



# SDLA LEGAL BRIEFS NEWSLETTER

SUDBURY DISTRICT  
LAW ASSOCIATION

SDLA LEGAL BRIEFS

DECEMBER 2011

## OCTOBER 2011 CPD :A Success Story

By Lucille Shaw

From the new calls to the senior citizens, Sudbury and north eastern Ontario lawyers turned out for the Continuing Professional Development Conference. There were over 150 registered for 8 different sessions at the Holiday Inn. Approximately 15 of these were paralegals or office staff. A special thanks to those who completed evaluation forms. We received very positive feedback and some helpful suggestions.

Over the Thursday and Friday we had over 40 speakers and presenters, many from the Sudbury Bar and Bench, others from regional centers and throughout Ontario. Instead of giving each of the speakers a gift, we made a donation to the Sudbury Community Foundation in the name of the Sudbury District Law Association. The SCF receives and manages individual donations and specific funds for the purpose of making grants to the community from the interest generated by the fund. We will continue to work with the SCF with the possibility of creating a special purpose fund that will benefit the community through our annual gift.

In addition to the eight three hour sessions, there was an excellent turn out from the Bench and Bar for the dinner on Thursday Oct. 20th. Chief Justice Winkler was the after dinner speaker and he was in turns, entertaining, informative and inspiring. At lunch on Friday, guests heard Paula Todd, a senior investigative journalist, lawyer (and class mate of Glenn Sandberg) recount her days spent watching the Conrad Black trial in Chicago. Also on Friday, there was a breakfast speaker, Paul Levay from Stockwoods who spoke on the special taskforce reviewing French language services in the Ontario courts.

In between these wonderful meals with great speakers, members attended the sessions which had all been accredited by the Law Society. This meant that in addition to receiving CPD credit for the substantive hours, members were also able to receive one hour of credit per session towards their three hour mandatory minimum of three hours of professionalism CPD. Gerry Brouillette was the liaison with the Law Society on accreditation issues, He will continue to keep a watch on this dossier to advance the interests of our members.

The organizing committee has wrapped up the books on the 2011 conference, sent out thank you notes, posted all papers on the web site and J M Bray has paid all the bills. Happily there is still money in the account. Special thanks to Ian Sinclair, Geoff Jeffery among others for recruiting a number of generous sponsors for the conference. After a discussion with the SDLA executive it was decided to investigate what technology resources or upgrades we should purchase to be able to continue to offer local, quality, cost effective CPD to the Sudbury and North eastern Ontario Bar.

If you have any comments on any aspect of the CPD conference, positive or negative, we would like to hear from you. This was a big initiative and there was a lot to learn. We are in the early planning stages for a 2012 conference. Stay tuned.

If you are interested in helping out at the organizational level or with one of the sessions, please let us know. We can use your help.

Finally, a huge thank you to all of you who registered for the conference and put your faith in the project. Many thanks to the session leaders who developed and delivered excellent programs to their colleagues.

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## MOCK TRIAL 2012 PROCÈS SIMULÉ

By Trevor Kestle

We invite everyone out to the competition on **Monday January 16th 2012** to observe the next generation of lawyers in action.

The Secondary School Mock Trial Tournament will be held in the Ontario Superior Court of Justice on **Monday January 16th 2012**. The provincial competition is sponsored by the Ontario Bar Association, in conjunction with the Law Day Committee. Local secondary school students from three different boards of education will be competing again for the coveted Hennessy Cup along with various individual and team awards.

The OBA written scenario outlines an alleged criminal offence. This year the accused is charged with possession of a firearm. Students act out the roles of crown attorneys, defense lawyers, witnesses and the accused. If you have time on Monday January 16th, drop by the court house and see how well these students act out their respective roles. You will also see how well they have integrated an understanding of fundamental principles of the criminal justice system, including innocence and proof beyond a reasonable doubt. In preparation for the trial competition, the students do the research using the criminal code, the rules of evidence and the Charter of Rights and Freedoms. They also learn about professionalism and civility.

### Court House Series 2012 : Managing the Difficult Witness

The Advocates' Society will host the Court House Series in Sudbury.

February 16th & 23rd 2012

Sudbury Court House  
3:00 to 5:00 p.m. (includes reception)

CHAIRS: Jackie McGaughey-Ward, Miller Maki LLP and

The tournament allows students an opportunity to develop public speaking skills, build self-confidence and learn how to effectively organize and deliver oral and written presentations.

This year's competition features teams from Lasalle Secondary School, Lockerby Composite School, Lo-Ellen Park Secondary School, College Notre Dame, Sudbury Secondary School, St. Charles College, St. Benedict Secondary School, Confederation Secondary School and Espanola High School.

On behalf of those responsible for organizing this event, teachers and students, we would like to take this opportunity to thank the members of our local bar and the articling students who have volunteered to coach a mock trial teams this year:

Edward Conroy, James Ross, Celeste Boyer (Conroy, Trebb, Scott Hurtubise)

Bridget Jokitalo, Andrea Rossanese (Desmarais, Keenan LLP)

Mike Gauthier, John Michael Bray (Orendorff and Associates)

Karen Lische, Nathalie Boivin, Julie Lefebvre (Crown

Attorney's Office)

Geoff Jeffery, Weaver, Simmons, LLP

### Managing The Difficult Witness

- \* The Necessary Witness: To Call or Not to Call
- \* Changing your Tiger's Stripes : Controlling your own witness
- \* Being Proactive in Cross: Using their witness to make your case

Alain Prevost (Legal Aid Ontario)

Michael Semeniuk, Gary Marcuccio, Alexandre Caza, Adam Kosnick, Meaghan Boisvert, (Miller, Maki LLP.)

Michael Haraschuk, Peter

Diavolitis, John Recoskie,

Michael Venturi, Adam

Williamson, Sophie Mageau (Weaver, Simmons LLP.)

Lindsay McNicoll (Wallbridge, Wallbridge)

Thanks to all of those who generously donate time and legal expertise to this fantastic event. It would simply not be possible without these contributions.

We would also like to take this opportunity to thank Justice Hennessy and the other members of our local bench who support this event by volunteering their time and wisdom from the bench.

Students are enthusiastic about conducting a trial before real judges in real courtrooms.

Every year our students tell us how much they appreciate the post trial comments given to each one of them from the presiding judge.

We invite everyone out to the competition on **Monday January 16th 2012** to observe the next generation of lawyers in action.

Non-Members fee (per session) \$50.00 plus HST Two session package \$80.00 & HST

TAS Members Fee (per session) \$40.00 plus HST Two-session package \$70.00 plus HST

**To Register:**

**Email Advocates' Society**

[simona@advocates.ca](mailto:simona@advocates.ca)

## TREASURES OF TURKEY

### VICTOR F. VERE

THIS PAST OCTOBER, Elizabeth and I were fortunate to travel to Turkey along with seventeen others from the Sudbury and Ottawa area.

Turkey is an amazing country, very large, with a population of approximately seventy eight million people. Ninety five percent of the population is Muslim. Turkey is surrounded in areas by the Black Sea, The Aegean Sea as well as the Mediterranean Sea. Turkey is one of the great cradles of civilization. It contains ten world heritage sites, and is the only place in world where continental Europe and Asia meet.

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We were treated and welcomed graciously, travelled the country extensively, three internal flights, enjoyed the geography, culture, food, people, market places, and tours thoroughly.

We visited Kapatokia (Cappadocia) a mountainous region. One morning some seventy nine hot air balloons, carrying twenty eight passengers each, flew over the extensive rock formations in the predawn and dawn flight. Our altitude was approximately twenty four hundred feet up. The skill of the pilots amongst so many balloons was nothing short of masterful.

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The rock and cave formations of Cappadocia are impressive. Our group was able to attend Sunday services in a rock grotto approximately seventeen centuries old, with graphics hand painted on the walls and wax from centuries of candles poured over the altar and

flooring. Early Christians worshiped at this particular site similar to the catacombs of Rome.

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We flew to Kusadasi. We spent time in the ruins of Aphrodisians in the Aegean area as well as Ephesus. Perhaps the most famous of the ruins is The Library of Celsus built by Consul Gaius Julius Aquila A.D. 11-117. The ruins are immense and include Greek and Roman influences. Also situated nearby is the Temple of Hadrian and the Gate of Hercules. The photographers in the group had much to choose from.

Several evenings were spent at cultural concerts including an evening in a stone carved monastery where we attended a ceremonial ritual by Turkish Whirling Dervishes complete with musical instruments. This among the stone "chimneys" of Goreme. (Rock Formations). The dervishes performed what is known as "sema" founded on the writings of the Sufi mystic Rumi. The area was settled by the Hittites and later became the capital of the Roman Pontus Kings. Exotic and hypnotic to say the least.

Another evening consisted of four or five hundred people again from many different countries attending a concert of folk dancing and music, great food, and the evening capped by a classical belly dancer who brought a group of men on stage to learn the art. Everyone had a lot of laughs at the expense of audience conscripts who were good sports about it all. The food was Turkish in flavor and diversity, the wine flowing, and

no one went hungry.

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We also attended the famous white travertine terraces at Pamukkale a location of thermal waters next to Hierapolis. When Hierapolis was ceded to Rome, Roman baths followed as a matter of course. The ruins are very impressive and provide an insight into the genius of Roman engineering and plumbing skills. Today the location attracts clients world wide who enjoy the thermal waters and health spa.

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Finally I must speak of Istanbul. Turkey is the only country in the world where Asia and Europe meet. Istanbul is the city that best reflects eastern and western cultures integrating in apparent harmony. The cultural diversity is evident and remarkable. There is no state religion in Turkey, however all religions are free to worship without interference. However public proselytizing is not tolerated.

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Turkey is striving to become self sufficient. Tourism exceeds thirty five million people per year, and the goal is to reach fifty million within the next ten years. Their primary draw is cultural melding of Byzantine and Turkish influences, architecture, food, mountains and seashores, and relatively inexpensive holidays. Currency is the Turkish lira, but US and Canadian cold cash works well especially when bargaining in the bazaars. We have car salesmen in Canada, they have carpet salesmen in Turkey.

See photos on the  
SDLA website

[www.sdl.ca](http://www.sdl.ca)

## TREASURES OF TURKEY OCTOBER 2011

Istanbul is a city of twelve million people. Our hotel was located in the old section of the ancient city of the Sultans. Sultanahmet. Located here is the famous Blue Mosque with its' elegant domes and minarets. It is the second mosque world wide to claim six minarets, the other being in Mecca. I was fortunate to be able to photograph this mosque in the evening sunset and morning sunrise from the roof of our hotel. Opposite the Blue Mosque is the 1400 year old Byzantine Church of the Haggia Sophia once Christian and now a state museum because of the sheer beauty of its' architecture. It contains many famous frescoes and mosaics.

In Istanbul we were guided through the famous Grand Bazaar in which there are over fifty gates, through a honey comb of tunnels all featuring every conceivable item possible. The effect is simply overwhelming. Even our Turkish guide indicated that he has gotten lost in the maze of tunnels. We toured the famous spice bazaar, cruised the Bosphorus, as well as had a permit to the Topkapi Palace. A cruise along the Bosphorus revealed water front real estate to be among the most expensive in the world. The Basilica Cisterns in Istanbul are again a remarkable feat of engineering and hydro skills. These were ordered constructed by Justinian and remain until this day.

Finally in Istanbul we had dinner on a Friday evening in the fishing village section just outside of the old city, where streets are blocked off at night, and every restaurant opens their doors to the streets. It is here that the Turkish people come to celebrate and enjoy the evening with family and friends. The carnival atmosphere is catchy, vendors tour the restaurants and streets are illuminated with thousands

of lights similar to what we do here at Christmas. Food and drink was plentiful, but uniquely Turkish in flavor and context. Authentic above all else especially the sea food, Turkish coffee, and water pipes. The variety of pastries and Turkish delights with eastern fruit and nuts, boggles the imagination.

All of us enjoyed shopping for unique and exotic items. Perhaps one of the highlights was a visit to a leather factory where some of the group were dressed with various leather coats and jackets and joined a company of professional models and had their day on stage. Another major highlight was a visit to an ancient carpet factory where we saw silk spun from cocoons, dyed stunning colours, and hand woven into the most intricate patterns of Turkish silk and woolen carpets. There were a few dollars and Visas stretched to maximums in this location. I thought that was the end of the shopping aspect of the trip however we were fortunate to visit a custom jewelry factory where the gems and semi precious stones of Turkey are used to make personalized and unique pieces. I thought some Visa cards were going to melt with use at this location.

At a very historic carpet factory, women were employed in the ancient art of carpet weaving. The Turkish state has recognized their art and has established the art as a heritage treasure. These women have daily quotas of knots to tie, but are free to choose their working hours to accommodate children and family obligations. A very progressive concept in this region. Many hundreds of women villagers are employed in weaving sections of a carpet for the company we visited. The most expensive carpet took ten years to complete and was valued at over seventy five thou-

sand dollars. It consisted of multiple silk threads dyed twelve colours of blue.

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At one of our big party nights out in Istanbul, the writer was put on stage to belly dance, I had no choice but to go along with it. However I advised the group that the photographs of this part of the tour were off limits to the Sudbury Bar. Elizabeth managed to keep a smiling face and did not deny knowing me afterwards or bother to hide under the table cloth. I lost a few pounds that evening.

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In conclusion the greatest treasure of Turkey is it's people. Among those we met was a true gem, Semih G. our guide. He went far beyond anyone that I have encountered on my various tours to the middle east. He made us feel welcome and safe. He is a cultured and educated man who appreciated our roots, while displaying the traditions of his country and culture to us. He showed an accepting face of Islam that most westerners do not experience or media does not report. All of us were touched by his genuine interests and talents. He later revealed that when the Turkish government invited a number of Supreme Court Justices from Canada to meet in Turkey he was selected to be their tour guide.

The entire group without exception appreciated the privilege we experienced. While we saw a good cross section of Turkey, and it's treasures. We met unique and interesting people who welcomed this group of Canadians with openness as well as generosity.

Tesekkur ederim. (Thank you)

Victor Frank Vere

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[www.sdla.ca](http://www.sdla.ca)

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## Sudbury District Law Association



### LIBRARY NOTES

**Thank you to Peter Bland, for his donation of older criminal codes to the law library. Peter managed to fill in the missing years in the law library collection.**

Thank you to all Library users for your prompt return of borrowed items, we appreciate not having to chase book returns.

Thank you to Nina for keeping the Library and Reading Room in such pristine condition.

The SDLA Library Committee has approved the purchase of Halsbury's Laws of Canada.

"Halsbury's Laws of Canada builds on a century of tradition to combine definitive legal information with an enhanced design and clean, easy-to-follow page layouts for quick access to the answers you need."

- \* Comprehensive summary
- \* Black letter statement of the law
- \* Durable, portable and easy to handle
- \* Superior table of contents
- \* Extracting the key points
- \* Generous use of headings and subheadings
- \* Bolded descriptors at the beginning of paragraphs
- \* National scope and jurisdiction-specific commentary
- \* References strategically consolidated

### Executive of the SDLA

President: Dawn Dubois (705) 566-3113 ext. 2461

1st VP Trevor Kestle (705) 675-7503

2nd VP John Michael Bray (705) 673-1200

Treasurer Alex Kurke (705) 564-7698

Secretary Michael Venturi (705) 674-6421

Past President Gary McMahon (705) 674-1332

### ANNUAL GENERAL MEETING 2012

THE ANNUAL GENERAL MEETING HAS BEEN CALLED FOR FEBRUARY 8TH 2012, AT NOON, LOCATION TO BE ANNOUNCED.



### Library Year End

2011 has been a busy year for the library staff. The services your library staff provide to all lawyers who walk through the library and reading room doors, keep us busy and rewarded with the satisfaction of knowing that what we as library staff do on a daily basis makes a difference in your practice.

With the coming budget year you will no doubt notice that many of the loose leaf subscriptions services will not be updated. The decisions to cancel many updating services were made by the SDLA Library Committee at a meeting December 6th 2011. Going forward into 2012, the Library Committee will be investigating electronic access to other databases, which will provide currency without the need to file the loose leaf updates.

Also the Library Staff will be purchasing

more stand alone titles and single annotated works.

As always library staff is open to your suggestions for purchases.

The purchase price and upkeep of the loose leaf updates has become prohibitive.

The SDLA Library Committee members are: Chair : Jackie McGaughey-Ward, Jean Jacques Paquette, Jerome Gardner, Ron Swiddle, Alesia Sostarich and Patricia Meehan. The Library Committee meets during the calendar year and reports to the SDLA Executive.

Should you have any questions or concerns regarding library services now or in the future, feel free to direct your comments to any member of the SDLA Library Committee.

*Rannah*