



Polar

Barristers

ANNUAL GENERAL MEETING



Past President, Sue Cooper with Maurice Laprairie of the Federation and Susan McGrath of the Canadian Bar Association

The Law Society of Nunavut held its annual general meeting on February 8th, 2003. The agenda was long and so was the day. The membership can expect the minutes with their membership renewal forms.

OUR NEW BOARD MEMBER FOR THE NEW FEDERATION

The Federation of Law Societies is undergoing a major restructuring. After much ado, it was agreed that each Law Society would have their own representative on the new board instead of being grouped by geographical location with one shared representative. While it was left to each Law Society to pick who would best represent it, the consensus reached at a Federation meeting in December, 2002, with the Presidents of the Law Societies, was that this person should have strong ties to that Law Society and its Executive so as to be able to speak with some authority on emerging issues. As our out-going Vice-President, Doug Wallace fits the bill and was so appointed by the Executive in February, 2003. Doug graduated in Arts from Carleton University in 1962 and took his Common Law and some graduate studies in Civil Law at the University of Ottawa. He was called to the Ontario Bar in 1967

FULL-TIME JUSTICE IQALUIT, Nunavut

On February 3rd, 2003, Minister of Justice Paul Okalik and Senior Judge Beverley Browne announced the appointment of Alexina Kublu as Nunavut's first full-time Senior Justice of the Peace.

Ms. Kublu was born in Igloolik, and is well known in Iqaluit, both as a Justice of the Peace and an instructor with the Nunavut Arctic College. Ms. Kublu has a B.Ed from the McGill University and over 20 years experience teaching both children and adults. She has also participated in the production of seven books on traditional Inuit knowledge.



NEW BOARD MEMBER CONTINUED:

and practiced for many years in Ottawa, both in private practice and as Director of Legal Services and City Solicitor for the City of Ottawa. He was admitted to the Nunavut Bar in 2000, and has practiced with the Government of Nunavut as Director of the Legal and Constitutional Law Division since that time.

AKITSIRAQ NEWS

Since Debra Ram, who has been the Law Society's representative on the Akitsiraq Board is leaving the North, we need someone to replace her. If you are interested, please contact the office at 979-2330.

MEET YOUR NEW EXECUTIVE

Your New President - Patrick Smith:

I rose from humble beginnings on the shores of Lake Ontario, in a city known for its steel. An uneventful childhood led to rambunctious teenage years. My two years of engineering study gave way to my first calling – the magical world of movies. Working in the bustling metropolis at the center of Canada, I honed my skills in theater management. In the midst of all the glamour and glitz of showbiz, my philosophical quest began at the Ivory Towers located in the Royal City. My second, and true calling happened a few years into this quest and I found myself off to the City of Champions, to begin preparations for my entry into the noble profession of law. Upon the completion of this rite of passage, one hurdle remained and amongst the skyscrapers built with oil, a gentlemanly sage took me under his tutelage. The MacNeil of Ho MacNeil Jenuth guided me to the bar in the final year of the millennium. Bidding farewell to my mentor, I traveled up the highway to the heart of Alberta farmland and had a cup of coffee with the fine established firm of Chapman Riebeek. I answered the call of the North early in 2000 and I now find myself on the shores of Hudson Bay, in the Hamlet built around nickel, plying my legal services as a family lawyer for the wonderful people for Nunavut.

Your New Vice-President – Marian Bryant:

Marian is a Crown Prosecutor with Justice Canada in Iqaluit. She also has experience as defense counsel, appearing at all levels of court. She has been a member of the Joint Library Committee of the Law Society of Alberta, a bar course instructor for the Law Society of Alberta, a member of the Regional Committee of the Legal Aid Society of Alberta, Chair of the Criminal Justice South Section of the Alberta branch of the C.B.A. and a member of the Provincial Gender Equality Committee. Marian has also written a couple of books for Carswell, chapters in the C.E.D. on Criminal Procedure, Young Offenders, the Controlled Drugs and Substances Act and Constitutional Law and articles in journals.

Your New Treasurer – Sue Cooper:

Sue graduated from the University of Alberta Law School in 1987. She articulated and worked for several years in Yellowknife, doing a lot of work in the Baffin region as well. She moved to Iqaluit in 1993 and is currently in private practice as a partner in the firm of Chandler & Cooper. Sue was on the Executive of the Law Society of the Northwest Territories and also sat on a number of committees. While in Iqaluit, Sue became involved with the Nunavut Bar Association, the Law Society's predecessor. Sue has been on the Law Society's Executive since 1999 and is the Law Society's appointee to the Judicial Appointments Committee. Sue is also involved in the National Criminal Defence Lawyers Association and is a director of the Canadian Civil Liberties Association.



Your New Member-at-Large - Michael N. Jones:

Michael was born in Ottawa, and attended Carleton University (BA Honours '75) and Queen's University (LLB '78). He was called to the Ontario Bar in 1980 and was in general practice in Ottawa until 1992. He was called to the Bar of Newfoundland and Labrador in 1992 and worked as a Crown Attorney in Harbour Grace (1992-1995), Grand Falls-Windsor (1995-1997) and as Senior Crown Attorney for Labrador (1997-2002). He joined Justice Canada in Iqaluit in August of 2002.

Your New Lay Member – Mina Meeko:

I worked at the Sanniit Cooperative buying and selling eider down. The community owns this store and we also sell sewing material and kits. I enjoy making things. I enjoy the sense of accomplishment. I like to take walks to help me maintain my focus in life. I like new challenges so that I can learn from them. The Law Society is very different from anything else that I do, but there should be someone who is Inuk involved so that we can learn from each other. I want to serve Nunavummiut and the people I am working with.

WANTED:

Cases, Decisions & Judgments

Background:

After some gentle, but much needed prodding by Justice Kilpatrick, the Editorial Committee of Nunavut is now up and running and ready to go. Well almost ready to go. While our committee has the framework for accepting and processing your suggestions of worthwhile cases, no decision has been made as to which reporter series or electronic database will publish Nunavut judgments.

Of course, we would like to report every important decision coming out of our Court; however, this is not possible at this time. Right now our greatest challenge will be funding the transcripts to be used for publication. Unfortunately, most decisions will have to be ordered through our committee since most judgments are given orally by our Court. As such, we will have to be selective regarding our case selection.

With this in mind, we have developed a two-staged process for selecting and preparing our case law for publication.

Stage One (Intake):

Perhaps we should rename this stage to 'For Your Consideration'. Much like the Academy does with Oscar hopefuls, we will take suggestions from our Members to consider those cases they deemed worthy enough to submit. Unlike the Academy, we will not be swayed by full-paged ads in *Variety*.

We will take the member's suggestion of a particular decision and from that point consider ordering a transcript. The member should provide reasons as to the importance of the case. These reasons should include a brief description of the point of law that the case helps define or expand, and the nature of the issue(s). Once our committee is convinced that a particular case does improve the jurisprudence of Nunavut, then a transcript will be ordered for further



consideration and editing. (Members may be subjected to an intensive interrogation on the merits of their suggestion; or a brief follow-up call from a member of the committee – whichever method time permits).

Stage Two (Preparation):

While it is questionable whether some of the Academy even views the Oscar nominees, our committee will not fall into this disreputable practice. We promise that we will watch all of the movies nominated, along with many that were not. As for the transcripts, we will carefully review each one to ensure that that particular decision does indeed offer a new perspective on an issue in Nunavut law.

Once it has been agreed that a case should be reported, then the committee will edit and prepare the transcript for publication. At this point, it is the intention of the committee to standardize the judgments before publication. In this way, our case law will be consistent throughout the published world. Style of cases, headnotes and paragraph numbering should be the same whether the case is pulled from CanLII, Carswell or Quicklaw. That is the goal anyway.

The Need:

We need important and unique cases for consideration. If you are aware of any case law that is important to your area of practice, please submit your suggestions to our committee for consideration.

To make a suggestion, you can: contact a committee member; e-mail Gary Pon (Gpon@GOV.NU.CA) or Patrick Smith (ptsmith@nulas.ca) with your suggestions; or complete a request form available at participating outlets. [Forms have been developed for quick and easy suggestions by members on circuit. These forms will be circulated through Court Services, the Crown's office and Legal Aid. Simply complete the form and return it to the Court party and it should find its way back to Gary Pon.]

We also need volunteers for the various duties of the committee - even if it is to review a transcript once and a while. If you would like to participate in this project, please contact the Law Society.

Final Word:

As in Hollywood, money dictates the scale of the project. As of February 2003, no funding has been confirmed for this project. While this committee was brought under the Law Society's wing at the most recent AGM, funding obligations by the Law Society have not yet been determined. Further, a slight portion of the Law Library's budget is earmarked to this endeavour; however, much of that will be consumed by the initial stages of this project.

Needless to say, until we get a sense as to the quantity of cases to be considered and the amount of funding available, our committee will have to be quite selective with your suggestions and with the number of transcripts we request. Yet, with the cooperation of our members and some creative work by the committee, I am confident that the cases reported will properly reflect the unique jurisprudence coming from within our jurisdiction.

Small budget and grand visions – almost sounds like a film from Miramax.

Thank you in advance for any time and effort you commit to this project.

- Patrick Smith