

**LAW SOCIETY OF NUNAVUT
2014-15 ANNUAL GENERAL MEETING
MARK MOSSEY'S REPORT AS PRESIDENT OF THE LAW SOCIETY OF NUNAVUT**

Dear Members of the Law Society of Nunavut:

It has been an honor serving as President of the Law Society of Nunavut over the past year. Not only have I had the privilege of working with a dedicated and talented executive, I have been supported in this position by so many members who have graciously volunteered countless hours to better our Society through committee work, student education and public outreach programs. The LSN is consistently recognized throughout the Federation of Law Societies for its initiatives and accomplishments and this is due to the make-up of our membership and the leadership of our CEO and staff. For all of your efforts, I thank you.

Please accept this brief summary as my report highlighting a number of the LSN's affairs over the past twelve months:

Home Grown Justice: It has been recognized throughout Canada that the key to increasing the number of lawyers in rural, remote and northern locals is to institute programming that attracts articling students and young lawyers. It is easier to retain legal professionals who have started their careers in jurisdictions such as ours than it is to attract lawyers in the middle or later stages of their careers.

With such an understanding, it is so exciting to see that the LSN will soon welcome five new members to the Bar who have articulated in Nunavut over the past year and who have successfully completed the Canadian Centre for Professional Legal Education (CPLED) articling program. The CPLED courses were taught and administered by local practitioners with the support and guidance of the Law Society of Manitoba. By administering the course in Nunavut, which would not have been possible without the tremendous efforts of our members who volunteered so many hours, our students were able to remain in the Territory full time during their articles meaning they did not have to incur the significant expense of writing another jurisdiction's bar exam.

The articulated students have gained wide experience in-house, in the private sector, with government, the Nunavut Court of Justice, Legal Aid and the Public Prosecution Service of Canada. Never in our brief history has the LSN been able to offer such a program or reap the rewards of welcoming so many new lawyers to our Bar at the same time. Growing our resident bar is the key to increasing meaningful access to justice, and this program will play a significant role going forward in this regard.

Increased administrative services at the Law Society of Nunavut – Recognizing the growth our society has experienced over the past number of years and the additional demands both in and out of the Territory of our CEO, we listened to the concerns of our membership and placed an emphasis on increasing the capacity of our head office. In January of this year, we welcomed Jesse Gaw as the LSN new lead administrator and

we have not looked back. It has been a pleasure working with Jesse. His professionalism, skill set and devotion to the LSN have already rendered significant results.

It is not always communicated to the membership clearly, but the role our CEO plays on the national scene is invaluable to the LSN and its initiatives. Through Nalini's efforts, the LSN has built meaningful relationships with many of our sister law societies. From gaining the support and assistance through the CPLED program in Manitoba, to obtaining guidance on disciplinary procedures from Upper Canada, to forging access to justice partnerships in Nova Scotia, Nalini's efforts allow the LSN to better regulate the profession in Nunavut in the public interest.

Nalini's efforts have also raised our profile nationally which ensures our voice is not only heard, but listened to at the Federation on topics such as National and Territorial mobility and Trinity Western.

These accomplishments come at a significant cost however as Nalini is often burdened with a heavy travel schedule. By bringing Jesse on board, we have been able to ensure the demands placed on our CEO do not take away from the proper functioning of the office.

Increased professional development and learning opportunities for resident members – This year the two year pilot project on mandatory continuing professional development (CPD) came to a conclusion and 12 hours of CPD per year are now required of the membership. The LSN has recognized the need to provide local CPD opportunities to its membership and has been successful in offering a number of sessions to date, free of cost. I would like to thank the Nunavut Law Foundation for their on-going support in financing these programs. These sessions will continue going forward and we are confident that each resident member will be able to complete the 12 hours of CPD required through local programming. Recognizing lawyers are resident in Rankin Inlet and Cambridge Bay, the LSN has committed to ensuring toll free conference call lines are open for all of these sessions.

Trinity Western University application – As is no surprise, the debate surrounding Trinity Western University's ("TWU") proposed law school continues as we approach the second half of 2015. As Stephen Mansell reported to you last year "The Executive has discussed and researched the application at length and reviewed the decisions of the Federation of Law Societies and the provincial law societies". This past year has seen further debate and research both in Nunavut and nationally about the validity of the proposed school. Since the last time we convened as a society, there have been important developments on this issue. Not only has the British Columbia government reversed an earlier decision to provisionally approve the school, the Nova Scotia Supreme Court in *Trinity Western University v. Nova Scotia Barristers' Society*, 2015 NSSC 25, allowed a judicial review, brought by TWU, finding against the Barristers' Society on a number of grounds for refusing to accredit TWU.

With an appeal filed in Nova Scotia and litigation on-going in both Ontario and British Columbia, the LSN Executive has looked to its membership for patience as we guide the society through this issue. There is no question that judicial guidance will be given to the nation by the Supreme Court on this matter. To avoid the potential of costly litigation should we predetermine this issue, the Executive believes that we must be directed by what the SCC will say in response to litigation which is being carried by larger law societies more suited to bear the brunt of the costs and resources associated with litigating one of the most divisive issues we have faced in the profession.

This is not to say that we are doing nothing to properly position ourselves as the debate continues. Having held consultations with our membership earlier this year, the LSN has struck a committee, composed of Thomas Ahlfors (Chair), Steven Cooper and myself as an *ex officio* member, to investigate the issue and provide recommendations to the Executive on the proper path forward. Having met, the committee's work is still in its infancy but I look forward to this work and bringing recommendations forward which will best serve the interests of the public and our membership.

I want to conclude by thanking you for the honour and opportunity to lead the Society this past year. I am convinced that the LSN is strong and is well positioned to grow in terms of numbers and organizational capacity in the coming years. I am very much looking forward to working with the new President and Executive over the next 12 months as this important work continues.

Sincerely,

Mark Mossey
President
Law Society of Nunavut