009

Bullen, Edward et al. **Bullen & Leake & Jacob's precedents of pleadings, 14th ed., Volume 1**, Sweet & Maxwell, 2001

Bullen, Edward et al. **Bullen & Leake & Jacob's Canadian precedents of pleadings, 3rd ed., Volume 3**, Thomson Reuters, 2017

Fridman, G.H.L. **Law of contract in Canada, 5th ed.**, Thomson Carswell, 2006

Harris, David. **Law on disability issues in the workplace**, Emond Montgomery Publications, 2017

Hull, Ian M. **Macdonell, Sheard and Hull on probate practice, 5th ed.**, Thomson Reuters, 2016

LSO. **Accommodating age in the workplace, 2015**

LSO. **Duty to accommodate in the workplace, 2016**

LSO. **Six-minute administrative lawyer, 2018**

MacFarlane, Bruce A. **Cannabis law**, Thomson Reuters, 2018

OBA. **Constructive trusts and resulting trusts 2007: bringing order to chaos**

Oosterhoff, Albert H. **Oosterhoff on wills, 8th ed.**, Thomson Reuters, 2016

Osborne, Philip H. **Law of torts, 5th ed.**, Irwin Law, 2015



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Mini Golf Challenge



Contributed by:
Michael J. Lamb, J.D.

Like other sole practitioners in London, my practice survived the worst of the pandemic during the past two years.

We installed plexiglass screens in the office, mandated masks for everyone—staff, clients, and anyone who dared set foot across the threshold of the office door. It was helpful that the LCBO also kept its doors open! That success could not have happened without the dedication and perseverance of my staff during that time and so we decided we needed a “wellness” day to jointly celebrate our successful navigation of law practice in those difficult times.

After some discussion, we decided we should close the office on an afternoon and head for the East Park Golf Park and play mini golf. In fact, we decided to play the “Golf Zone”, which was billed as the harder of the two courses. Three members of my staff, Shelley Acton, Carol Boch, and Amanda Ventura, and I formed a foursome and after calling the Park to arrange the group play we were all set. However, to make the day more challenging we decided to invite lawyers, Yulia Rodionova and Christen Lee, to put teams together and we would play a mini golf challenge with the best team taking away the trophy. Well, the stakes were not that high; I had purchased plastic trophies from Party City but they were well worth playing for.

So, on Wednesday, July 13, 2022, our respective offices were closed and the twelve people divided into three teams arrived at the golf course. After lunch we all headed onto the course in what appeared to be threatening weather. However, we all stayed dry and after

some frustrating putting and some laughter we all completed the round and headed back to the “clubhouse” for a drink and the awards ceremony.

There was only one hole-in-one achieved during the round, which was credited to Shelley who received a trophy of her own and a prepaid Visa card. My god daughter, Brittany Slater, who deals with filing and data input in my office on a part-time basis, was seconded to Christen Lee’s team and won the trophy for best score and another Visa card. Yulia had the distinction of having an individual,

all legitimately calculated but it so happened that my team was named as champions. However, the credit for our score must be given to Amanda who successfully completed many holes under par while yours truly, who fancies himself as a “real” golfer, did not fare well at all.

Everyone enjoyed the day, and we plan to repeat the challenge next year, perhaps at a different venue. My team is so confident in our collective abilities that we expect to keep the cup next year and invite sole practitioners in the city to put together a team and join us



who will remain nameless, on her team win the most honest score trophy and a plastic putter “kit” to encourage practice for better days ahead. For those who do not appreciate the euphemism, that means highest score! Alright, in the sense of full disclosure, I can tell you that it was Yulia’s mother who had been invited to join in the fun for the afternoon.

Then we came to the best team (lowest score). I guarantee the scores were

and perhaps walk away with the Mini Golf Challenge Cup!

We know larger firms have their own events but I thought something for solo firms would raise spirits.

If you are interested, please email me at michael@mikelamblaw.ca and I will put you on the list to provide details next year once we are organized.



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Thank you James for fighting for my life.”

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I am retiring from the practice of law. I have files, furnishings, software and other incidents of a general and Family Law practice which may have some value to a lawyer or a firm. Interested parties may contact me by phone, email, or in-person at my office.

R. JONATHAN MCKINNON Barrister & Solicitor

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The critical importance of getting lawyers to vote in benchner elections



Contributed by:

Joseph Groia / Groia and Company, LSO Benchner since 2015

Emily Slessor / Groia and Company (Emily will be attending law school in the fall)



Foreword by:

Michael M. Lerner / Lerner LLP, former LSO benchner and vice-chair of the Ontario Human Rights Tribunal

In a previous edition of the Snail, the editors published an op-ed by Benchner Joseph Groia expressing his concern with the apparent apathy within the profession about the upcoming benchner elections to be held in Spring 2023.

Mr. Groia is a twice-elected benchner who has most recently served as Chair of the Audit and Finance Committee. He is a committed benchner who has identified a current trend for the election of benchners introducing something similar to a party system. More particularly, the Stop SOPers (under a FullStop moniker) are a well-organised and well-financed group who generally oppose any introduction of EDI initiatives and are intent on taking control of the business of the Law Society.

Currently they have 22 of the 40 elected benchners amongst their supporters. In his opinion, shared by many, the current direction of the Law Society is a sharp turn to the right that is contrary to not only the mandate of the Law Society but, more importantly, contrary to the public interest. There is every indication that those who oppose the EDI initiatives will propose a "slate" of candidates that they will support in order to take effective voting control of the Society. They need 28 elected benchners to do this.

To avoid this from happening, we need candidates to come forward who are prepared to stand for election and ensure the profession continues to be regulated in the public interest. Furthermore, and equally importantly, we need all members of the profession to VOTE. In my opinion, should the Law Society fall under the control of this group it is an open invitation for the government to end the privilege of self-regulation and to take over the control of the regulation of the profession. Reproduced below is a further op-ed written by Mr. Groia that addresses these important issues. If you desire, I am sure he will make himself available to you to answer any questions you might have, as will I.

Article originally published in Canadian Lawyer on July 8, 2022 - reprinted with permission of the authors

For several years, voter turnout in benchner elections at the Law Society of Ontario has been meagre. Despite the troubling rise of party politics and controversial elections topics, which I have discussed in [previous columns](#), voter apathy remains a widespread problem throughout Ontario's bar.

There are several common causes of voter apathy in mainstream and LSO elections. Voting in the upcoming 2023 benchner election is of critical importance. Therefore, I would like to offer concrete steps to increase engagement in LSO elections.

Introducing party politics will also cause voting power to become concentrated in a few's hands. Before party politics, a lawyer might cast 10 to 15 votes for different individual candidates. Now with a party checklist, they will likely cast many more votes for their "party." If only a few lawyers vote, and they vote often, there could be dire consequences for the profession.

Voter apathy is a widespread problem. Low voter participation is seen throughout North America and is a topic that political scientists have investigated for years. Research suggests that various factors contribute to voter disengagement, chief among them being negative feelings towards politics in general and the flawed belief that one person's vote makes no difference. There is also a negative correlation between age and voter turnout, with statistics showing that young adults have avoided election polls in Canada since 2003.

In recent benchner elections, the correlation between age and voter turnout reflects results comparable to those in the political mainstream. Generally, older lawyers vote more regularly than their younger colleagues. If younger lawyers and paralegals want the profession to reflect their values and interests, they must devote efforts to electing candidates they deem best suited for the job. Will that cause them to vote next year? I hope so.

Getting young lawyers excited about the opportunity to vote in LSO elections

would be a significant step forward. Since lawyers often view the LSO with fear, the same feelings seem to extend to voting for benchers. Many lawyers and paralegals are not inclined to vote because they don't want to become involved with the LSO. Of course, this reasoning is misguided because the LSO is fundamental to anyone practising law in Ontario. At its core, the LSO seeks to protect the public interest by upholding the highest levels of professionalism, competence, and learning standards. Many legal professionals do not care who governs Ontario's bar if they are left alone. However, having benchers they trust, respect and who are not beholden to outsiders or "parties" should be of vital concern to all members of Ontario's bar.

If we want a significant spike in voter turnout in 2023, we must take steps to attract and motivate new voters. One practical method would be to address different cohorts of lawyers and paralegals based on their previous voting records. Creating surveys asking

specific and relevant questions to each targeted demographic would suggest their input is valuable. As we know from some recent bencher comments about "wacky wokeism," the LSO's disciplined approach to equity, diversity and inclusion is under attack by some members of the current bench. EDI will likely be the defining issue in this election. As a result, the importance of a survey and engagement on EDI matters is self-evident.

Compulsory voting is an idea many suggest as a solution to voter apathy. Some of Ontario's lawyers believe legal professionals should be required to vote. While I agree that mandatory voting would force legal professionals to take a greater interest in the law society, I also disagree with such a heavy-handed approach.

Social media is a powerful platform to highlight the issues that are on the table next year. A simple post, like, or share can quickly spread helpful insights about issues, candidates and their objectives to lawyers who might not have sought

out the information independently. While not all lawyers use social media, many legal professionals regularly use social media platforms like LinkedIn.

Finally, I believe the most effective tool to cause greater voter turnout is to engage with law firms in Ontario. We should ask firms to help promote voting, distribute information, hold candidate meetings and do as much as possible to strongly encourage their firm members to vote in this watershed election.

There is an overwhelming need for a better voter turnout next year. All lawyers and paralegals need to take to heart their responsibility to elect every bencher who they believe is the best candidate to govern the profession well. Bencher candidates and law firms need to dedicate time and energy to pursuing new ways to incite voting because if we don't, we may well be handing over control of the LSO to a small convoy of ideologues. We all know where that will take us.



How law firms can support new parents



Contributed by:
Lidia Imbrogno / Lexcor Business Lawyers LLP

At the end of January 2022, I returned to work after a six-month maternity leave as a third-year associate at Lexcor Business Lawyers LLP here in London.

After countless conversations with other lawyers around returning to work as new parents, there seems to be recurring suggestions about how those returning to work after welcoming a new child can be supported and encouraged by their employers. This includes moving past preconceived assumptions about new parents, supporting work flexibility and non-traditional compensation structures for families, and the fostering of an environment that parents feel excited and empowered to return to.

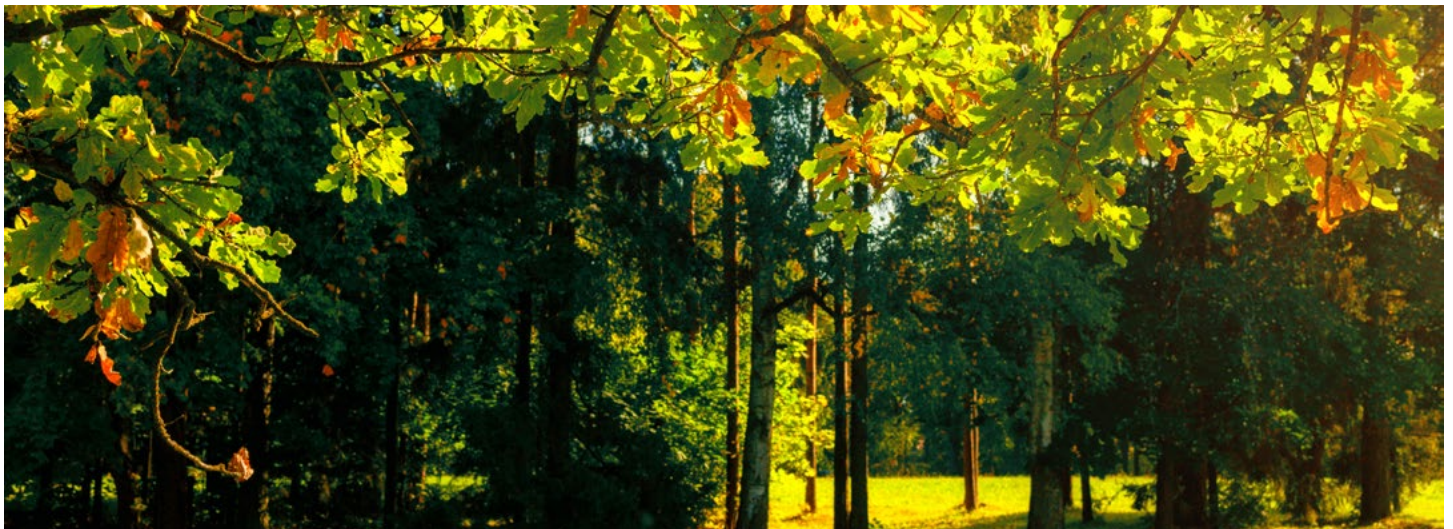
Several new parents expressed to me that assumptions made by employers under the pretext of support can do more harm than good. For example, skipping over a new parent for an out-of-town meeting or an assignment with a tight turnaround where the parent was more than up for the job.

Ideally, the new parent should have an opportunity to decide whether they'd like to pass on certain optional work obligations, instead of the employer deciding without consultation based on preconceived notions. Support for new parents doesn't have to mean a lighter workload. When done properly, it can simply be a case of increased communication, which allows them to better balance the new challenges at home.

Perhaps the most obvious supports are parental leave top-up plans and work flexibility. While top-up plans (policies where employers top up the employee's Employment Insurance payments) may not be possible for some smaller firms, work flexibility has been shown to be a valuable option for workplaces big and small. That is, the permission and encouragement for new parents to work in the physical space and at the times that are most productive and valuable for them. I returned to work when my son was five months old in large part because my employer offers a hybrid model of work. For non-birthing parents, hybrid and flex models of work allow them to support

the birthing parent more at home. This enhances the retention and satisfaction of all parents at the firm, not just the parent who physically carried the child.

The final suggestion may require a shift in culture. To truly support new parents, law firms might consider how isolating it can be to return to a law firm setting with a whole new set of priorities. In reality, many lawyers prioritize their families by logging off or stepping out at certain times in the day and then catch up on their files during times that work for them. The key here for firm culture is making this known to other lawyers on the team, particularly new parents. For example, "I'm leaving at 3PM this afternoon to attend [child's name]'s dance recital. I will be online after dinner if you need me." I have had the pleasure of working at two busy, boutique corporate commercial law firms over the last five years. In both environments this transparency and culture setting have been standard practice. There is no one-size-fits-all approach for supporting new parents, but a starting point of an open mind when welcoming back a new parent to the office can go a long way.



Please join the Middlesex Law Association
in a celebration of the 194th...

Fall Opening of the Courts

Thursday, September 15, 2022 / 4:45 p.m.

Museum London / 421 Ridout Street, London, Ontario

Procession to commence at 4:30 p.m.

from Museum London, Centre of the Forks South Room

Keynote Speaker: Regional Senior Justice Bruce G. Thomas

We look forward to celebrating our colleagues and community.

Reception to follow hosted by the Middlesex Law Association

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Realities of a Criminal Defence Lawyer



Contributed by:
Sam Puchala / Conron Law Professional Corporation

I was called to the bar in 2019, a life-changing event that came after many years of struggle.

Today and every day since, I have been a criminal defence lawyer. I see, hear, and experience things that very few people come to know first-hand. These are my realities.

I have seen grown men cry on a regular basis. Society tells men they cannot show emotion, but I can tell you from experience that their feelings are real. All that suppressed pain and nowhere for it to go until they reach my office. I have the tissues ready for anyone who comes to see me. It is not a good day if you end up in my office. I regularly tell people I meet that I hope they never need me.

I meet people at the worst points in their lives. Their freedoms stripped, their jobs lost, their lives ruined. I hold many secrets that nobody will ever know. Not my family, not even my colleagues. These are secrets that will die with me and me alone.

I have been escorted out of the courthouse by security with a client following their acquittal due to the intensity of the negative reactions coming from the body of the court following the verdict. I have read comments in news articles saying I should be disbarred for getting another client bail. Some even try to reach out to me directly via social media to express their disdain.

Being a criminal defence lawyer is not for the faint of heart.

It can be tricky too. I have had to interrupt and leave conversations to maintain my ethical duties. I swore an oath. I am held to a high standard,

and so it should be. My profession is a privilege, not a right. I like to let loose and have fun, but I am always aware of the great responsibility I carry.

I have been the one to look someone in the eye and tell them there is nothing else that can be done in that moment. I aim for the best but always prepare for the worst. After all, you can't win them all. I am the last person to shake hands with someone who had no record being remanded into custody after a devastating loss.

Being a criminal defence lawyer is not for the faint of heart.

I am the one who never gives up. Relentless, I will adjourn a matter in court a week at a time until I get the answer I am awaiting. Another attempt to see my client at the jail is unsuccessful. Another urgent email to the Crown ends up in the queue. Another call to the Sergeant is needed. My tone is polite, but persistent.

I like to think I have built a reputation for being tough and resilient, but

sometimes even I feel like bashing my head against a wall. I watch the system drone on while the very real financial, professional, and personal consequences of delay wreak havoc on my clients. Another charge is ready to be withdrawn, but there are no notes in the file to confirm. Other times, the computer is down. Other times, the information cannot be located. Another adjournment, another day gone. It's nobody's fault, but it still sucks.

Many of my relationships from my pre-law life grow more distant with time. I realize I cannot do everything or please everyone. I give my all to what I do because it drives my sense of purpose. My time and energy are limited. What I do is very emotionally draining, so I am ruthless about my time and the company I keep. My mental health and self-care must come first. After all, I can't simply "call in sick" and skip a day of work when someone else's freedom is on the line. I am tired, but I persist. As a much smarter lawyer once told me, "Whose life will I ruin if I do not get out of bed this morning?" I feel it now too. With every year comes more responsibility. More lives that could be ruined if I do not show up.

I am also there for the good though. I lose count of the messages I receive, each one more heartfelt than the next. "Guardian angel." "Lifesaver." "Warrior woman." "I haven't slept like that in ages." "I thought to myself, my lawyer is like Trinity. She is ready to fight. She likes to fight." Countless words of thanks and appreciation flood my inboxes. They have a weight to them. A feeling of gratitude sometimes consumes me to the point of tears. I will never fully get used to the difference I can make for others. I have had total strangers break down and cry just for giving them a few minutes of my time over the phone.

The great and the terrible, these are the thoughts that go through my head when I should be sleeping. My life is full of love, success, and happiness, but these are not the last things I think about before I drift off. How can they be, when I am exposed to so much pain, suffering, and injustice in the world? A martyr does not always sleep peacefully, but the hope is that it's sound enough to fight another day.

It's like that scene in "The Batman" where Robert Pattinson's Batman rides off into the night on his motorcycle, watching Catwoman riding away in the opposite direction through his rear-view mirror. He focuses back on the road ahead of him to the disasters that await him. You can tell he wants the girl, but Gotham must always win.



And so too do I ride on. While others flee the private practice, I know I am here to stay. Because if you were in trouble and your life was on the line, wouldn't you want someone like me, who didn't want to be anywhere else, in your corner?

**Want to contribute
to the next issue?**

**DEADLINE IS NOON
ON SEPT 25**

We encourage submissions in the range of 200-500 words, with a maximum limit of 1,000 words for news and opinions, and a limit of 2,000 words for articles on law and legal issues.

Contact: Jennifer Foster

EXECUTIVE DIRECTOR

jennifer@middlaw.on.ca

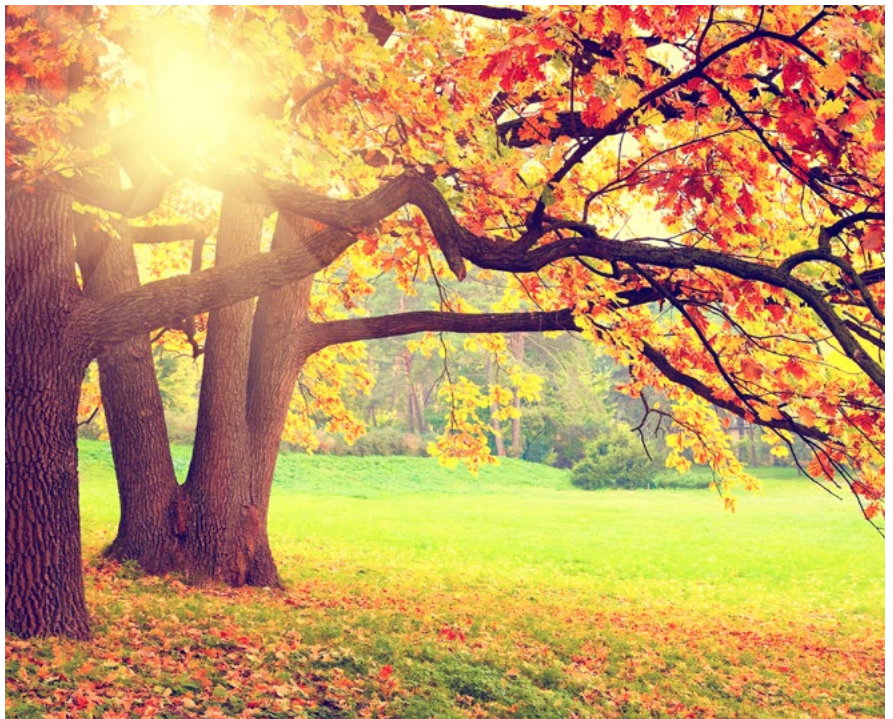




Image credit: ©ipopba - stock.adobe.com

Ethics and bias for businesses using AI



Contributed by:
David Canton / Harrison Pensa LLP

The Canadian Federal Government's recent [Bill C-27](#) includes a proposed "Artificial Intelligence and Data Act" (AIDA) that would govern the use of artificial intelligence. Detailed requirements will be in yet-to-be-published regulations.

Two decades ago, digitization brought attention to what could be done with our personal information, resulting in privacy standards and privacy laws. In a similar fashion, the use of AI has put a spotlight on possible harms and ethical issues and has spawned several AI ethical standards and draft AI legislation in various countries.

AI QUESTIONS TO ASK

In a thoughtful post called "[Privacy and humanity on the brink](#)," Ontario Privacy Commissioner Patricia Kosseim

asks, among other things, "At what point will artificial intelligence cross the boundary between predicting human behaviour with near-perfect accuracy and nudging our behaviour in ways that jeopardize our sense of human agency and our capacity to decide for ourselves what is best?"

She points out that the proposed AIDA would only apply to federally regulated businesses. It would not apply to provincial governments or provincially regulated businesses.

GARBAGE IN, GARBAGE OUT

Biased output is a major AI issue. "Garbage In, Garbage Out" is a saying that was coined by computer scientists in the 1950s. The notion is that flawed input data creates flawed output.

As I explained in a post a couple of years ago called "[The increasing urgency of ethical AI](#)," AI in its current form is mostly machine learning. AI learns from existing data and then makes decisions based on how the

AI has interpreted the existing data. It might, for example, make decisions about a person's creditworthiness based on how that person's information lines up with the relative creditworthiness of other customers. It might make a hiring recommendation based on how applicant resumes compare to those of existing high-performing employees. Facial recognition might accuse people of committing a crime.

REAL-WORLD CONSEQUENCES

Whether our biases will become AI's biases is not just a theoretical issue.

An article in The Guardian titled "[Risks posed by AI are real: EU moves to beat the algorithms that ruin lives](#)" talks about proposed AI legislation in the EU. It says "'Black-box' AI-based discrimination seems to be beyond the control of organizations that use it." The "black-box" issue is that depending on how the AI is created and used, humans may not understand why the AI came to a particular decision.

A recent Wired article titled "[Sloppy Use of Machine Learning Is Causing a 'Reproducibility Crisis' in Science: AI hype has researchers in fields from medicine to sociology rushing to use techniques that they don't always understand—causing a wave of spurious results](#)" talks about research by a Princeton professor that discovered "data leakage" flaws in data used to train AI that create distorted results. The researcher said that many "...are rushing to use machine learning without a comprehensive understanding of its techniques and their limitations." It gives examples of misused AI and misleading results.

There are many examples of AI projects being criticized or put on hold because of biased results.

ALTERNATIVE APPROACHES

Perhaps the machine learning approach is fundamentally flawed. An example of an alternative is "[supervised learning](#)," which is similar to how our brains work. A Berkeley computer scientist in the field says machine learning is like "... undergrads [who] didn't come to class the whole semester and then the night before the final, they're cramming." "They don't really learn the material, but they do well on the test."

This Wired article titled "[How to Stop Robots From Becoming Racist](#)" suggests some possible solutions. It says "only 1 percent of machine learning research papers consider the potential for negative consequences of AI projects." A good start would be for those using AI to turn their minds to the issue.

THE ROAD AHEAD

Artificial Intelligence is here now and being used. But the science and understanding of how to use it properly, accurately, and ethically is in its infancy. Those using it don't always recognize or understand how to do it right or what can go wrong.

One of the challenges of AI legislation is to get the right balance. The goal is to reduce the risk of undesired uses,

results, and decisions. Yet at the same time, it can't be so prescriptive that it gets in the way of innovation and causes more harm than good. After all, if those creating and using the tech don't fully understand how to fairly use it, how can politicians draft legislation to get it right? IMHO, recent attempts by the Canadian government to legislate online issues have been abysmal.

In my January 2020 post "Top 10 tech predictions for decade ahead," I predicted that some then-existing AI ethical rules would find their way into legislation. So I got that one right.

I also predicted the emergence of a new kind of CEO—the Chief Ethical Officer—for both business and government. The role would go beyond legal compliance. It would ponder whether the business or government should do things with technology and personal information, how we should do them, and where boundaries should be. The role would also push back against scope creep, surveillance, unwise use of personal information, and biased automated decision-making.

Let's hope that one comes true as well. It is an increasingly needed perspective. Legislation alone is not enough.

[David Canton](#) is a business lawyer and trade-mark agent with a practice focusing on technology issues and technology companies. Connect with David on [Twitter](#) and [LinkedIn](#).

This article was originally published on the [HPTechlaw blog](#). To get HP's Tech Law Weekly Newsletter - which includes a blog post and other top stories at the intersection of tech and law - delivered to your inbox each week, [sign up here](#).

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Personal Information and Data Protection Tribunal: A Leap Forward?



Contributed by:
Alysia Christiaen / Lerner LLP

On June 16, 2022, the Canadian government introduced [Bill C-27](#), which introduced three Acts meant to modernize federal privacy laws.

One of the proposed new laws is the Personal Information and [Data Protection Tribunal Act](#) (Part 2 of Bill C-27).

The Personal Information and Data Protection Tribunal (the "Tribunal") will have jurisdiction over all appeals regarding a decision of the Privacy Commissioner following an inquiry, a compliance order, or the recommendation of administrative penalties for contravention of the [Consumer Privacy Protection Act](#). Importantly, at least three members of the Tribunal must have experience in the field of information and privacy law.

Hearings to be held by the Tribunal will be less formal than court proceedings. Subject only to privilege, the Tribunal is not bound by any legal or technical rules of evidence in relation to any matter that comes before it. The Tribunal must deal with all matters as informally and expeditiously as the circumstances and considerations of fairness and natural justice permit.

The hearings will be held in public, unless the Tribunal determines that it would not be in the public interest, or if confidential information may be disclosed and ensuring that it is not disclosed outweighs the desirability of having public hearings. The Tribunal must provide a decision, with reasons, in writing to all parties to a proceeding, and the decision will be publicly available.

Bill C-27 provides that the Tribunal may make rules to govern the management of its affairs and the practice and procedure with regard to hearings. While not a mandatory requirement, the Tribunal will need a code of practice in order to operate efficiently and to ensure that matters are dealt with fairly and expeditiously.

The Tribunal will have all the powers, rights, and privileges that are vested

The idea of a Tribunal dedicated to privacy law is a welcome one.

in a superior court, with respect to the appearance, swearing, and examination of witnesses, the production and inspection of documents, the enforcement of its decisions, and other matters necessary or proper for the due exercise of its jurisdiction. The Tribunal will have the power to award costs.

A decision of the Tribunal will be final and binding, and subject only to judicial review under the [Federal Courts Act](#). A Tribunal decision can be made an order of the Federal Court or a provincial/territorial superior court for enforcement purposes.

The idea of a Tribunal dedicated to privacy law is a welcome one. Having an administrative body that has an expertise in information and privacy law will hopefully result in timely decisions, which provide nuanced guidance to businesses (and the Office of the Privacy Commissioner) on how privacy law will be interpreted, and how it is to be applied. Of some concern, however, is that the Tribunal is to be comprised of only three to six members, some of whom can be part-time members. With privacy a growing concern for individuals, and increased powers being granted under the proposed [Consumer Privacy Protection Act](#) to the Privacy Commissioner regarding enforcement, the Tribunal may quickly become under-resourced.

[Alysia Christiaen](#) is a privacy lawyer, assisting businesses to comply with their privacy and data security obligations and responding to privacy breaches. Connect with Alysia via [Twitter](#) or [LinkedIn](#). This article originally appeared as a blog posted to the Lerner's [LERNx](#).

Will Notices

Gary Ronald Cartier

Anyone knowing of a Last Will and Testament for Gary Ronald Cartier, born April 29, 1963, and died April 13, 2022, of London, Ontario, please contact Will Chapman at 519-858-1800 or wchapman@rrlaw.ca.

Christine Mary Couvillion (nee Nutter)

Anyone knowing of a Last Will and Testament for Christine Mary Couvillion (nee Nutter), born December 17, 1948, and died on or about June 10, 2022, of London, Ontario, please contact Casey Hayward, Carlyle Peterson Lawyers LLP at 519-432-0632 x226 or chayward@cplaw.com.

Claire Marie Feeney

Anyone knowing of a Last Will and Testament for Claire Marie Feeney, born July 22, 1931 and died April 7, 2022, of Thamesford, Ontario, please contact Ian R. Blain at 519-485-0300 or iblain@irblaw.ca.

Lillian Diane Hill aka Lillian Diane Fowler

Anyone knowing of a Last Will and Testament for Lillian Diane Hill, also known as Lillian Diane Fowler, born February 19, 1977 and died October 23, 2021, of London, Ontario, please contact Chris Nicolis, Harrison Pensa LLP, 130 Dufferin Avenue, Suite 1101, P.O. Box 3237, London, Ontario, N6A 4K3 at 519-661-6747, cnicolis@harrisonpensa.com, or by fax at 519-667-3362.

Terry Donald Kozar

Anyone having knowledge of a Last Will and Testament of Terry Donald Kozar, formerly of Port Colborne, Ontario, more recently of London, Ontario, who died on June 30, 2022, kindly get in touch with Peter Bonenfant, Barrister and Solicitor, P.O. Box 239, Ridgeway, ON, L0S 1N0 at 905-894-3410 or pbonenfant@cogeco.net.

Walter Wray Lampman

Anyone knowing of a Last Will and Testament for Walter Wray Lampman, born April 26, 1942, and died July 26, 2022, of London, Ontario, please contact Sandra Huard at 647-864-7969 or sandralhuard@gmail.com.

Rosalie Sandra Martineau, also known as Sandra Rosalie Martineau

Anyone having knowledge of a Will of the late Rosalie Sandra Martineau,

also known as Sandra Rosalie Martineau, of the City of London, in the County of Middlesex, in the Province of Ontario, who died on April 8, 2022, is requested to contact Matthew Bota, Harrison Pensa LLP, 130 Dufferin Avenue, Suite 1101, P.O. Box 3237, London, Ontario, N6A 4K3 at 519-661-6752, by fax at 519-667-3362 or mbota@harrisonpensa.com.

Wyatt Barclay Merrick and Mary-Ann Elisabeth Merrick

Anyone knowing of a Last Will and Testament for Wyatt Barclay Merrick, of Ontario, please contact Lisa at Wilhelm Family Law at 519-488-5561 x0 or lisa@wilhelmfamilylaw.com.

Anyone knowing of a Last Will and Testament for Mary-Ann Elisabeth Merrick, of Ontario, please contact Lisa at Wilhelm Family Law at 519-488-5561 x0 or lisa@wilhelmfamilylaw.com.

John Miloloza

Anyone knowing of a Last Will and Testament for John Miloloza, born March 25, 1962 and died August 5, 2022, of London, Ontario, please contact Michaela Van Laethem at 519-639-8973 or michaelavanlaethem@gmail.com.

James Arthur Patten

Anyone knowing of a Last Will and Testament for James Arthur Patten, born August 11, 1962 and died June 27, 2022, of London, Ontario, please contact Peter Patten at 631-219-7137 or ppatten@fordham.EDO; Terry Patten at 778-679-5116 or tpatten26@gmail.com; or Jim Dean Law Professional Corporation at 226-663-3326 or shaven@jimdeanlaw.com.

Fotini Pliagas

Anyone knowing of a Last Will and Testament for Fotini Pliagas, of London, Ontario, passed on June 20, 2022, please contact Madelaine Hofford at 519-472-3367 or mhofford@lazarlaw.ca.

Fotini (Effie) Pliagas

Anyone knowing of a Last Will and Testament for Fotini (Effie) Pliagas, born December 23, 1935, died June 20, 2022, last resided in London, Ontario, please contact the law office of Siskinds LLP at 226-213-7426 or sharon.owen@siskinds.com.

Eileen May Sargeant

Anyone knowing of a Last Will and Testament for Eileen May Sargeant, born August 14, 1930 of London, Ontario, please contact A.J. Belecky at 519-673-5630 or aj@belecky.ca.

Michael William Senyshen

Anyone knowing of a Last Will and Testament for Michael William Senyshen, born August 12, 1958 and passed August 6, 2022, last known address was 136 Walnut Street, London, Ontario, please contact Daniel J. McNamara, Menear Worrad & Associates at 519-672-7370 x222 or djmcnamara@menearlaw.com.

Kenrick Stedson Sharpe

Anyone knowing of a Last Will and Testament for Kenrick Stedson Sharpe, born September 12, 1941 and died June 11, 2017, of London, Ontario, please contact Samuel Sharpe at 647-637-2360 or samuelasharpe@gmail.com.

Gamil Abdel-Malek Wassef

Anyone knowing of a Last Will and Testament for Gamil Abdel-Malek Wassef, born July 1, 1957 and died July 5, 2021, of London, Ontario, please contact Casey Hayward, Carlyle Peterson Lawyers LLP at 519-432-0632 x226 or chayward@cplaw.com.

Patta Jean White

Anyone knowing of a Last Will and Testament for Patta Jean White, born June 5, 1959 and died August 5, 2022, of St. Thomas, Ontario, please contact Amy White at 250-891-5722 or abwhite@gmail.com.

Mary Elizabeth Wraight

Anyone knowing of a Last Will and Testament for Mary Elizabeth Wraight, born June 7, 1961 and died March 16, 2022, of London, Ontario, please contact Casey Hayward, Carlyle Peterson Lawyers LLP at 519-432-0632 x226 or chayward@cplaw.com.

Myo Zaw

Anyone knowing of a Last Will and Testament for Myo Zaw, of London, Ontario, born October 14, 1966 and passed July 9, 2022, please contact Madelaine Hofford at 519-472-3367 or mhofford@lazarlaw.ca.

The right to disconnect: a new right or a work-life balance placebo?



Contributed by:
Scott Tottle / Diamond & Diamond Lawyers

As the number of ways to communicate has increased over the past several years, there has been an increasing expectation from certain employers that employees would be available during their off hours.

This expectation only grew during the pandemic as people began working remotely and working during non-traditional work hours. Some employees began to perceive that if they were not available to respond to an employer's communication "24/7", there would be some form of negative repercussions to their job or career advancement.

In today's environment, work-life balance and employee burnout are important issues to be addressed by employers in many sectors as hybrid work and remote work are often being demanded by many new recruits, including in the legal field.

In a well-intentioned but irresolute attempt to address the growing concern of employees who have experienced a shifting line between work and personal time, the Government of Ontario introduced the [Working for Workers Act](#), which amended the [Employment Standards Act](#).

As of June 2, 2022, the new legislation mandates employers with 25 or more employees within the province of Ontario put in place a written policy regarding their employees' "right to disconnect". (It also banned employers from entering into non-competition agreements with their employees, but that is for another day.)

The amendment defines disconnecting from work as "not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work".

So, what exactly does the new "right-to-disconnect" law require an employer to do? So far, the answer is not much, if anything. The law only obligates an

that must be addressed or is mandated.

The government has suggested that a right-to-disconnect policy may address:

- the employer's expectations, if any, of employees to read or reply to work-related emails or answer work-related calls after their shift is over;
- the employer's expectations, if any, of employees in different situations such as time of day or subject matter communications, or the particular party contacting the employee; and
- the employer's expectations for employees turning on out-of-office notifications and/or changing voicemail messages when they are not scheduled to work.

I find it curious that the government describes the law as a "right to disconnect". That description is extremely misleading because the law does not create any new rights for employees. The new legislation does not specify that employers must provide a right for the employee to disconnect from work and be free from the obligation to engage in work-related activities. The law only mandates an employer to implement a written policy to disconnect, and under whatever terms and conditions the employer decides is appropriate for its business.

It is possible that an employer could voluntarily bestow a new right or benefit to employees that would be specified in their "disconnect from work" policy, but it is hard to imagine a scenario when an employer would actually do so without obtaining some benefit in return.

As an extreme example, compliance with this law by an employer can be as easy as implementing a policy stating that

In today's environment, work-life balance and employee burnout are important issues to be addressed by employers...

employer to have a written policy in place for all employees with respect to disconnecting from work. That's it.

What information needs to be contained in the policy to disconnect? The short answer is not much, if anything. The only guidance provided by our government merely suggests what a "disconnect from work" policy may address, with no mention of any content

employees are not required to answer work-related communications while sleeping or between 5:59 and 6:01 a.m. Is that really a new right for employees?

Further, the Ministry of Labour has confirmed that it has no idea how many employers, if any, have actually prepared such policies because they are not required to file them. And there are no real consequences to an employer for failing to draft or implement a "disconnect from work" policy.

So, without any rights extended, obligations imposed, or method of

enforcement, we are left with the question of why enact such a law? What does it actually accomplish? The short answer is not much, if anything.

Hybrid work and flexible hours are increasingly becoming the norm and blurring the separation of work and life. Most employees are now welcoming that change, if not demanding it. Also, I don't believe this law would be embraced within the hyper-competitive and precarious nature of many vocations, including within the legal profession, where there is implicit

pressure to work outside of normal hours in order to service clients or be promoted.

While the spirit of the law has a noble purpose of protecting work-life balance, I think the most any employee could expect to gain from this legislation is that their employer may re-think their approach to after-hours communications. It's certainly not much, if anything.



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**We are pleased to
announce Leenat Jilani
has joined Polishuk,
Camman & Steele as an
Associate Lawyer!**

Leenat will be working in both our litigation and solicitor departments, specializing in Human Rights, Estate Administration, Islamic Wills, and Employment Law. You can contact her at ljilani@pcslawyers.com or 519-858-8005 x106.

Welcome to the team, Leenat!

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An Interview with Jennifer Foster, Executive Director of the MLA



Contributed by:
Nicola Circelli / Nicola Circelli Law and MLA Board Trustee



Board Trustee Nicola Circelli recently had the opportunity to speak with **Jennifer Foster**, the current Executive Director of the Middlesex Law Association, about the ED role and the exciting journey she will be embarking on.

How long were you ED and was the job as expected?

I have had the pleasure of being the inaugural Executive Director for eight months. The job has been what I expected because I have previously held similar roles before I started practising law. Also, the Board provided a very good job description of what the job would entail.

What were you most excited for in your new role?

I was very excited about the MLA's new vision and supporting the Board in

implementing that vision.

What support did you have as ED?

I have found that consulting with key stakeholders, including our members, the Board, our staff, and sponsors, has been tremendously helpful. Our Practice Resource Centre is also a regional library and both Cynthia and Shabira have been instrumental in sharing their knowledge and expertise to ensure our collection and the services we offer to our members remain of the highest standard. I also found connecting with the executive directors of the other regional law associations, including Hamilton, Toronto, and the County of Carleton, allowed me to better advocate for our needs with the Legal Information Research Network (LiRN) and the Law Society.

Fond memories or big moments?

I am grateful to the Board and our members for their keen interest and involvement in supporting the MLA's

new vision by volunteering to be part of the new practice area subcommittees and lending their time and talent to developing innovative CPD programs and social events and contributing interesting and informative articles to the MLA newsletter, the Snail. Because of this new vision, the MLA has offered CPD programs and social events that have been well received, including the Islamophobia and the Law CPD, the Women's Networking Event, and the Mentoring Dinner, to name a few. I have very fond memories of all of them.

What does the future look like?

Well for me, sadly, I am leaving my role as ED of the MLA; however, I am extremely excited to be embarking on a new journey with my husband. Now that we are officially "empty nesters", we have sold our house, downsized, and made the decision to live aboard a 46-foot catamaran and work remotely. Our sailboat is currently being built

by St. Francis in South Africa. As we want to be able to stay off the grid as much as possible, the boat will have hybrid engines and maximum solar panels, among other “green” options. Once the boat is ready, we will sail it across the Atlantic from South Africa to Barbados (with a captain and one crew since we are still novice sailors!). This passage will take between 21 and 35 days, depending on the weather. Our plan for the first few years is to winter in the Caribbean islands, starting in the Bahamas, and then during hurricane season, head up the U.S. East coast or further south to Grenada. Eventually, our plan is to sail to other parts of the world and explore places that are only accessible by boat. One positive consequence of the pandemic is that the traditional way of practising law has changed. With advancements in technology, I will be able to continue assisting family law clients with limited scope services and can provide virtual associate services to other lawyers.

What do you hope most for the MLA in the future?

I hope the Association continues to thrive and that its members and the Board continue to support and promote the MLA's new vision.

Thank you so much Jenn for your hard work during your time as ED and we all wish you a very safe and exciting new adventure!

Request for letters from MLA members in support of our law libraries

The Federation of Ontario Law Associations (FOLA) is planning on launching another Law Library/Practice Recourse Centre advocacy campaign geared towards Benchers and Bencher candidates. The campaign will start in mid-September and will help educate current Benchers as they plan their upcoming budget. It will also be used as we head into the Bencher elections.

To help with FOLA's campaign, they would like letters from individual law association members that highlight the importance of their local law library. To better ensure that letters are personal, FOLA will provide talking points to include in these letters rather than send out a template. If you would like to be part of this campaign, please email [Katie Robinette](mailto:Katie.Robinette@fola.ca) with the subject line LiRN. Please include your full name, law association, and all law libraries you use.

Questions & Comments

If you have any issues or concerns regarding the Middlesex court facilities, operations, judiciary, etc., let them be known! Send all concerns to the current MLA Bench & Bar representatives:

Rasha El-Tawil

519-660-7712

rasha.el-tawil@siskinds.com

John Nicholson

519-914-3358

jnicholson@cohenhighley.com

Hilary Jenkins

519-672-5666 x7301

hilary.jenkins@mckenzielake.com

The Return of In-Person Networking



Contributed by:
Samantha Gordon / Scott Petrie LLP, Law Firm

Whether you love it or hate it, we all understand the importance of networking in the legal profession.

Networking can lead to client referrals and job opportunities. Networking also provides an opportunity to meet and develop meaningful connections with other lawyers and legal professionals. A person you meet at a CPD, law social, or event may become a mentor or friend who you can go to with legal questions, career advice, or support.

Networking has looked quite different over the last couple of years; conference

rooms were quickly replaced by Zoom chatrooms containing dozens of faces in small boxes. Zoom gave us a way to interact safely during “unprecedented times”. It also allowed participants to save the time and expense required to travel to an event. However, bad internet connections and the requirement that one person speak at a time hampered our ability to develop meaningful connections.

New calls, like myself, may only be familiar with Zoom events. My articles were fully remote, which made it difficult to meet and connect with other lawyers and students in London.

Moreover, many students and new calls no longer have the opportunity to attend court hearings in person. Particularly for new lawyers, in-person learning and networking is vitally important as you enter the profession.

Thankfully, we’re recently seeing a return to in-person networking and social events. One great benefit of practicing law in London is our small and collegial legal community. Attending CPDs, socials, and events hosted by the MLA is a great way to get involved while expanding your network.

REGISTER NOW

Social for Sole Practitioners & Small Firm Lawyers

Thursday, September 8, 5:00-7:00pm
Toboggan Brewing Co.
585 Richmond Street, London
[Register](#) by Tuesday,
September 6, 2022
by 5:00pm

REGISTER NOW

Social for Estates, Wills, and Trusts Lawyers

Tuesday, September 20, 2022
5:00pm-7:00pm
Toboggan Brewing Co.
585 Richmond Street, London
[Register](#) by Friday, September 16, 2022 by 5:00pm

REGISTER NOW

CPD: Medical Assistance in Dying (MAiD)

Tuesday, September 20, 2022
1:00 – 3:00pm / online via Zoom

Medical Assistance in Dying (MAiD) is a relatively new option that allows qualifying Canadians to end their lives with the assistance of a physician or nurse practitioner. Recent amendments to the Criminal Code have expanded the eligibility criteria for MAiD.

Join our speaker, Dr. Emily Jones, General Internal Medicine specialist at London Health Sciences Centre, as she discusses eligibility criteria (including potential upcoming changes), consent, capacity, and ethical dilemmas from the legal and medical points of view, legal considerations and complications that may arise due to MAiD, and the process and experience of MAiD, including the referral process and how and where medically assisted death can take place.

You do not need to practice in the area of estates law to benefit from this interesting seminar.

REGISTRATION OPENS SOON

Better Together, Even When Clients are Apart: Synergies between Estates and Family Law

Thursday, October 6, 2022

1:00-3:00pm / online via Zoom

Jennifer Wall, partner and family law co-practice group lead at Harrison Pensa, and Matthew Bota, partner at Harrison Pensa, will discuss the intersection between estates, wills, and trusts and family law. Topics will include consultations between family lawyers and estates lawyers, *Family Law Act* elections, gifts and inheritances from the family law perspective, trusts, and integrating family law contracts and the estate plan.

REGISTRATION OPENS SOON

What Every Family Lawyer and Civil Litigator Needs to Know About the New Tort of Family Violence

Thursday, October 20, 2022

1:00-3:00pm / online via Zoom

Claire Houston, assistant professor in the Faculty of Law at Western University, Anju Fujioka, associate lawyer at Beckett Personal Injury Lawyers, Laura Camarra, founder of Camarra Law, and Zahra Vaid, associate lawyer at Lerner LLP, will discuss the the new tort of family violence, the precedent-setting case of *Ahluwalia v. Ahluwalia*, and procedural and practical considerations and strategies for family lawyers and personal injury lawyers.

SAVE THE DATES!

More details coming soon!

Real Estate Update:

Wed. Oct. 19

10:00am-2:00pm, online via Zoom

CPD for Sole Practitioners and Small Firm Lawyers on Practice Management & LSO Audits:

Wed. October 26 & Thurs. October 27

1:00-2:00pm, online via Zoom

Wills, Estates, and Trusts Update:

Thurs. November 10

9:00am-12:00pm, online via Zoom

In-House Counsel CPD on

Working with Information & Data:

Thurs. November 10

1:00-5:00pm, online via Zoom

Catastrophic Impairments and Pediatric Brain Injuries:

Wed. November 16

1:00-3:00pm, online via Zoom

STAY TUNED FOR MORE DETAILS ABOUT THE FOLLOWING CPD PROGRAMS!

Tips from Top Lawyers on Cross-Examination

Small Claims Court

Highway Traffic Act & Provincial Offences Act

Personal Injury & Employment Law

Corporate/Commercial Update

Personal Injury Update

Civility in the Profession

Family Law & Real Estate



the **MIDDLESEX**
LAW ASSOCIATION

September 2022
Middlesex Law
Association Newsletter

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Subcommittee Recruitment:

Be a Leader in Your Practice Area



Contributed by:
Jake Aitcheson / Lerner LLP and MLA Board Vice President

The Middlesex Law Association continues to actively recruit members to contribute their expertise and voice to the newly-formed subcommittees detailed below.

This opportunity will raise your profile within the community, earn you a reputation as a leader in your practice area, and connect you with other lawyers in your field.

As previously reported in the Snail, the MLA has reformed the way in which it delivers CPD programming to its membership. Following the Annual General Meeting in February, the MLA formed nine distinct subcommittees, reflecting the diverse practice areas and experiences of our membership:

Criminal; Family; Real Estate; Corporate/Commercial; In-house; Personal Injury; Wills, Estates and Trusts; EDI/Professionalism; and Small Firms/Sole Practitioners.

Each subcommittee is responsible for organizing informative, creative, and engaging CPD programming within the subcommittee's area of specialization and producing high quality content for publication in the Snail. Each subcommittee is overseen by a Trustee but is comprised mainly of volunteers who practice in the subcommittee's area.

For instance, as I practice plaintiff personal injury, I would volunteer with the Personal Injury subcommittee. As I'm practicing exclusively in this area, I ought to be one of the first to learn of new developments, trends, decisions, or legislative changes that have wide-ranging consequences to the practice area. If I learned of something of this nature, I would connect with other members of the Personal Injury subcommittee and discuss how we should share this information with the local Personal Injury bar. For this example, the subcommittee could plan a seminar, develop an agenda, and then recruit lawyers or other

experts to present on the topic. Having organized the substantive component of the event, the subcommittee would then delegate the execution of the program to Jennifer Foster, the MLA's Executive Director, who would assist in securing a venue, marketing the event, securing sponsorship, receiving RSVPs and payment, etc. Following the event, one of the members of the subcommittee would then prepare a brief update for publication in the Snail. In this way, the MLA aims to leverage the legal expertise and connections of our membership to not only enhance our CPD offerings, but the overall competency of our bar.

If you are interested in volunteering within one of the listed practice area subcommittees, please reach out to me directly at jaitcheson@lerner.ca or call me at 519-640-6396 and I will put you in touch with a representative of the applicable subcommittee.

VOLUNTEERS NEEDED

Contact [Jake Aitcheson](mailto:jaitcheson@lerner.ca),

VICE PRESIDENT, MLA BOARD OF TRUSTEES

**if you are interested in being involved
in any of the subcommittees.**

**Criminal, Family, Real Estate, Corporate/Commercial,
In-House, Personal Injury, Wills, Estates and Trusts,
EDI/Professionalism, Small Firms/Sole Practitioners**

Member Updates

Our continued thanks to Davis Martindale LLP for their generous sponsorship of the printed MLA Members' Directories. They continue to be a valuable resource for our members.

We are starting the process of developing the 2022-2023 print directory. This is a good time to check your [online listing](#) with us, as the content there is what will be in the print directory. Please also [let us know](#) if you update your details so we can include the information in this section of the newsletter. We do not automatically get a notification if a member changes their online profile information.

Many of our members' listings already incorporate either their direct phone numbers or extensions, and we know it would be helpful to others to have this information available in the directory. Please first check your [online listing](#) to see if we have your correct direct line or extension number information already. If not, please [email us](#) with your update and we will amend our records prior to the production of this year's directory.

The updates below came in after the directory files were sent for printing last year and are not reflected in the current edition. However, you can also search the [MLA's online Members' Directory](#) for updated information.

Stephanie Adams – new call at Siskinds LLP, direct ph: 226-330-0449, stephanie.adams@siskinds.com

Alex Alferiev – new call at Lerner's LLP, direct ph: 519-932-5482, aalferiev@lerner.ca

Gordon J. Banting – has joined Carlyle Peterson LLP, gbanting@cplaw.com (Jeffery Associates has closed)

Isha Bhardwaj – new call who has opened IB Law Professional Corporation, 11 Lochern Rd., London, N5Z 4L5, ph: 519-671-8802, ib-law@outlook.com

Entisar Bukair – new call at Lerner's LLP, direct ph: 519-932-5483, ebukair@lerner.ca

Megan Dawson – new call at Lerner's LLP, direct ph: 519-932-5251, mdawson@lerner.ca

Perrie Douglas – has rejoined the MLA and is at Cudmore Law, perrie@cudmorelawoffice.com

Aaron Ender – new call at McKenzie Lake, ph: 519-672-5666 x7299, aaron.ender@mckenzielake.com

Wincy Ho – new call at McKenzie Lake, ph: 519-672-5666 x7352, wincy.ho@mckenzielake.com

Rebecca Kaeser Reiss – new member at Stephanie Doucet Law, associate@sdoucetlaw.com

Lazar Law – is still in the same building but now in Suite 615

Chelan Mansour – is now at MD Financial Management, 1000-150 Dufferin Ave., London, N6A 5N6, ph: 519-432-0883 x3550, chelan.mansour@md.ca

Sam Marino – office address is now 1673 Richmond St., Box 664, London, N6G 2N3

Audrey Monchamp – new call at McKenzie Lake, ph: 519-672-5666 x7377, audrey.monchamp@mckenzielake.com

Jessica Naujokaitis – is now at Aviva Trial Lawyers, jessica.naujokaitis@aviva.com

Polishuk, Camman & Steele – the firm has moved to 400-291 King St., London, N6B 1R8 (all else the same)

Danilo Popadic – is now with Aviva Trial Lawyers, direct ph: 226-268-7745, danilo.popadic@aviva.com

Paul Randhawa – new member at Downs Law Professional Corporation, direct ph: 289-233-7206, prandjawa@downslaw.ca

Michelle Retief – is now at McKenzie Lake, michelle.retief@mckenzielake.com

Scott Robson – is now at Scott Petrie LLP, ph: 519-433-5310 x246, srobson@scottpetrie.com

Courtney Sinclair – new call at Lerner's LLP, direct ph: 519-932-5421, csinclair@lerner.ca

Daniele Sing – new member at Family Law Group, direct ph: 647-309-7979, dsing@familylawgroup.ca

Robert Stoddart – has joined Carlyle Peterson LLP, rstoddart@cplaw.com (Jeffery Associates has closed)

Jonathan Wakelin – new call at Lerner's LLP, direct ph: 519-932-5486, jwakelin@lerner.ca

Gary Wilson – address is now 465 Ramblewood Dr., Wasaga Beach, ON, L9Z 1P6, ph: 519-709-9443

Xi Zeng – new call who has opened Zeng Law Professional Corporation, 326 V-341 Talbot St., London, N6A 2R5, ph: 226-667-5668, fax: 226-766-8018, jessie@zenglaw.ca



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