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THE MIDDLESEX LAW ASSOCIATION Snail

Southwest Bencher Candidate Profiles

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Issue Highlights

the MIDDLESEX LAW ASSOCIATION

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April 2023 Issue

Thank you to all the contributors and advertisers for supporting this month's edition of the Snail.

Want to contribute to the next issue?

The deadline is noon on **April 25, 2023**

Send submissions to Tracy Fawdry: tracy@middlaw.on.ca

For advertising inquiries contact: admin@middlaw.on.ca

Middlesex Law Association Newsletter

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President's Message

Contributed by:
Jake Aitcheson / Lerners LLP and MLA Board President

Spring has sprung! After what felt like an extraordinary frigid and protracted winter (this perspective informed by my new experience of wrestling my 4 year old onto a school bus every morning), it is invigorating to watch the last of the winter snow melt away, to feel the air start to warm, and to see the sun shine a little longer each day. With the arrival of spring, there is a sense of renewal all around us.

Bencher Election

Like the season, the governing body of the Law Society of Ontario (LSO) is about to undergo some significant changes. In April, the LSO will be holding a bencher election, the outcome of which will determine the future of our profession. Forty lawyers will be elected to serve as benchers of the LSO – 20 from inside Toronto and 20 from outside Toronto. As a self-regulated body, it is imperative that we take the time to explore the issues that are confronting our profession and assess all the candidates to ensure they reflect our vision for the future of our profession. Have your say. Make a difference. Vote in the election. Voting is open from April 19 to April 28, and can be completed online or by telephone. The election results will be announced May 1.

To assist our membership, the Board of Trustees have organized a Bencher Forum for candidates running in the Southwest region. This will provide our membership an opportunity to hear the candidates' platforms and have some questions answered. This event will be held virtually, beginning at 4:30pm, on April 13, 2023. The confirmed candidates attending include Lisa Bildy, Jacqueline Horvat, Jasminka Kalajdzic, Kevin Ross, Karen Hulan, Matthew Wilson, and Rod Catford. Registration is free. We are expecting a very good turnout given the significance of this election.

Straight from the Bench Conference

The MLA is proud to announce that its flagship event is returning in 2023. The Straight from the Bench Conference is taking place on Monday, May 1st, at the DoubleTree by Hilton London. An incredible program has been organized by the Co-Chairs, with panel discussions/presentations on topics including mentorship, appellate advocacy, and tips and tricks for motions and pre-trials. The Honourable George Strathy, retired Chief Justice of the Court of Appeal for Ontario, will deliver the keynote address on mental health and the legal profession. More information about the Conference can be located on the registration page.

Practice Resource Centre

Finally, if you haven't visited the Practice Resource Centre lately, I encourage you to take a walk on a beautiful spring afternoon and come enjoy a coffee in the lounge. We have implemented a new coffee service for our members, so you can grab a coffee and meet our wonderful Executive Director, Tracy, or say hello to our exceptional staff, Cynthia and Shabira.

Jake Aitcheson
President

Practice Resource Centre News


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

Focus on Missing Books - Update

We are thrilled to announce that we found the two missing sexual offence books that were profiled in last month's article. They had been what library staff call "creatively reshelved" in our collection. Please do not try to hide your returns but rather just leave them on a table or put them in the return bin. We honestly do not care who had them – we just want the books back. On that note, if you have book, *The law of objections in Canada: a handbook*, we'd love if you'd sneak that back into the library.

Court Attire for New Lawyers - Repeat

We are running this again because we normally get several people interested in free court attire, but no one responded last month. We have had some members retire recently and they have generously donated their court attire to us to offer to new lawyers who may not yet have a set. We have one complete set (two 16" shirts, vest, robe, tabs), a 15.5" shirt, robe, tabs and long skirt that were donated together (but no vest), and two 18.5" shirts plus a pair of pants that were donated together. We also have three sets of tabs with the largest being 16.5" and the other two smaller. Please contact us at library@middlaw.on.ca or drop by the library to see if any of the items would be suitable for your needs. We are fine with passing on parts of these sets and there is no requirement to take all the pieces.

Coffee at the MLA

You probably already know about the new coffee service at the MLA thanks to our pun-filled notice in recent MLA Update emails, but we thought we'd mention it again here. Our new motto is: Come for the books – stay for the coffee!

New Books

LSO. **Annotated will 2023**.

LSO. **27th annual intellectual property law: the year in review**.

LSO. **Annotated powers of attorney for property and for personal care 2023**.

Nicholls, Christopher C. **Securities law --3rd ed.**, Irwin Law, 2023.

Missing Books

Auerback, Stephen. **Annotated Municipal Act, Volume 3**, Thomson Reuters

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 Reuters, 2006.

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

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

Knight, Patricia. **Small Claims Court: procedure and practice, 5th ed.**, Emond Law, 2021 - **NEW**

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

Marseille, Claude, ed. **The law of objections in Canada: a handbook**, LexisNexis, 2019

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.

Steinberg, et al. **Ontario family law practice, 2022 edition**, 2 vol., Lexis Nexis, 2022.

Southwest Bencher Candidate Profiles

The MLA is pleased to introduce you to 9 of the 11 Southwest Bencher Candidates for the upcoming LSO Bencher election. This feature offers a profile of each candidate who responded to our request. Engagement with them and their platforms will continue at our April 13th Bencher Forum being hosted on-line via Zoom by the MLA with support from the Federation of Ontario Law Associations (FOLA). As a companion to these profiles, all candidates have made submissions to FOLA's call to provide answers to key questions and areas of advocacy by FOLA on behalf of all Law Associations. You will also find critical information on how to vote, election dates, voting procedures, and more at FOLA's election hub. We hope you will join us on April 13th at 4:30 p.m. via Zoom for the MLA's Bencher Forum moderated by MLA Board Trustee, Jennifer Wall. Register today!

Lisa Bildy, *Libertas Law*

Called in 1995, I was a trial lawyer at Seabrook, Epstein before taking an unanticipated hiatus to raise my sons. On my return to full-time practice, I learned of the compelled Statement of Principles. Believing it was not for a regulator to dictate lawyers' personal principles, I helped spearhead the StopSOP campaign and it was successfully repealed. My solo practice now focuses on "defending the little guy" and fighting against the erosion of fundamental freedoms and classical liberalism in Canada.

Over the last decade, professional regulators have been increasingly (mis) using their statutory powers to dictate what is acceptable for others to think and say, and to punish those with heterodox opinions. As the stranglehold grows, independent-minded people who might remedy this are discouraged from governance roles through the use of "codes of conduct" (which are invariably applied unevenly), ideological litmus tests (like EDI statements), and public shaming and ostracization. This is happening in our own regulator and in this very campaign.

These are especially dangerous trends for lawyers. Independence of the bar is an essential cornerstone of the rule of law. Lawyers must be able to vigorously defend their clients and are the last line of defence against powerful state actors.

My goals in this election are to restore the LSO to its proper role as a neutral regulator and protect the privilege of self-governance, by:

I. ensuring the LSO functions within the limits of its statutory mandate;

II. preventing it from being weaponized to enforce professional obeisance to "woke" or any other ideology; and

III. demonstrating that being a bencher is not an entitlement for establishment lawyers, nor a ceremonial rubber stamp for a ballooning bureaucracy. Serving as a bencher requires humility and respect for how members' dues are spent, and for the impact of unnecessary red tape.

Rod Catford

Barrister and Solicitor

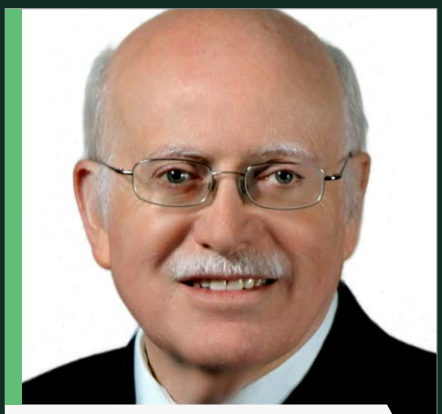
My name is Rod Catford and I have been a member of the Law Society (the "LSO"), in good standing, for almost 32 years. I am in the Southwest Region and I am seeking election as a bencher. I am not associated with any slate.

The Law Society must improve its relations with the membership. We need better compliance with mandated transparency, but LSO must become more responsive to us as well. It is sometimes said that the Law Society's duty is not to the membership, but to the public. However, those responsibilities are not antagonistic.

My primary objectives:

1. Implementation of a "Sunshine" policy with respect to salary disclosure above $100,000.00;
2. Implementation of a "Freedom of Information" amendment to the Law Society Act to permit members access to the LSO's records on the member;
3. The CPD program should be eliminated. It is of very little value to the public or the membership. The Law Society is in a conflict in both imposing the requirement and making substantial windfall profits from it;
4. A full inquiry into the operations, conduct and competency of the Professional Regulation Division. A full investigation and inquiry into the extent to which LSO's failure to discipline a member enabled her defrauding of an elderly person of $96,050.
5. An end to the extraction of additional fees for "services" to the dues paying membership;

The Law Society must adhere to principles of ethical, civil and transparent good governance while restricting itself to its core mandate. The Law Society must be mindful that it represents the *self-governance* of a dues paying membership and though mandated to protect the interests of the public that does not justify an adversarial attitude to the membership.



Gerard Charette

Miller Canfield

Since 1980 I have practiced tax and estate planning law at Miller Canfield and its predecessor firms.

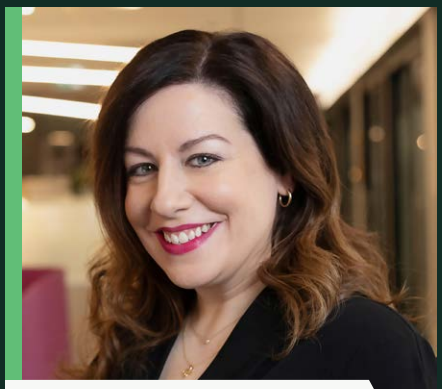
After four years as a Bencher, here is my assessment:

The LSO is sometimes heavy handed and interferes with the solicitor-client relationship under the guise of the "public interest". It sometimes does not respect the professional autonomy of lawyers. For example:

1. Some new Anti-Money Laundering (AML) rules ignore the Constitutionally protected rights of lawyers and clients. Some also unnecessarily increase costs and complexity. The LSO ignored its role as protector of the solicitor-client relationship by satisfying the AML regulator's excessively intrusive demands.
    a. For example, lawyers are now required to ask clients about the source of funds and keep the answers for possible governmental use. This forces lawyers into a conflict of interest and leads clients to mistrust their lawyers.
    b. Other less intrusive solutions could have been applied.
2. The proposal to allow the Proceedings Authorization Committee to force a lawyer to take a "re-education" course without a finding of guilt.
3. The LSO's heavy-handed mistreatment of Certified Specialists when it eliminated the designation without fair notice and virtually no grandfathering.

As to fiscal mismanagement, note that the Law Foundation (LFO) is obligated to at least consider funding law libraries. It used to provide about $500,000 annually: but for the last 10 years, nothing. That's $5 Million of funding that has just evaporated. Yet, in 2021 Convocation refused to pass a motion to urge the LFO to support law libraries.

So, my position is this: The LSO must manage our money wisely and regulate lawyerly practice without larding up the rules with requirements that have little, if anything, to do with the regulation of lawyerly practice.



Jacqueline Horvat,

Treasurer, Lawyer and Founding Partner of Spark Law

I was first elected a bencher in 2011, and as Treasurer in June 2022. I have chaired numerous Committees and Task Forces. Coupled with the experience of starting my own small firm, I have gained perspective on the burdens faced by solo and small firm practices. As a past-chair of the Proceedings Authorization Committee, I have seen over and over again how quickly and easily a practice can fall off the rails when a licensee does not have supports around them. The services and supports the LSO provides need to continue and be enhanced.

As a past director of LibraryCo (now LiRN), and a lawyer who practices outside of Toronto, I know how important local law libraries are to maintaining competence and to the local legal communities. I unequivocally support the LSO continuing to provide sustainable funding for local law libraries, and that means not offloading the responsibility to some other organization.

When I was first elected as a bencher, the debates that occurred at Convocation (our board meeting) were thoughtful, measured, and focused on the issues at hand. This past term we have seen benchers waste Convocation's time (and your money) by bringing motions from the floor without committee analysis in support, by speechifying as if they were living out some parliamentary fantasy, and by unnecessary grandstanding and interruptions that disrespect the important role that the LSO is legislated to fulfil.

I am running with the Good Governance Coalition to put a stop to the lack of decorum, the extreme rhetoric, and the negativity. And, more importantly, so that we can stop wasting your money on fringe politics and focus on the LSO's important work of regulating the professions in the public interest.
www.goodgovernancecoalition.ca

Karen Hulan

Beckett Personal Injury Lawyers

Aside from completing annual reports, it may seem that the Law Society has little to do with our work as lawyers but consider the many ways it does. Have you recently completed a CPD seminar, or called the Practice Management line, or accessed the Member Assistance Program (as many did during the pandemic), undergone an audit, or attended a courthouse library? These are LSO resources.

Every four years there is a Bencher election. Some lawyers vote. I urge you to vote this year. You have likely read social media posts and received emails or calls from candidates who seek your support. It is a lot of information and quite frankly, tempting to tune out. But it is important to your practice. Benchers regulate our profession.

The LSO's mandate is to regulate the legal profession in the best interest of the public. It is not a lawyers' advocacy group. With that in mind, consider some of the important issues facing the legal profession today that impact the services we offer to the public. *How are we going to integrate expanding technology in our practices? What education and supports are required so that we adapt to these changes? How may we facilitate the public's access to legal services and courts?* These are just some issues that the LSO and lawyers need to address. We need Benchers who understand the mandate and who will consult with stakeholders.

I appreciate that I am writing to you in our beloved association newsletter, the Snail. Many Bencher candidates state their support for local law associations and Practice Resource Centres. You can learn more about all candidates' views on these and other issues here and the history of recent threats of LSO funding cuts to PRCs here. Please vote. http://karenhulanbencher.com

Jasminka Kalajdzic

Benchers should reflect the profession and the people of Ontario whose interests they protect. A diversity of professional backgrounds, lived experiences, and skillsets is needed to achieve this ideal.

I was called to the bar 25 years ago. Since then, I have practiced in a large full-service firm and in a litigation boutique. I have taught thousands of law students as a full-time professor, and mentored hundreds more. I helped lead a major law reform initiative, and created a first-of-its-kind legal clinic that helps people across Canada navigate complex litigation. All of these experiences have prepared me for the important work of Bencher.

I bring my research skills, work ethic and dedication to collegial governance to every project, and I will do so as Bencher. There is much work to be done to earn the trust of the public and the profession, and to retain the privilege of self-regulation.

Among the many pressing issues, the next Convocation will address, I am particularly well-placed to assist in the following:

1. Licensing Process: as the LSO considers multiple pathways to licensing and experiential training for young lawyers, it is more important than ever to have those with expertise in legal education at the table.
2. Access to Justice: the LSO must continue to identify and address the serious barriers to legal assistance faced by so many. Particular focus is needed on the disproportionate barriers faced by low-income and equity-deserving communities.
3. Innovation: technological and regulatory innovation are needed to meet the challenges of modern legal services delivery. Expanded scope of practice for paralegals, for example, is worthy of further consideration.

I am proud to be running for election with the Bencher Good Governance Coalition to restore competent, experienced, and representative leadership at the LSO. To learn more about me, visit www.jasminkaforbencher.ca

Kevin L. Ross, *Partner & Senior Litigator, Lerners LLP London*

Professional Experience

- 40 years practising in Southwestern Ontario
- Practice encompasses health law, class actions, professional regulation, plaintiff personal injury, insurance litigation, and commercial litigation.
- Recognized as a leading lawyer in litigation by Chambers Canada, The Best Lawyers in Canada and Lexpert
- Fellow, American College of Trial Lawyers

Why I'm Running

- We must, as a profession: embrace change, identify problems and engage a diverse group of voices and opinions; and we must make decisions in a collaborative and respectful manner by elevating discourse, debate and decision-making.
- The public must have confidence in our profession in part to ensure the privilege of continued self-regulation. This includes ensuring professional competency, Access to Justice, and respect for the principles of Equity, Diversity and Inclusion.
- We must support local law libraries, as well as licensed paralegals' access to them.
- The LSO must provide supports for and include the voices of sole practitioners, especially those outside major cities, and must foster the needs of those embarking on their legal careers by reducing the barriers to education and licensing, and advocating for their abilities to practice whether in the private or public sectors.
- I am proud to be running for Law Society of Ontario Bencher this year, and privileged to be part of the Bencher Good Governance Coalition

Leadership & Governance Experience

- Past Practice Group Leader, Class Actions, Lerners LLP
- Lawson Health Research Institute (2014-2018)
  - Past Chair, Board of Directors
  - Vice-Chair, Board of Directors
- London Health Sciences Centre (2012-2022)
  - Past Member, Board of Directors
  - Past Community Member, Board of Directors
- University of Windsor
  - Member, Campaign Cabinet "Transforming Windsor Law" fundraising campaign
  - Former member, Steering Committee – Establishment of "Class of 1982" Endowment
- The Advocates' Society
  - Member & Former Director

Find out more about my experience and my campaign by visiting www.ross4bencher.ca

Michael Wills

Partner, McTague Law Firm LLP

Michael Wills joined the McTague Law Firm LLP in 1995 as an articling student and in 2002 became a partner in the firm. Michael is an experienced lawyer in the areas of Labour and Employment Law (including wrongful termination litigation) and Residential Real Estate. Michael attended the University of Calgary for both his Bachelor of Arts and Law degrees. McTague Law Firm is located in downtown Windsor and has been providing a full range of legal services throughout Southwestern Ontario for over one-hundred years.

I chose to run for election as a Bencher primarily because I oppose any initiative that attempts to impose a system of beliefs and the obligation to promote those beliefs on others. As such, I am running with members of the FullStop slate, which originally worked to repeal the SOP in 2019. However, on any issues that come before convocation it is my intention to listen, learn, and independently decide what I feel is the best course of action, always with regard for the *core* mandates of the Law Society.

Matthew Wilson

Siskinds LLP – Counsel

I'm happy to announce that I'm running for Bencher as part of the Good Governance Coalition.

As the leader of the real estate department at Siskinds, I assist clients in all aspects of real estate transactions. I've been Certified by the Law Society as a Specialist in Real Estate Law.

I'm an active member of the MLA, having chaired or co-chaired real estate CPD programs for the past decade. I also currently serve as the Chair of the OBA's Real Property Law Section Executive.

I believe in good governance, which includes the ability to work to try to bring people together towards a common goal. I current serve as Vice-Chair of LHSC, and I'm a former Chair of Western's Governance Committee.

As lawyers, we must govern ourselves in accordance with our legal obligations to protect the public interest, to advance the cause of justice and the rule of law, and to facilitate access to justice for the people of Ontario.

Benchers cannot forget the interests of lawyers and paralegals. I fully support law libraries and will fight to ensure library funding is not reduced. Other areas of interest include: (a) working to understand and reduce barriers created by racism, unconscious bias and discrimination; (b) promoting uses of technology; (c) recognizing that there are different practice realities and solutions shouldn't be "one size fits all; and (d) enhancing the Certified Specialist program.

Benchers cannot forget the needs of lawyers and paralegals. If elected I will ensure that I am available, and responsible, to all who are practicing law or providing legal services in Ontario.

Thank you in advance for your support, and for your vote.

I can be reached at
matthew@wilsonforbencher.ca
More information can be found at
http://www.wilsonforbencher.ca

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

In Support of Gladue Principles in Child Protection

Contributed by:
Bayly Guslits / Family Law - Harrison Pensa LLP

The Gladue[1] Report is a pre-sentencing or bail hearing report, usually prepared by Gladue caseworkers at the request of the judge, defense counsel or Crown Attorney. These reports contain information about the Indigenous person's background such as: family history, including regarding residential schools, child welfare removal, physical or sexual abuse, underlying developmental or health issues, such as developmental, mental health or substance use. The Gladue Report also makes recommendations to the court about an appropriate sentence, given the Indigenous person's background and the overall objective of reducing the disproportionate overrepresentation of Indigenous people in Canadian prisons. The Supreme Court in *R v Ipeelee*, 2012 SCC 13 (CanLII), confirmed that Gladue reports are "indispensable" to a sentencing judge in fulfilling his or her duties under s. 718.2(e) of the Criminal Code (para 60).

In *R v Macintyre-Syrette*, 2018 ONCA 259, the Ontario Court of Appeal identified the following types of information that a sentencing judge requires in a Gladue report:

- The offender's Indigenous identity (i.e., First Nation, Inuit or Métis)
- The band or community or reserve that the offender comes from;
- The offender's residence on or off a reserve or in an urban or rural location;
- The particulars of treatment facilities, the existence of a justice committee, and any alternative measures or community-based programs;
- The extent to which imprisonment would effectively deter or denounce crime in the subject community – with the court giving consideration to whether or not crime prevention can be better served by principles or restorative justice or imprisonment; and
- The sentencing options that exist in the community at large and in the offender's community, including any on-reserve

Overrepresentation of Indigenous Children in Child Welfare and Remedial Measures

In Canada, 53.8% of children in foster care are Indigenous, but account for only 7.7% of the child population according to Census 2021. This number has actually increased since the 2015 Truth and Reconciliation Commission's Call to Action report (in 2016, the percentage of Indigenous children in foster care was 52.2%).[2]

Various levels of government have sought to introduce legislation to address the overrepresentation of Indigenous children in the child protection system. For instance, Ontario's new(ish) *Child, Youth and Family Services Act* ["CYFSA"] and the Federal government's Bill C-92, *An Act respecting First Nations, Inuit and Métis children, youth and families, S.C. 2019, c.24* [*"Federal Act"*], which came into force on January 1, 2020.

In *Children's Aid Society of the Niagara Region v. SS*, 2022 ONSC 744, which was a case involving three Indigenous children ages 7, 8 and 9 who had been in care over 1300 days by the time of the trial, Justice Madsen thoughtfully summarized the legislative framework and interplay between the provincial, federal and international regimes (see paras 62-68). Her Honour found that,

> *The Federal Act operates as minimum standard, [....] Where standards set out in the Federal Act surpass or exceed those in the CYFSA, the Federal Act will apply... The duality of the legislative context applies to* ***each and every aspect*** *of the legal framework in this case: the applicable best interests standard; the assessment of services required and provided by the Society; the hierarchy of placement options and the assessment of competing plans of care; and the determination regarding the children's ongoing contact with family members. That these children are First Nations children is* ***relevant and central to every part*** *of the analysis, and cannot be merely an afterthought.*

Justice Madsen went on to consider the different "Best Interest" provisions as set out in the CYFSA and Federal

[1] *R v Gladue*, 1999 CanLII 679 (SCC)
[2] See: "Reducing the Number of Indigenous Children in Care" Government of Canada, 2015, https://www.sac-isc.gc.ca/eng/1541187352297/1541187392851

Act. Although "best interest" is paramount in both, there is nuance that distinguishes the tests (paras 69-71). At paras 75-84, Her Honour reviews the priority of placement provision in the Federal Act, pointing out that,

> *[O]ngoing reassessment is required, in the furtherance of family unity... It is evident in reviewing the federal provisions regarding priority of placement and the CYFSA provisions regarding Orders available, together, that for indigenous children, return to family members, where otherwise consistent with their best interests, is of utmost priority. Where that is not possible, placement with extended family or within a First Nations family, is of substantial importance. Placement in state care through an extended Society care Order is the placement of last resort, as it is in respect of all children. As seen above, the Federal Act in particular places great weight on cultural continuity, and to child welfare outcomes not contributing to the assimilation of indigenous children.*

Where child protection cases often fall short of return to a parent in these circumstances is the inability of colonial institutions, like our Courts and Children's Aid Societies, to be able to weigh the cost/benefit of the risk presented by a parent or extended family member who may fall below what these institutions feel is the "community standard" for children, versus the risk and harms known to afflict Indigenous children who are removed from their families and culture. This is where a Gladue Report in a child protection case may help to redirect attention back to ending the cycle of intergenerational trauma for Indigenous families.

A handful of child protection decisions have referenced Gladue in the reasons as a framework for presenting relevant individual, family, community and systemic information to the court. See for example: *Children's Aid Society of Brant v. C.G.*, 2014 ONCJ 197 at paras 4-5 and *Children's Aid Society of the Regional Municipality of Waterloo v. C.T*, 2017 ONCA 931 at paras 55-56.

Justice Madsen's decision in *Niagara v. SS* didn't go as far as creating a positive presumption that keeping children with their parents *is inherently* in their best interest, however Justice Wolfe's recent decision did exactly this.

Justice Wolfe's analysis in *Kina Gbezhgomi Child and Family Services v. J.M.* 2023 ONCJ 93, interestingly begins by incorporating a review of Gladue into this child protection decision (see paras 24-31), concluding that using the Gladue approach to the legislature's purpose of the Federal Act:

> *Applied to the child protection context, there is meaning in singling out Indigenous children, families and communities in both the Federal Act and CYFSA. It necessarily alters the method of analysis in assessing risk and determining placements of Indigenous children.*

Justice Wolfe then applies the rules of interpretation to the Federal Act's priority of placement of Indigenous children to find that there is a positive presumption that it is in an Indigenous child's best interests to be placed with a parent wherever possible:

> *[32] Further, as a matter of statutory interpretation, Parliament's decision to include priority placement and best interests under the broader category of national standards must be read "in their entire context and in their grammatical and ordinary sense harmoniously with the scheme of the Act, the object of the Act, and the intention of Parliament"...*
>
> *[33] Read together, mindful of the primary purpose of the Federal Act, the inference is that safe placements with a parent as a first choice are in Indigenous children's best interests and meets the objective of the Federal Act. Family and cultural continuity is essential to remedy the decades of harm that resulted from children being ripped from the loving arms of their parents to attend residential and day schools under threat of law, as well as the notorious growing overrepresentation of Indigenous children in care. It requires a unique and contextualized approach.*
>
> *[34] ...First consideration will always be given to the parent in accordance with the priority placement scheme subject to a best standards analysis as set out in the Federal Act.* ***There is a presumption created by statute that it is in an Indigenous child's best interests to be placed with a parent wherever possible. [emphasis added]***

Justice Wolfe's decision was groundbreaking in that it definitively points to a presumption that it is in an Indigenous child's best interest to be placed with a parent wherever possible. In reaching this conclusion through interpretation of the legislature's intentions with the relevant child protection legislation, Justice Wolfe has implicitly encouraged lawyers, Societies and courts to incorporate Gladue's principles in child protection cases.

Gladue Applied to Child Protection

Gladue Reports serve to address several objectives of the criminal justice system. Namely, prevention and rehabilitation, all under the auspice of proportionality. By identifying the underlying issues, the Gladue Report can make recommendations about how to address and prevent these behaviours going forward, or at least mitigate the factors. Gladue Reports examine the offender's history and connect how the intergenerational trauma of their Indigenous heritage have lead them to be in conflict with the criminal justice system. For instance, if a lifetime of trauma has

led to substance abuse and criminal involvement, the report may be able to recommend types of therapies, connection to Indigenous healing services and rehabilitation.

Likewise, a Gladue type report in a child protection case would closely examine the history and struggles of the parents/children and identify the types of services to address, mitigate and prevent these issues going forward. This would force the Children's Aid Society and court to take a broader view of the whole family's (and community's) wellbeing, rather than narrowly focusing on "best interest" of the child from a white colonizer perspective.

In *R. v. Hynes*, 2011 ONCJ 71, a comprehensive pre-sentence report was filed that extensively set out the relevant Gladue history and factors of the offender. Namely, there was a family history of residential school. Alcoholism had plagued his family for generations, including the offender starting to drink himself at age 8, and self-medicating with drugs. He had witnessed domestic violence and had been subjected to abuse. He had grown up in poverty and lived in transience when he wasn't incarcerated. He had experienced racism and racial profiling, which had caused him to distrust authority. He was made to look white in foster care and felt displaced as an Indigenous person. He spent time in 50 different foster and group homes. He experienced systemic problems at the community level, such as the Two Row Wampum agreement not adhered to, Robinson Huron Treaty viewed as infringement, and overcrowded treaty territory. He was not eligible for Indian status until the Indian Act was amended in 1985. The court in this case found the Gladue writer's recommendations for holistic healing very helpful:

- A highly structured release plan that includes residency at a transition home;
- Full alcohol/drug assessment via Community Alcohol and Drug Assessment Program;
- Aboriginal specific mental health counselling combined with traditional healing initiatives.

As this example shows, the individual, familial and systemic circumstances of the offender can be more thoroughly examined by the court with access to a Gladue report and thoughtful, meaningful recommendations for a rehabilitation plan. This tool and these underlying principles would be easily transferable to a child protection case.

To an extent, much of the type of information that would form a Gladue report is often piecemeal in various documents in a child protection proceeding. However, the connections between the systemic and historic issues and recommendations are not always explicitly made. Also, the onus on bringing this information before the court often falls to the parents or extended family, who usually do not have the resources or expertise to present the information in the best manner. Having a standardized approach and placing the onus of completing the report on the Society or another agency/worker would ensure consistency of quality and facilitate access to justice.

It is no coincidence that Gladue reports in criminal court proceedings frequently refer to the offender's or the offender's family's history of involvement with child protection agencies or time in foster care/ group homes. There is a vicious cycle of overincarceration of Indigenous people and Indigenous families being overrepresented in the child protection system. Introducing Gladue principles and reporting in the child protection field is a practical step that the justice system can take towards breaking the cycle.

Swearing-in Ceremony of The Honourable Justice Thomas Andrew Stinson

Contributed by:
Cassandra DeMelo/Partner, DeMelo Heathcote

Your Honour:

I have the privilege of giving remarks on behalf of the London Criminal Lawyers' Association. We represent roughly seventy defence lawyers in the London area. I want to begin by commenting on your long-standing ties to the London community and the southwest region:

- While I believe you originally hale from about an hour northeast on the 401 from us, you are no stranger to the forest city:
- First and foremost, your impressive history as a Justice of the Peace, which most notably included an arc as our Regional Senior Justice of the Peace;
- And also your recent arc as a Masters' student at Western Law – where we had the pleasure, and sometimes the pain, of philosophizing together the likes of H.L.A. Hart, John Locke, and Aristotle

- Because of these ties, I don't need to tell you that the community you are serving is one that is rapidly growing, cultured, multicultural, and full of life;
- Because of your connection to our city, I don't need to tell you that our community, like many others, also has challenges – homelessness, drug addiction, mental health, and gendered violence. These challenges require humility, a desire to serve, and the ability to act judiciously while still promoting peace and kindness, and leaving a little room for grace;
- Because you've been working throughout the pandemic as a justice officer, you're already aware of the challenges facing our justice system; the strain on resources is unlike any before, the number of cases sometimes feels overwhelming – maybe more than sometimes; and the need to promote a resurgence of life to both our Crown and Defence bars is more important than ever.
- Because you're familiar with our bar, I won't need to work too hard to assure you that those of us who continue in this work are top notch; a bar made up of both seasoned and up-and-coming talent who work tirelessly for this community all while maintaining a collegial and *mostly* friendly relationship with our counterparts;
- But most importantly, because of your personal history with London, I know I also don't have to convince anyone sitting in this room today that you already embody the qualities I'm touching on today. You are a welcomed addition for this position, most-deserving, and sure to demonstrate all of the qualities necessary for the demands of your new title.

Your Honour – congratulations, welcome (back), we look forward to seeing you on the 2nd floor!

CONGRATULATIONS!

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When Deals Fall Apart: The Assessment Date for Damages

Contributed by:
Laura McFalls / Associate, Siskinds LLP

It is inevitable that some deals fall apart, but the consequences and frequency of these failures can vary based on whether it occurs in a rising, falling or stable market. The state of the market may also affect who the at-fault party is likely to be. With declining purchase prices, failed real estate deals have once again become a concern at the forefront of the profession.

Generally, in any breach of contract, the damages award is meant to put the innocent party in the position it would have been had the contract been performed. In a real estate transaction, the damages awarded will often be the difference between the contract price and the price of the replacement property/sale provided the innocent party mitigated its damages.

Starting at the Closing Date

In *Akelius Canada Ltd v 2436196 Ontario Inc*[1], the Ontario Court of Appeal confirmed that the date of breach is the appropriate assessment date, which can only be rebutted where the innocent party could only be reasonably expected to re-enter the market at a later date.[2]

Any shift is dependent on the facts of the case and what would be fair in the circumstances.[3] There are six principles to consider:[4]

1. Damages should put the innocent party in the position it would be had the contract been performed.

2. This is typically achieved by making the date of breach, often the date of closing in a real estate transaction, the assessment date.

3. There are three contextual considerations when choosing a different date:
   a. Mitigation
   b. Nature of the property
   c. Nature of the market

4. In a falling market, the nature of the property, may make resale difficult. Therefore, if the vendor mitigates from the date of breach and resells a reasonable time after that, the court may make the resale date the assessment date.

5. Generally, in a falling market, the innocent vendor is awarded the difference between the contract price and the "highest price obtainable within a reasonable time provided reasonable efforts are made to sell the property starting on the closing date".

6. If the vendor decides to speculate on the market, the assessment date will be the date of closing.

Mitigation. Mitigation. Mitigation

According to the Court of Appeal, the assessment date can be shifted where the innocent party can establish that it was not able to re-enter the market at the date of breach.[5] If the innocent party has taken proper steps to mitigate but was unable to re-enter the market until later, through no fault of its' own, it is more likely that a later assessment date will be accepted.

Beware Claims for Lost Opportunity in Contemplation at the Time of Contract

In *The Rosseau Group Inc v. 2528061 Ontario Inc*[6] the vendor failed to close a deal in a rising market for a piece of land intended to be developed by the buyer. The Buyer sought compensatory damages for lost profits arising from the failed transaction.[7]

The parties had specifically contemplated that the Property would be developed at the time of Agreement.[8] Therefore, the purchaser was entitled to a claim for compensatory damages representing the loss of profits flowing from its intention to develop the land.[9] The appropriate assessment date was still the date of closing, but the court also estimated the expenses and revenue for the proposed land development.

[1] *Akelius Canada Ltd. v. 2436196 Ontario Inc.*, 2022 ONCA 259 (CanLII), <https://canlii.ca/t/jndp3>[Akelius].
[2] *Ibid* at para 27
[3] *Ibid* at paras 28-29.
[4] *Ibid at para 22 citing 100 Main Street Ltd.* v. W.B. Sullivan Construction Ltd. (1978), 1978 CanLII 1630 (ON CA), 20 O.R. (2d) 401 (Ont. CA) and 6472047 Ontario Ltd. v. Fleischer (2001), 2001 CanLII 8623 (ON CA), 56 O.R. (3d) 417 (Ont. C.A.) at para 41.
[5] *Ibid* at para 27.
[6] *The Rosseau Group Inc. v. 2528061 Ontario Inc.*, 2022 ONSC 486 (CanLII), <https://canlii.ca/t/jlxr2>
[7] *Ibid* at paras 1-2.
[8] *Ibid* at paras 324-329.
[9] *Ibid* at para 332.

This led to a much larger damages award.

Takeaways

The Courts have consistently held that the date of breach is the appropriate assessment date for damages, subject only to modification where the innocent party has established its mitigation efforts and was still unable to mitigate until a later date. This is consistent with the general rule that the innocent party will be awarded the difference between the contract price and what they were able to buy/purchase for, provided they mitigated.

If the resale or repurchase is close in time to the date of breach, then the new price may be good evidence of the fair market value at the date of breach. Alternatively, if the innocent party can establish its mitigation efforts and demonstrate that it could not re-enter the market until a later date at which the fair market value of the property has changed, then the court may shift the assessment date to that time.

A shift in assessment date can occur in a rising or falling market, however, it appears more common in a falling market where the vendor is the innocent party. In this case, provided the vendor takes reasonable efforts to mitigate by placing the property on the market, a later assessment date may be fair. In a rising market, where the purchaser is the innocent party, a later assessment date is more likely where the nature of the property is such that the purchaser requires time to find a suitable replacement. However, this does not warrant a shift that would create a windfall in the purchaser's benefit.

Despite the relative difficulty in establishing that a shift in the assessment date is warranted, large damages may still be possible if the Innocent Party can establish that there is a lost opportunity caused by the breach which was contemplated by the parties at the time of entering into the Agreement of Purchase and Sale.

Given the relatively stable case law concerning assessment of damages in a failed real estate transaction, any claims brought forth are likely to be dealt with on summary motion, if not negotiated prior to proceeding with a claim.

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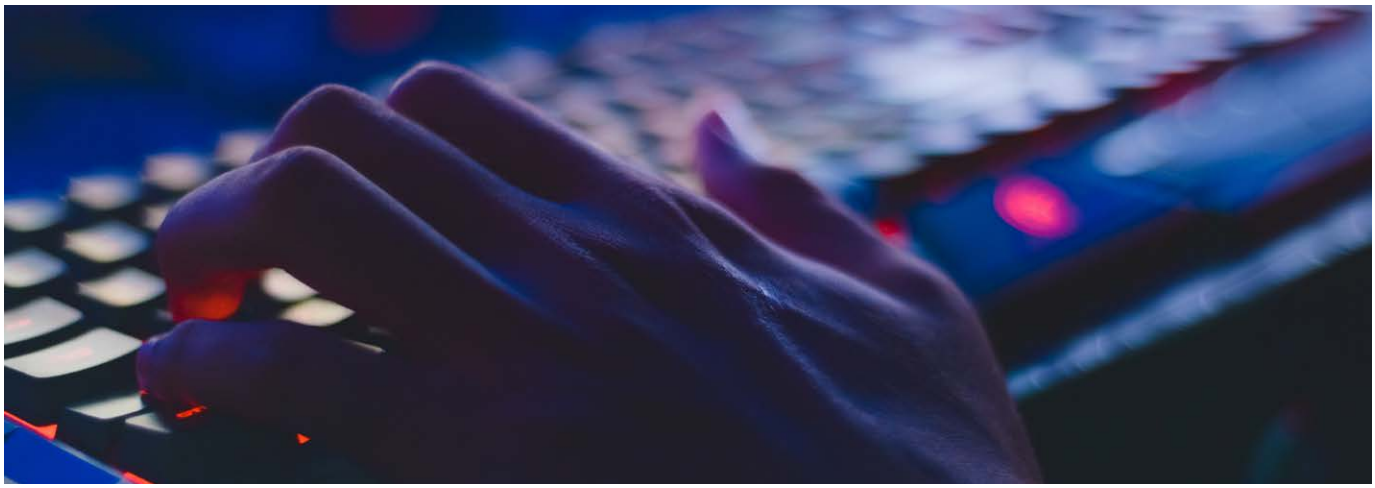
My business suffered a ransomware attack. Should I pay?



Contributed by:
Savvas Daginis / Associate, Siskinds LLP

Ransomware attacks have become an increasingly common threat for businesses of all sizes, and it is essential for your business to have a plan in place for how to respond if your organization is ever targeted. During the ransomware attack, among the most critical decisions that your business will have to make is whether or not to pay the ransom that the attackers are demanding.

The choice is a difficult one. Although paying the ransom may seem like the easiest way to get your data back and resume normal business operations, the answer is unfortunately not so simple. There are many practical and legal factors you need to consider.

Considerations

First, it is not guaranteed the malicious actor will honour the arrangement. In regular business disputes, when a contracting party breaches a contract, you generally have three options: (1) negotiate; (2) sue the other side in court; or (3) buy a nice wine and forget about the experience. However, in the ransomware context, the malicious actor is usually very difficult to find. If the actor is practically untraceable, then it will be difficult to negotiate with them or sue them in court. If they decide not to give back the information, or if they subsequently ask for more money, Liam Neeson will not be hunting them down for you.

Second, paying the ransom incentivizes attackers to continue their criminal activities. Paying also creates the risk that your business will get a reputation as being "the one" that will "pay up." Such a reputation would make your business a more attractive target for future attacks.

Third, there is the issue of legality. Paying a ransom may violate laws and regulations in your jurisdiction, which would lead to legal and financial consequences down the line. Paying ransoms to certain individuals and groups on sanctions lists would violate economic sanctions laws. For example, consider the recent Indigo ransomware incident where Indigo stated that it has not, to date, paid the ransom because it could not receive assurance that the payment "would not end up in the hands of terrorists or others on sanctions lists."

Fourth, assuming the attacker will honour the arrangement, assuming they took your information off your business' servers and are offering to "return it," you don't necessarily know what information you will get back when they return it to you. The information may include additional malicious code that will allow them to breach your business' systems again in the future.

Additionally, you could receive the confidential or proprietary information of other businesses (such as your competitors), which, depending on the circumstances, could increase the risk

of subsequent litigation. For example, depending on the factual circumstances, the businesses that owned the confidential or proprietary information could claim misappropriation of trade secrets, or the government could even hypothetically claim receipt of stolen property.

In regard to personal information held by your business, if the ransomware attack objectively gave you no reason to believe any personal information was taken, depending on the jurisdiction, you may have no breach notification requirements. However, if you pay the ransom and receive information back that gives you notice personal information was taken, then your breach notification obligations may be triggered.

Lastly, if you have cyber insurance (which I hope you do), some cyber insurance policies prohibit paying ransoms as a condition of coverage. Therefore, paying a ransom could result in your insurer denying your claim, leaving your organization responsible for the cost of the incident. With that being said, other cyber insurers may provide you coverage to pay the ransom, depending on certain criteria. Some may even offer coverage to pay the ransom in cryptocurrency.

What's your best course of action?

Be proactive and defend your business' informational technology and operational technology assets. For example:

- **Have a robust backup and recovery plan.** If your business regularly backs up your data and stores it in a secure offsite location, you can ensure that you can recover your files quickly and easily if your systems become compromised. Remember the 3-2-1 rule: Back up three copies of your information in two different formats, with one copy stored off-site.
- **Educate your business' personnel** to watch for and report suspicious activity and to have an incident response plan that rapidly enables your business to identify, contain, eradicate, and recover from security incidents.
- **Keep all assets up to date** with the latest security patches.

Importantly, **when** (not if) you have a ransomware attack (or any security incident), among your first calls should be your lawyer. As lawyers, we help organize your incident response, ensure attorney-client privilege applies, and provide support remediation.

If you have any questions related to this Article's content, you may reach out to any lawyer in Siskinds' Privacy, Cyber & Data Governance Team. You can also reach out to the author, Savvas Daginis—a Canadian and American Business, Technology, and Privacy Lawyer—at savvas.daginis@siskinds.com if you have any questions.

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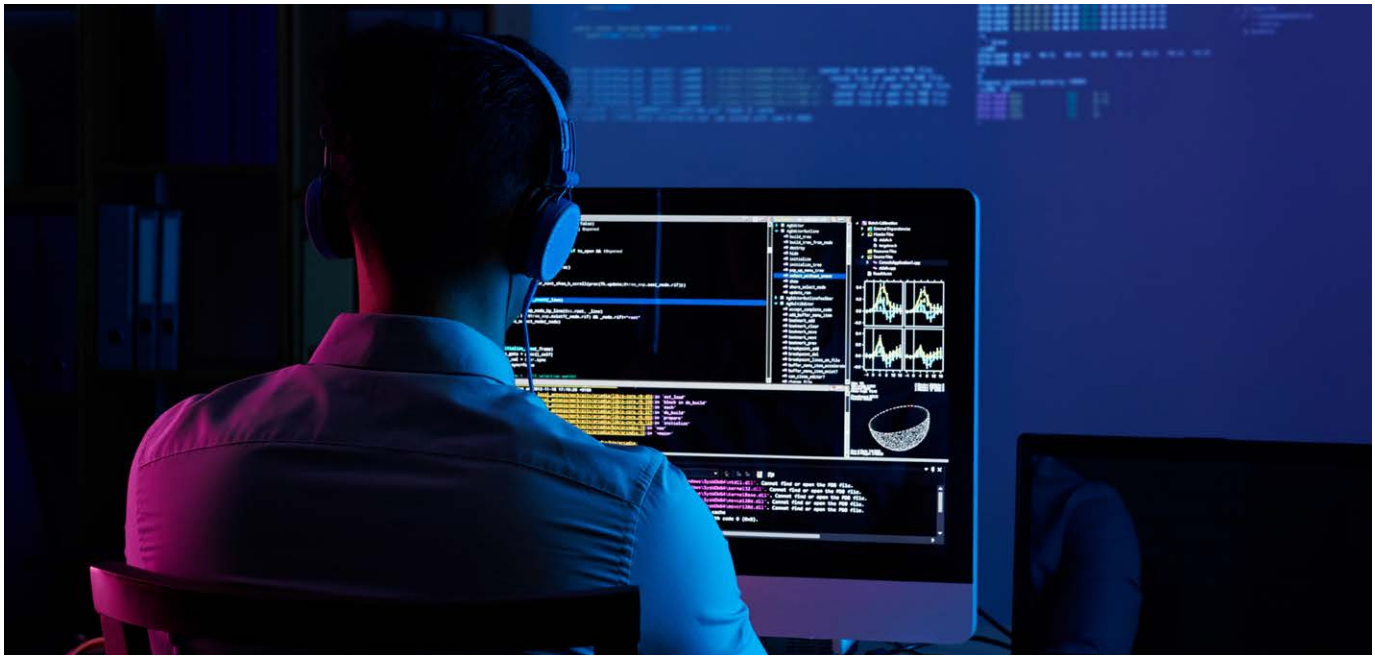
8 Tech Terms You Need to Know



Contributed by:
David Canton / Lawyer and Trademark Agent, Harrison Pensa LLP

Tech terms you may have already come across are defined in plain language. Even if you don't follow tech trends, they're an important part of our growing and changing industry vocabulary.

Belief perseverance

This is the concept that people form opinions based on emotions, rather than relying on facts. New facts often do not change people's minds. One would think that people who encounter new evidence that contradict their beliefs would evaluate the facts and change their views accordingly, but they don't.

Responsible AI

Responsible AI is the concept of using artificial intelligence responsibly. Microsoft for example sets out 6 principles: accountability, inclusiveness, reliability and safety, fairness, transparency, and privacy and security.

Pig butchering scam

A pig butchering scam is when a scammer makes it look like they have accidentally sent a message to the wrong person. When the recipient responds saying they have the wrong number, the hacker tries to start a friendship. It ultimately leads to a well-orchestrated scheme to befriend and scam the victim.

Floatovoltaics

Solar panels floating on reservoirs. They don't take up precious real estate, they reduce the loss of water by evaporation, and the water keeps them cool.

Conversational interface

A way of using normal conversation to interact with an electronic system. Advances in conversational interfaces are a significant aspect of AI image and text generation tools.

Prebunking

Debunking in advance. The idea is that teaching people how to spot misleading claims on the internet is more effective than convincing them later they are not true.

Organoid intelligence

Biocomputers made from lab grown brain cells. Organoids are clumps of lab grown cells. Some think OI could make AI obsolete. A demonstration OI computer taught itself how to play Pong.

Scraping for hire

A service that uses nefarious methods to collect information on people from various online sources then consolidates the information and sells it.

David Canton is a technology and AI lawyer at Harrison Pensa with a practice focusing on technology, privacy law, technology companies and intellectual property. Connect with David on LinkedIn, Twitter and Mastodon.

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An Open Letter to the Profession

Contributed by:
Michael M. Lerner / Partner, Lerners LLP

Your vote **counts**! Your vote **matters!**

The upcoming bencher election may well be the most important election in the recent history of the Law Society. The results of this election may well determine whether or not the profession continues to enjoy the privilege of self-regulating. Be sure, that the government is watching very closely what is about to transpire.

When I was first elected to the bench in 2011, while I welcomed and appreciated the support I received from the electorate, I considered myself an independent thinker who would vote in convocation based upon what I perceived to be in the best interest of the public and the profession. During my eight years at the Law Society, I maintained that philosophy. At that time, I was joined by 39 other elected members of the profession, the vast majority of whom shared my view.

Unfortunately, in the last bencher election, a number of lawyers, under the moniker of the StopSoppers, (now FullStop) joined together committed to their objection to the statement of principles and attempted to take voting control of the Society by advancing a proposed slate of likeminded candidates. For the first time, "party politics" was introduced to the Law Society. The past four years have been tumultuous at the Law Society. Any observer will appreciate the disrespect, rancour and intolerance that has been demonstrated by this group on a regular basis in Convocation. It is unfortunate that party politics has been introduced but it is imperative that we all recognize and appreciate that the only way to maintain the public respect for the profession is to meet fire with fire. Accordingly, a significant number of lawyers have joined together to form the Good Governance Coalition. The coalition is a cross-section of the profession recognizing the importance of equity, diversity and inclusion. If elected, Convocation will represent well the demographics of the profession.

> "The upcoming bencher election may well be the most important election in the recent history of the Law Society. The results of this election may well determine whether or not the profession continues to enjoy the privilege of self-regulating. Be sure, that the government is watching very closely what is about to transpire."
>
> **- Michael M. Lerner**

The coalition stands for the promotion of equity, diversity and inclusion. It stands for the support of county and district resource centres. It stands for fiscal responsibility and the judicious allocation of Law Society resources, but most importantly, it recognizes that those elected to the position of bencher are obliged to regulate in the public interest.

The profession has come to the proverbial fork in the road. The direction in which we choose to proceed will impact all aspects of the profession whether a barrister or solicitor, man or woman, a member of a racialized group, and regardless of whether you are a sole or small practitioner or a member of a larger firm.

Your vote **counts**! Your vote **matters!**

I urge you to carefully scrutinize the qualifications and platforms of those candidates who seek to represent the best interests of the profession as well as the public interest.

Yours very truly,

Michael M. Lerner

Registration Open

STRAIGHT FROM THE BENCH CONFERENCE 2023

Monday, May 1st, 2023
8:30-4:30, Networking social to follow.

CPD content for *Straight from the Bench* will contain 45 minutes of EDI Professionalism content, 1.5 hours of Professionalism content, and 4.25 hours of Substantive content.

Guest Speakers:

Keynote: Justice George R. Strathy, retired Chief Justice of Ontario will speak about mental health in the profession.

Justice Bruce G. Thomas, Regional Senior Judge will provide a Southwest region update.

PANELS:

Panel Discussion on Mentorship
Justice Spencer Nicholson, Superior Court of Justice of Ontario, Yola Ventresca, Lerners LLP, and Jill McCartney, Siskinds LLP

Advocacy Tips for Motions & Pre-trials
Featuring Justice A. Duncan Grace and Justice Alissa K. Mitchell

Appellate Advocacy - Best Practices at the Court of Appeal
Featuring Justice Jonathon C. George in conversation with Peter W. Kryworuk, Lerners LLP

Presenters: Cassandra DeMelo, Gemma Charlton, Kimberly Knight

Conference Chairs: Rasha El-Tawil, Evelyn ten Cate, John Nicholson, Dara Lambe

We hope you will join us for a networking social (4:00-5:30 p.m.) following the Conference.

REGISTER ONLINE NOW!

We welcome our Presenting Sponsor:

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BENCHER ELECTION FORUM

April 13th, 2023
4:30 p.m. Via Zoom – Registration required.

Participating LSO Bencher candidates running in the Southwest region will share their election platforms and respond to questions in a moderated Q&A session. Candidate profiles are featured in this issue of the Snail. Confirmed SW candidates participating in the Forum include: Lisa D.S. Bildy, Rod Catford, Jacqueline Horvat, Karen Hulan, Jasminka Kalajdzic, Kevin L. Ross, Matthew Wilson.

We encourage you to send questions in advance to library@middlaw.on.ca.

REGISTER ONLINE NOW!

PRIVATE MUSEUM TOUR & SOCIAL

Thursday, May 4th, 2023
Member Social - 5:00 - 6:00 p.m.
Private Museum Tour - 6:00 - 7:00 p.m.

Museum London
421 Ridout Street, London

Register by: Friday, April 28th, 2023 at 5:00 p.m.

Please join us for an evening of networking and socializing with your MLA member colleagues. Enjoy a drink or warm coffee/tea, and some substantial hors d'oeuvres while you connect and catch up!

The date of our tour coincides with an exceptional Museum London/Unity Project for Relief of Homelessness collaboration called *UPwithART*. You will be able to view the *UPwithART* exhibit in the Community Gallery of Museum London.

In support of the Unity Project's MONEY NOW initiative, we will be donating $5 from each ticket to support their incredible work with the provision of emergency shelter.

REGISTER ONLINE NOW!

A Unique Mentorship Event

Contributed by:
Paula Lombardi (Siskinds), Mark McAuley (Lerners) and Erin Rankin Nash (FP Law)

Returning to full-time studies after a period of focus on work or family can be both an exciting and complicated endeavour. Mature students bring life experience, networking ability, confidence and much more to their academic pursuits. They also have to manoeuvre a potentially more complicated balance between home and school. We wanted to share an incredible event that allowed current mature students to benefit from the wisdom of former mature students. A match up that brings particular insights in support of students' school experience.

Paula Lombardi *Mark McAuley* *Erin Rankin Nash*

On Thursday February 9th, over 16 mature students currently attending Western Law were hosted by former mature students Paula Lombardi (Siskinds), Mark McAuley (Lerners) and Erin Rankin Nash (FP Law) in Siskinds Board Room and Lounge. The current mature students come from a wide variety of backgrounds and life experiences. They came to the session prepared with great questions, and the session which was to last an hour and a half went for over two hours as everyone enjoyed the learning and connection. Afterward, the former mature students agreed that the current mature students will be an asset wherever they decide to practice law, and, a new network is now formed!

LSO Bencher Election 2023

YOUR VOTE. YOUR FUTURE.

WHAT HAPPENS NEXT?

Voting will occur online in **April 2023**

Candidate Profiles will be available in **March 2023**

Results will be announced **May 1, 2023**

LEARN MORE AT FOLA.CA/BENCHER-ELECTIONS-2023

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Member Updates

Our 2022-2023 members' directory, generously sponsored by Davis Martindale LLP, has been published and copies are available for pickup from the MLA Practice Resource Centre during normal office hours. You can always access the up-to-date membership details through our online members' directory. Please let us know if you move.

Richard Braiden - office has moved to 472 Ridout St. N, London, N6A 4G4, all else the same.

Chris Dobson - office has moved to 472 Ridout St. N, London, N6A 4G4, all else the same.

Laura Emmett - has rejoined the MLA and is practicing at Strigberger Brown Armstrong LLP, 380 Wellington St., Tower B, 6th fl., London N6A 1T4, ph: 519-266-2232 ext. 309, lemmett@sbalawyers.ca

Naomi Furmston - has rejoined the MLA and is practicing at Alimentiv Inc., 200-100 Dundas St., London N6A 5B6, ph: 226-270-7659 ext. 044, naomi.furmston@alimentiv.com

John W. Robertson - has rejoined the MLA and is practicing at 1377 Lawson Rd., London N6G 0G8, ph: 226-224-3034, jwr8437@gmail.com

Bob Sheppard - office has moved to 472 Ridout St. N, London, N6A 4G4, all else the same

Will Notices

Eduardo Soares Jr.
Anyone having knowledge of a Last Will and Testament for Eduardo Soares Jr., born January 15, 1964, who died on December 28, 2022, please contact Frederick A. Mueller at 519-673-1300 or email: fred_mueller@rogers.com.

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