



SDLA LEGAL BRIEFS NEWSLETTER

SUDBURY DISTRICT
LAW ASSOCIATION

SDLA LEGAL BRIEFS

SEPTEMBER 2012

COLLOQUIUM 2012 BY LUCILLE SHAW

Colleagues, you have all received a number of notices with respect to the second annual Northeast Ontario Legal Education Seminar scheduled for October 25 and 26, 2012, at the Holiday Inn in Sudbury. This annual conference will now be referred to as the Colloquium. (Colloquium is a conference at which scholars or other experts present papers on, analyze and discuss specific topics.) This new branding of the conference is thanks to the creativity of Michael Hennessy.

This year's conference can truly be considered a conference organized by lawyers from the Northeast for lawyers from the Northeast. This year's organizing committee includes Erin Cullin from Wallbridge, Wallbridge in Timmins. The Corporate Law session has been organized by Orlando Rosa and Gord Acton from Wishart Law Firm in Sault Ste. Marie. We also have speakers from Sault Ste. Marie, Timmins and North Bay participating in the conference. In addition, we have numerous judges, both from the SCJ and the OCJ, who have generously donated their time to participate in this two-day program. We are fortunate to also have the support of the Crown Attorney's Office, who is contributing session leaders and speakers to the program.

We also have a number of speakers from outside of this region who will be attending the event. For example in the Criminal Law session, we are privileged to have Mr. Alan Gold attending to speak. In the Family Law session, Mr. Philip Epstein will be one of the speakers. There are in fact, too many excellent speakers to list but you will find all of that information in the brochure which can now be accessed through the SDLA webpage at www.sdla.ca

Each session has a unique mixture of speakers drawn from all parts of the province as well as members of the judiciary.

In addition to substantive areas of law, this year, we will also be offering more specialized programs. For example, we are offering programs specifically geared to younger lawyers and those not so younger, who are looking at transitioning out of the practice of law.

If you have not already done so, please go to the SDLA website, at www.sdla.ca to find a link to the brochure (designed and created by Michael Hennessy) which sets out in detail the schedule and a list of the sessions and speakers. From the webpage you will also be directed to the Registration Form. I can assure you that registration now takes less than thirty seconds. You simply click on the programs and the meals that you wish to attend and then select your method of payment. You will automatically be registered in the program. This material has been sent to well over 400 lawyers in the Northeast region this year.

This year we will be hosting two lunch speakers and one dinner speaker. We welcome back Mr. Justice Robert Maranger, SCJ, who will be speaking at the Thursday lunch program. As most of you are aware, Mr. Justice Maranger presided over the R. V. Shafia trial in Kingston this year which gained international attention.

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and 28th

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Sudbury Court House

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COLLOQUIUM 2012

LUCILLE SHAW

We are honoured to welcome the Honourable Mr. Justice Binnie (retired Supreme Court of Canada) who will be speaking at the dinner on Thursday evening. This event is open to lawyers and guests. The dinner with Mr. Justice Binnie is being sponsored by the Advocates' Society.

The Sudbury District Law Association will host a hospitality suite to follow the dinner.

On Friday afternoon we are pleased to have worked with the University of Sudbury and University of Ottawa who will be sponsoring a lunch with the Honourable Madam Justice Louise Charron (retired Supreme Court of Canada).

This program has taken twelve months to organize and it could not have been done without the hard work and commitment of the organizing committee, which includes Justice Patricia Hennessy, Lucille Shaw, Gerry Brouillette, Erin Cullin, John Michael Bray, Ian Sinclair, Geoff Jeffery, Bridget Jokitalo, and Rannah Sopha. I am sure you will agree, based on the quality of the program, that such a conference could not have been organized without a great deal of time and effort from the organizing committee and also from the session leaders. The session leaders worked hard to ensure a high quality program for the Northeast region.

Lastly, this program would not have been possible if not for our sponsors, which includes McKellar Structured Settlements, who is the event sponsor. There has been a great deal of support from law firms throughout the Northeast region.

Again I direct your attention to the brochure, which lists all of our sponsors.

If you have not already done so we urge you to register for the program online. I am sure you will find the online registration format extremely accessible and convenient.

We look forward to seeing you on October 25th and 26th.

Lucille Shaw

Organizing Committee

col*lo*qui*um

[kuh-loh-kwee-uhm]

Noun, a conference at which scholars or other experts present papers on, analyze and discuss specific topics.

In a mad display of hubris, we'd like to establish

COLLOQUIUM

as the **brand** for this and future SDLA CPD programs, especially this two day extravaganza in October.

Where did this originate? Can't be sure. Probably a committee, with at least one Latin speaker, one MBA, and an accredited mixologist.

ROLSTON RETIREMENT: REFLECTIONS

MICHAEL HENNESSY



The day book prompt was unpropitious. "Bill Trotter, @Weaver, Simmons" in the 5:30 p.m. slot for the June 18, 2012 column. It might more informatively have read: Collegial wine and cheese get together to honour William T. 'Bill' Rolston Q.C. aka the Silver Fox on the occasion of his retirement and 50 years of service as a practicing lawyer in Sudbury.

On arrival at the 4th floor of the Brady Street office the place was abuzz. A generous crowd filled the foyer, reception area and boardroom of Weaver Simmons. Small groups in conversation were generating sound levels just shy of a rock concert. Everyone else must have marked 5:00 p.m. in their day books.

For many it may have seemed like a reunion, or old home week; a face time renewal of professional acquaintances, and friendships. Over glasses of wine and nibbles from La Fromagerie folks mingled and chatted. Veteran lawyers, new calls, judges, retirees, students, staff and Bill's family were taking this opportunity not only to celebrate with Bill, but to catch up with colleagues and friends.

The formalities MC'd by Jim Simmons were brief. Normally this would call for the adjective 'merciful'. In this case though, the nod to brevity flirted with being a nod to inadequacy. Richard Humphrey, RSJ (NE), OJ gave the keynote remarks. It was an admirable effort to give a syn-

opsis of a remarkable 50 year career in less than 15 minutes.

As a former long time partner and friend, Richard was the right person to speak about Bill. That comments about the first half of Bill's life were hearsay did not detract from the genuineness of his complimentary remarks.

Justice Humphrey gave some flavour of the man. His excellent reputation as a lawyer was one that was earned; by hard work, by integrity, by compassion, by intelligence, and by good fun. Bill Rolston was a credit to his profession and his community. But even Humphrey was alert to the inadequacy of his own remarks. He suggested that what was needed was for Bill to write a book about the stories of his life. Fittingly Richard presented Bill with a gift of a special pen, encouraging him to get on with the job of writing such a book.

Rolston used the opportunity of reply in a gracious manner. He acknowledged the people he had worked with over the years with heartfelt appreciation. He recounted how he came close at the beginning of his career to signing on with the Facer, Shea firm in Sudbury (the predecessor firm to Weaver, Simmons) before taking a job with his long time partner Ron Warren. Even with the odd anecdote thrown in though, for this correspondent there seemed to be some big pieces missing.

There were the odd allusions to the pieces I am thinking of. Rolston noted how he had attended a one room school in Sheguiandah, on Manitoulin

Island, attesting to his Hawaiteer status. Humphrey had slipped in a line about how Bill had taught him how to leg wrestle (humbly omitting that he, Richard, held the champions belt for leg wrestling at a number of consecutive Laine Realty Christmas parties in a different era). Simmons had noted that one of Bill's most endearing attributes was his facility at being one of the hardest party guys, and then being the first in the office not many hours later.

I have heard some of the other stories about Bill. They are the stuff of legends. I hope they are not lost. We can only hope that he puts his gift pen to the use for which it was intended.

Bill closed his remarks to the friendly crowd, all the while eyeballing Jim, with a speculation that hints at the mischievous nature of the man. It was just as well he figured, that he had not taken the articling position with the old Facer, Shea firm. For had he taken the job, and stayed on the firm would now be called Weaver, Rolston.

Not one listener was chagrined about the 'might-have-beens'. Bill Rolston has had an enviable career that would make any lawyer proud. We wish him all the best in his well deserved retirement.

Michael Hennessy

Photo courtesy of
Weaver, Simmons LLP

GOLF 2012

The SDLA annual golf tournament was held this year once again at Cedar Green on August 10th. Forty-one enthusiastic golfers participated in what turned out to be a very windy tournament, but thankfully the rain held off until all of the golfers were finished.

Once again Berk Keaney carded the lowest score, shooting a 77, which was quite commendable under the conditions.

In hot pursuit of Berk were both Bob Beckett and George Fournier, who scored 81 and 84 respectively.

Trish Sullivan achieved the low score on the women's side.

After having gone missing in 2011, the championship trophy resurfaced this year having been repaired and restored to its former glory so that there actually could be a formal trophy presentation.

In addition, now being able to enjoy the fruits and leisure of retirement living, Michael Mensour returned to competitive golf at the lawyers' tournament, and along with him he brought the infamous Big P trophy which had been relegated to politically correct retirement in 1988. But enough said about that trophy and its recipient.

Unfortunately, the number of participants at this year's tournament was once again somewhat disappointing. This again meant that those who did attend received the benefit of

not only an enjoyable day on the links, and a convivial breaking of the bread with fellow lawyers, but all were able to select a substantial amount of swag from the prizes that had been gathered and donated for the tournament.

Discussions were held with various participants, and among other organizers, as to how we could encourage larger participation. Suggestions included a best ball / scramble approach for those who did not want to seriously pursue the championship trophy. Other suggestions focused on the date, and further input would be welcomed in that regard but with notice being provided a year in advance, it is difficult to see how going to any different date would improve the attendance. Either people want to take part in SDLA activities and set time aside for that or apparently they have other priorities.

At this point in time the planning is for next year's tournament on Friday, August 9th, 2013, a day which may present even additional challenges for the superstitious.

However we are hopeful that more members will decide to set this afternoon aside to take part in the tournament, and to interact with their fellow members to advance the cause of collegiality among the local Bar.

Again we would like to thank all sponsors who donated and/or contributed to this year's tournament, with a special thanks to McKellar Structured Settlements Inc. and Nor-Ont Court

Reporting for their very generous donations.

I would also like to thank all those who did participate, and in particular those at Miller, Maki who worked hard in various organizational aspects, and who made the calls and attended for the pickups to secure prizes that I hope the members enjoyed as part of the tournament process.

Michael P. O'Hara
Miller, Maki

LIBRARY NEWS

As we enter the final quarter of the library's fiscal year, you may note that your collection is in top shape. Throughout the year Nina has been busy updating as many loose leaf titles as the budget would allow us to purchase contents for.

Going forward from Jan 1st 2013, the Library Committee will take another look at the updating of loose leaves. As you may gather the cost of loose leaf updating services has exploded into an almost "luxury" status. Your law library budget as funded by LibraryCo was increased by 2% in 2012.

The LibraryCo Toolkit access via the library computers has links to LexisNexis QL, Halsbury's Laws of Canada, Canadian Forms and Precedents, and many other electronic links, including Criminal Spectrum which has full text of the following core list criminal practice titles:

Canadian Criminal Procedure—Salhany

Criminal Pleadings and Practice—Ewaschuk

Drug Offences in Canada—MacFarlane

McWilliams Canadian Criminal Evidence—Hill, Tanovich

Sentencing—Clewley, McDermott & Young

Youth Criminal Justice Act Manual—Bloomfield & Harris

A veritable cornucopia of criminal practice manuals available with one electronic link on the LibraryCo "toolkit."

Rannah



OPEN LETTER TO THE SUDBURY BAR

September 2012

RE: Looking for law clerks?

Dear members of the Bar,

I have been teaching in the Law Clerk Program at Collège Boréal for 23 years. We have graduated many law clerks to assist you in your busy practices, some of whom may have completed a placement with your office or may be currently working in your firm.

Every year we receive calls from local law firms looking for law clerks and every year we have a recurring problem; we do not have enough graduates to fill the number of law clerk positions in the Greater Sudbury area. I may have had this discussion with you personally within the past twelve months. We are therefore constantly looking for strong candidates to fill our program so that we may continue training competent law clerks for you.

I am writing at this time to ask whether you know any bilingual or immersion students (high school, COOP, adult students or other) who would like to pursue a career as a law clerk. If so, would you kindly refer them directly to me? I appreciate your assistance in our efforts to provide your firms with competent law clerks.

Sincerely,

Roxanne M. Ranger B.S.W., LL.B., M.A.
 Professor Law Clerk Program / Programme d'Adjoint juridique
 Collège Boreal
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The Witness by Charles Bragg

