

THE MANITOBA
BAR ASSOCIATION

The voice of the legal profession



L'ASSOCIATION DU
BARREAU DU MANITOBA

La voix de la profession juridique

MANITOBA BRANCH OF THE CBA / DIVISION MANITOBAINE DE L'ABC

2006
ANNUAL REPORT
RAPPORT ANNUEL

Executive Committee 2005-2006

President.....John Stefaniuk
Vice-President.....Antoine Hacault
Secretary/Treasurer.....Anthony Kavanagh
Communications/Public Relations
.....Barry Effler

Membership/Member Services
.....Michael Law
Past PresidentVeronica Jackson
Executive DirectorStacy Nagle

Elected Council 2005-2006

WINNIPEG JUDICIAL DISTRICT

Kim Antonio
Derek Booth
Katherine Bueti
J.J. Burnell
Karen Clearwater
Robert Dawson
Barry Effler
Michelle Gallant
Adam Herstein
Joan Holmstrom
Sarah Inness
Anthony Kavanagh
Christina Kopynsky, Q.C.
Michael Law
William Malcolm
Ken Mandzuik
Ralph Neuman
Sandra Phillips
Michelle Redekopp
Brad Regehr
Jacqueline St. Hill
Dean Scaletta
Priti Shah
Barbara Shields
Grant Stefanson
Josh Weinstein
Ken Zaifman

MLSA Representative

Allison Fenske

CPLED Student Representative

John Martens

CENTRAL JUDICIAL DISTRICT

Diane Stevenson
Avaline Widmer-Thrush

EASTERN JUDICIAL DISTRICT

Gérard Simard

WESTERN JUDICIAL DISTRICT

Scott Abel
Tammy Baryluk
Richard Lonstrup
Wendy Stewart

NORTHERN JUDICIAL DISTRICT

Annette Horst

DAUPHIN JUDICIAL DISTRICT

Therese Koturbash

STAFF

Executive Director - Stacy Nagle
Executive Assistant – Melissa Tannahill
Law Student – Elona McGifford

Special Thanks to MBA Organizers

Nos bénévoles sont toujours au cœur de nos activités et leurs efforts sont grandement appréciés. Where would we be without our volunteers? A special THANK YOU to everyone who has made and continues to make things happen for the MBA. They are too numerous to mention but they include the following individuals:

Bar Bonspiel

Kerry UnRuh & Dana Kochan, *Tournament Organizers*

CBA Companies – Manitoba Representatives

- *Canadian Bar Insurance Association:*
Chrys Pappas, Q.C. (Past-President)
Jeffrey Harris (Director)

CBA Standing Committee Members – Manitoba Representatives

- *Continuing Legal Education*
Karen Wittman
- *Equality*
David Matas
- *Judicial Compensation & Benefits*
Richard Buchwald
- *Law Day*
Corrine Kulyk
- *Legal Aid*
Veronica Jackson
- *Membership*
Antoine Hacault, *Vice-Chair*
Michael Law
- *Pro Bono*
Byron Williams
- *Supreme Court of Canada Liaison Committee*
Wayne Onchulenko
Sandra Phillips

Francophone Affairs Committee

Antoine Hacault, *Chairperson*

Future of Law in Manitoba Committee

John Stefaniuk, *Chairperson*
 Jessica Arnett John Barr
 Ted Bock Deryk Coward
 Allan Fineblit, Q.C. Duncan Fraser
 Debra Giesbrecht Keith Labossiere
 Rick Literovich Krista Piché
 Jacqueline St. Hill Dean Harvey Selter
 Brenda Silver Grant Stefanson
 Dan St-Jean Michael Walker
 Associate Dean Lorna Turnbull

Law Day Organizing Committee

Corrine Kulyk, *Chairperson*
 Kim Antonio Debbie Baker
 Paulette Desaulniers Karen Fulham
 Beth Olson Nalini Reddy
 Omar Siddiqui Mary Troszko
 Kelly Wilson Graeme Young

Lawyers Professional Assistance (Lawyers Helping Lawyers)

Myfanwy Bowman, *Chairperson*

Manitoba Law Foundation

MBA Board Representative

Barbara Shields as of November 2004

Manitoba Law School Foundation Board

Wayne Onchulenko Veronica Jackson

MTC/MBA Joint Production – *Inherit the Wind* Cast

Krista Boryskavich.....Mrs. Blair
 Jessica Cogan.....Rachel Brown
 Paul Cooper.....Tom Davenport
 Marcia Dzik.....Mrs. McLain
 Duncan Geisler.....Reporter
 John Harvie.....Mayor
 Sean Hicks.....Meeker
 Cynthia Hiebert-Simkin.....Sarah Brady
 Jeff Hirsch.....Judge Brown
 Jamie Jurczak.....Mrs. Cooper
 Mark Kantor.....Bertram Cates
 Robin Kersey.....Bollinger/Harry Y. Esterbrook
 James McLandress.....Reverend Jeremiah Brown
 Candray Mehkary.....Mrs. Loomis
 Ron Meyers.....Elijah
 Sabrina Montefiore.....Mrs. Goodfellow
 Lyndee Patterson.....Melinda Loomis
 Brad Regehr.....Jesse Dunlap
 Stephen Robertson.....Howard Blair
 Evan Roitenberg.....E.K. Hornbeck
 Priti Shah.....Mrs. Krebs
 Christopher Sigurdson.....Bannister
 Murray Sinclair.....Henry Drummond
 Lyle Smordin.....Matthew Harrison Brady
 Paul Taylor.....Hot Dog Man
 Mark Toews.....Mr. Goodfellow
 Jon Wooley.....Sillers

Mid-Winter Conference Committee

Karen Clearwater, *Co-Chair*
 Karen Wittman, *Co-Chair*
 Melanie Bueckert
 JJ Burnell
 Shannon Carson
 Lisa Cupples
 David Davis
 Antoine Hacault
 Jason Hamilton
 Annette Horst
 Jamie Jurczak
 Paul McDonald
 Sofia Mirza
 Sacha Paul

No-Fault Automobile Insurance Committee

Robert Dawson, *Chairperson*

Pitblado Lectures

Priti Shah, *MBA Liaison*

Court of Queen's Bench & Bar Liaison Committee

The Honourable Mr. Justice Robert Carr, *Chairperson*

Provincial Bench & Bar Liaison Committee

The Honourable Judge Ron Meyers, *Chairperson*



John Stefaniuk

PRESIDENT'S REPORT

This past year has been a good year for the Manitoba Bar Association (MBA), which has continued to provide excellent service to its members through the good work and sound financial stewardship of MBA Executive Director, Stacy Nagle and her assistant Melissa Tannahill, all under the watchful eye of a competent, dedicated Executive, an engaged Council and a host of volunteers from

every practice area and every region in Manitoba. No single issue dominated the MBA agenda this year, which allowed the Executive to turn its attention toward the finalization and implementation of the MBA's strategic plan. I am pleased to report that implementation of the plan is proceeding on schedule and that members are already realizing the benefits.

"Service to members" has been the MBA mantra. We have focused our efforts on member services, including ensuring that our Sections are vital and active, maximizing Section involvement, increasing opportunities for members in rural or remote locations to participate, advocating on behalf of our membership and the profession as a whole and protecting and enhancing the reputation of the profession and the judiciary.

For the MBA, it has also been another year in which our Association punches above its weight on the CBA national stage. Guy Joubert has been elected as the CBA Second Vice-President. (Blame me for the "Guy's our guy" slogan.) Antoine Hacault sat as Vice-Chair of the CBA National Membership Committee. Annette Horst chairs the

Young Lawyers' Conference. Karen Wittman has a leadership role on the National CLE Committee, as does Veronica Jackson on the Legal Aid Liaison Committee. These are but a few examples. It has been a great pleasure to work with these dedicated volunteers and the Executive and Council.

A conscientious effort was made this year to respond to media reports that unfairly criticize lawyers or judges. Although this has sometimes resulted in personal attacks on yours truly, the end results have been positive. Vitriol and rhetoric have been supplanted by a more reasoned and informative criticism, which should be welcomed as being both informative to the public and constructive in the pursuit of a better system of justice for Manitobans. We must remain vigilant and responsive.

We have continued to enjoy a collegial and even congenial relationships with the judiciary, the Faculty of Law, The Law Society of Manitoba, the Attorney General and Department of Justice. In that regard, we are the envy of most CBA branches. Our ability to work closely with each of these groups enhances our ability to deliver benefit to our membership, and is not to be underestimated.

Finally, on a personal level, this past year's service to you as MBA President has provided me with many exceptional and enjoyable experiences and has enhanced my own development as a lawyer and a member of our community. Thank you for having allowed me this time as your President. Thank you for all of your contributions to the Manitoba Bar Association and its achievements in serving as your voice, the voice of the legal profession in Manitoba.



Antoine Hacault

VICE-PRESIDENT'S REPORT

As Vice-President, I was responsible for Section activities of the Association. I would like to thank all of the dedicated branch Section leaders for their effort in organizing these meetings and ensuring that engaging presenters spoke on matters of interest to you in your areas of specialty. In 2005/2006 77 Section meetings were held and attended by 1,634 members.

In an effort to be more accessible to our rural members, the Criminal Justice Section in 2006 held a video link Section meeting. Our thanks to Manitoba Justice for providing the facilities and equipment for this meeting.

In December 2005 the MBA Council approved name changes for two branch Sections. The Gay & Lesbian Issues Section has been changed to the Sexual Orientation and Gender Identity (SOGIC) Section and the Public Sector Lawyer Section has been changed to the Public Sector Lawyers' Forum.

In my capacity as Vice-President of your Association, I was also the liaison between the Mid-Winter Organizing Committee and the Executive. I thank all the volunteers on this Committee who made the events such a success.

I am a member of the Legal Aid Advisory Committee. The Committee has been looking at adequate funding for resources to reduce the case load which depends on Legal Aid assistants and implementing a structured process with respect to the review of the adequacy of the Legal Aid tariff.

As your Vice-President, I have had the privilege of participating in a number of other activities including meetings with the Minister of Justice and Attorney General for Manitoba, the Mentorship Program, the Law School Laskin Moot Court competition preparations, meetings with the judiciary, and various Canadian Bar Association functions and meetings including the final consultation with respect to the strategic planning for the Canadian Bar Association and all of its branches. It was a privilege for me to serve as the Vice-President of your Association. I thank all of the volunteers and our dedicated staff - Stacy Nagle and Melissa Tannahill, for their unwavering support.

Ayant été Vice-Président du Comité des services aux membres de l'ABC, au mois d'août 2006, j'ai commencé mes tâches à titre de Président de ce Comité. I look forward to participating in the implementation of the CBA Crystal Clear Report which resulted from an extensive and exhaustive survey of the needs and requirements of CBA members.



Michael Law

MEMBERSHIP/MEMBER SERVICES REPORT

In 2005/2006, the Manitoba Bar Association (MBA) initiated a number of initiatives aimed at increasing and strengthening our membership.

Lawyers

Specifically for lawyers, we secured the continuation of Manitoba Justice's pilot project through which provincial attorneys have half of their membership fees paid by Manitoba Justice. For the first time, the MBA has targeted the

approximately 40% of Manitoba lawyers who are not yet members of our association.

In the Spring of 2006, the MBA developed information packages and sent out approximately 350 mailings to non-member lawyers. In April and May 2006, we had "Bring a Buddy" months during which MBA members were encouraged to bring out their non-member colleagues to Section meetings and other MBA events. Follow-up letters were sent to all "Buddy" lawyers who attended an MBA meeting or event during that month.

A one-page "cheat sheet" highlighting the benefits of membership was prepared and distributed at the December 2005 Council meeting. The list of "Preferred Suppliers" continues to be developed.

Students/CPLED

Specifically for students, the MBA continued with its very popular lawyer/student mentorship program in which 72 lawyers and 69 students participated. Two wine and cheese events were held in November 2005 and February 2006.

Members of the staff and the Executive attended law school orientation week where the MBA hosted a luncheon during which law students, particularly first year students, were recruited. Several of our members and the executive attended the formal "Carbolic Smoke Ball" event and we secured the agreement of the law students' association to hold this event in conjunction with the MBA Mid-Winter conference in January 2007.

MBA President, John Stefaniuk spoke to the CPLED students on September 6, 2005 on the benefits of membership in the CBA. The MBA offered a member only draw for CPLED Students for the MTC/MBA joint production of "Inherit the Wind" in April 2006. The MBA also sponsored the CPLED wind-up lobster dinner on March 10, 2006.

Image of the Profession

In August 2006, approximately 20 MBA members participated in a one day build with Habitat for Humanity. This is part of our ongoing efforts to improve the image of lawyers in the eyes of the community. The MBA contributed \$5,000 to Habitat for this event, known as "Adopt-a-Day".

CBA National

I attended the meetings of the national membership committee in October 2005, February 2006 in Cancun and August 2006 in St. John's. National membership initiatives include:

- Personal meetings with universal firms and developing benefits to encourage firm universality,
- Review and continued development of a national advertising campaign aimed at boosting the image of lawyers in the eyes of the public,
- The development of a new publication called "the Canadian Bar Advocate" that highlights the benefits of membership,
- The implementation of a 5 year pilot project for free membership to Ontario law students,
- The securing of additional funds for the CBA's national marketing and advertising initiatives for 2006/2007.

Membership in the Manitoba branch remained strong at over 1,200 paid members for most of the 2005/2006 year. As of August 29, 2006 there were 1,210 paid members in Manitoba; an increase of 2.9 % over the past year. I continue to make personal contact with all lapsed members and I continue to send "welcome" letters and information packages to new members.



Anthony Kavanagh

SECRETARY / TREASURER'S REPORT

I am very pleased to be able to provide with this report, the audited Financial Statements for the Manitoba Bar Association (MBA) for the fiscal year ended August 31, 2006 prepared by Dean R. Jenkyns Chartered Accountant Ltd.

I will point to some highlights for your consideration:

You will note on the asset perspective that the MBA's investments have been increasing every year in the last 3 years, up from \$257,243 (2003-2004) to \$295,948 (2004-2005) and then to \$318,327 this year. Our investment income increased from \$6,849 to \$13,874 at the end of last year, and then went down to \$7,476 this year, but within our expectations. To that end, the total investments are the equivalent of approximately 90% of our annual expenses, which, as a broad rule-of-thumb is about where a not-for-profit organization such as ours should attempt to maintain.

There were some Council approved increases to the budget this year which impacted on expenditures including the assistance provided to Guy Joubert in his campaign for CBA Presidency, and travel assistance provided for voting delegates at the CBA Council meetings in St. John's, for example. Our overall expenditures thus ended the year higher than our budget.

For some years, the MBA has been expecting our rental expenses to increase. In the last month of the fiscal year we had to move our offices and entered into a 48 month lease, some of those moving costs were included in the 2005-2006 year, but the commitment is referenced at Note 5 and will impact the next and future fiscal year.

All in all, our finances continue to be solid and the treasury prudently maintained on behalf of our members and in accordance with our Association work and objectives.

I want to thank the expert assistance of our Executive Director, Stacy Nagle, as well as your Executive and Council whose collective work provides a much calmer ocean in which to steer our fiscal ship.



Barry Effler

COMMUNICATION'S REPORT

This is the last report to be issued from the Communications and Public relations portfolio. With the passing by Council of changes to the position I am pleased to see the change to an Advocacy/Public Relations focus. My congratulations to Annette Horst on her election to the new Advocacy/Public Relations position.

Manitoba Bar Association (MBA)

Awards: As part of the long term planning for the MBA, I completed a report for the Executive on our Awards given out and thoughts for potential improvements. The Executive reviewed the issues involved and changes were made for 2007. The MBA Awards will now be presented at the Mid-Winter Awards Luncheon.

Website: Rebuilding the design and layout of the MBA portion of the CBA website was a priority in 2004-2005 and the updates came live in this fiscal year. My thanks to Robert Dawson who took on the task of creating a fresh new design and layout for the MBA web-site and to Stacy Nagle for her efforts on this project.

Headnotes & Footnotes: Ten editions of the branch newsletter were produced in 2005/2006.

I created a new column in 2005 in *Headnotes & Footnotes* called *Just Ask*, which continued this year. This column generated a lot of interest in CANLII and discussion with the courts about Queen's Bench Family Division and Provincial Court decisions. In the end, Provincial Court decisions now seem to be getting to the CANLII site. Queen's Bench Family decisions continue to be rarely submitted to CANLII and this continues to a topic being reviewed by the Chief Justice and others as part of a larger issue of the publication of potentially sensitive information.

In the October 2005 edition, Dean Scaletta's new feature article entitled, *What's Happening* premiered. The article highlights accomplishments of MBA members.

Law Day: Law Day was held on Sunday, April 9, 2006. Events included: guided tours of the law courts; 28 exhibits and

displays; Mock Trials in French & English presented by elementary and senior high school students; distribution of the Charter; legal information panel discussions including a presentation and promotion of Will Week – Estate Planning for Your Future; special sitting of Citizenship Court; and an award presentation of the "Celebrate Your Freedom" poster contests. This year over 1,600 members (second highest attendance number) of the public participated with over 800 people (highest number to date) participating in guided tours. My congratulations to the organizers and all volunteers.

Inherit the Wind: The joint MTC/MBA production of *Inherit the Wind* was a lot of fun to watch and helped raise over \$85,000. My congratulations to everyone involved in the cast and crew. A couple of days before opening night, the Executive provided a meal for the cast and crew and had an opportunity to see the hard work that went into making the production look so professional and effortless.

Manitoba Public Insurance: Robert Dawson represented the MBA at the Public Utility Board as an intervener regarding Manitoba Public Insurance rate review application.

Manitoba Law Foundation: I represented the MBA in May, 2006 at a roundtable with the members of the Manitoba Law Foundation to discuss how the Law Foundation could support and encourage law reform.

Bar Bonspiel: Sixteen teams participated in this year's event that was held on Friday, March 3, 2006 at the Granite Curling Club. Kerry Unruh and Dana Kochan from Deeley Fabbri Law Corporation organized this event.

MBA Golf Tournament: The MBA Golf Tournament went off well on May 29, 2006 at the Elmhurst Golf and Country Club. Proceeds from the tournament were provided to Habitat for Humanity. My congratulations go to the organizers Jon van der Krabben, Bill Malcolm and Ron Simenik and everyone who participated in this fun event.

No year end report is complete without thanking Stacy Nagle and her assistant, Melissa Tannahill for their tireless efforts on behalf of our association. Thank you.



Veronica Jackson

PAST PRESIDENT'S REPORT

This year at the Canadian Bar Association (CBA) is was all about the future, or should I say "Futures". At the CBA's annual meeting in Vancouver in August of 2005, the CBA Futures Committee presented Council with its report, "Crystal Clear: New perspectives for the CBA". In June of this year a national facilitated summit was held just outside of Ottawa that brought together representatives from each

branch, (both staff and volunteer) as well as the CBA Board of Directors and Senior Management Team. Each branch was also asked to appoint a Futures Champion whose role it will be to liaise with the CBA on all things "Future". Sarah Inness was appointed as the Manitoba Branch champion.

During the summit the participants addressed the recommendations contained in the Crystal Clear Report,

with a focus both on discussing their implications and priority setting. The summit results were then used by the Futures Committee as part of the foundation of its second report "Crystal Clear: Strategic Directions for the CBA", which was presented to CBA Council at its meeting in St. John's Newfoundland in August of 2006.

The Strategic Directions Report is now being integrated into a proposed new strategic plan for the CBA. The expectation is that the proposed strategic plan will be put before CBA Council in the upcoming year.

The Future looks bright for the CBA. With strong and committed leadership, both staff and volunteer, the CBA is well positioned to continue to serve as the voice of the legal profession in Canada and is well prepared to face the future with a "Crystal Clear" vision for increased success, for itself and its members.

EXECUTIVE DIRECTOR'S REPORT



Stacy Nagle

The Manitoba Bar Association is an Association of lawyers, judges and law students in Manitoba. Our purpose is to advance the interests of our diverse membership and to promote the essential role of the legal profession in our society.

As the voice of the legal profession, the Manitoba Bar Association is a leader in the community, providing high quality training and services, increased involvement in the development of legislation and promoting high standards of professionalism. Representing those who work within the legal profession, the Manitoba Bar Association will be a relevant and proactive advocate for its members and a presence within the legal community.

On June 15, 2005 Council approved a 4 year strategic plan for the Branch. The Branch has made great progress in implementing the activities identified in the plan. The branch's accomplishments regarding the activities identified in its strategic plan not already mentioned in the other reports are outlined below.

- An Ad Hoc Committee comprised of Sandi Phillips, Jacquie St. Hill and Chaired by Veronica Jackson, MBA Past-President, drafted changes to the MBA By-Laws. Revised By-Laws were adopted at the June 14, 2006 meeting of Council.
- On Thursday, November 17, 2005 the Equality Issues Section hosted a reception that honoured Manitoba's newly appointed justices, masters and judges: The Honourable Justice Shawn Greenberg, The Honourable Justice Karen Simonsen, The Honourable Justice Marianne Rivoalen, The Honourable Justice Lori Spivak, The Honourable Justice Lori Douglas, Master Joy Cooper, The Honourable Judge John Combs, The Honourable Judge Murray Thompson, The Honourable Judge Fred Sandhu, The Honourable Judge Timothy Preston, The Honourable Judge Ken Champagne, The Honourable Judge Christine Harapiak and The Honourable Judge Kelly Moar. Over 90 people attended the celebration.
- The Ad Hoc Committee of MBA Past-Presidents met on November 1, 2005 to discuss various issues and make a recommendation regarding the Distinguished Service Award recipient.
- The CBA's Equity Advisor, Charles Smith, was in Winnipeg on December 7, 2005 to host a focus group on developing an equity and diversity template for law firms. Approximately 20 people participated in this focus group.
- The 2006 Mid-Winter which was held on January 26 – 28, 2006 featured 6 CLEs: Evidence Issues and The Use of Experts, Estate Fees and Costs, Cross Border Confusion?, Sentencing Aboriginal Offenders, Drafting for Dummies, and The 15 Minute Business Lawyer. The 2006 MBA Distinguished Service Award was presented to Dr. Arthur Mauro, O.C., O.M., Q.C. and the 2006 Pro Bono Award Recipient was Canadace Everard from Pitblado LLP.
- The Future of Law in Manitoba Committee met twice in 2005/2006 to review and fine tune the articling match process. A connecting point was held in February 2006 that provided an opportunity for firms to hire articling students for 2007/2008.
- Regular meetings with The Honourable Gord Mackintosh, Minister of Justice and Attorney General for Manitoba were held.
- The MBA continues to raise the issue of Legal Aid with the Minister of Justice and Attorney General for Manitoba. The Manitoba Bar Association has two representatives on the Legal Aid Advisory Committee, Sandip Sett and Saul Simmonds. In addition, Antoine Hacault sits on the Advisory Committee. The CBA continues its work on the Legal Aid test case. The National office and each of the branches are providing the financial support for this test case.
- The Honourable Judge Christine Harapiak of the Dauphin Provincial Court was the keynote speaker for the Young Lawyers' Judges lunch which was held on April 20, 2006. Approximately 80 people attended the luncheon that was sponsored by CBIA.
- The MBA, the Office of the Public Trustee and The Winnipeg Foundation presented "Will Week" from April 24 – 28, 2006. The initiative provided the general public with information on topics such as Health Care Directives, Enduring Powers of Attorney and Wills. Free seminars were held at 11 locations in Winnipeg and various locations outside of Winnipeg.
- We also continue to lobby the provincial government to enact legislation to exempt RSP's from seizure.
- A total of 1,900 copies of the 2006 Legal Directory & Day Planner were ordered and distributed.
- Weekly court decisions were distributed to subscribing firms.
- CBA 1st Vice President, Parker McCarthy, Q.C., was in Winnipeg on November 2 & 3, 2005. He spoke at our Council meeting, had coffee with the judiciary, met with the Attorney General, met with the managing partners of Thompson Dorfman Sweatman LLP and Aikins, MacAulay & Thorvaldson LLP and spoke at the Mentorship Reception.
- CBA President, Brian Tabor, Ontario Branch President, Heather McGee and Saskatchewan Branch President, Lynn Smith attended the MBA Mid-Winter meeting.
- The MBA prepared to move its offices on September 1, 2006 to 1450-363 Broadway, Winnipeg, MB R3C 3N9.

I would like to conclude my 4th annual report with some thanks. Thanks to the members of the MBA Executive and Council. These volunteers contribute countless hours to make sure the Association is a high performance organization. Thanks to the other great volunteers of the Manitoba Bar Association. Without these volunteers the Association would not be able to provide quality services to our members. And last but certainly not least, thanks to the great staff I had the opportunity to work with during the last year. Elona McGifford was back by popular demand in the summer of 2006 to research and assemble the information that was included in the Legal Directory & Day Planner. Elona also assisted with researching, writing and editing articles in Headnotes & Footnotes in 2005-2006. Melissa Tannahill continues to provide support to the Association as the Executive Assistant. Melissa continues to amaze me with the quality and quantity of work that she competently handles. But then again, I believe that she can also leap small buildings in a single bound.

Section Chairs 2005-2006

Within brackets, the first figure indicates the number of members enrolled, and the second figure indicated the number of meetings, events or continuing legal education programs held in 2005/2006.

ABORIGINAL LAW (95; 3)

Brenda Johnston, Co-Chair
Brad Regehr, Co-Chair

ADMINISTRATIVE LAW (136; 2)

Mark O'Neill, Chair

ALTERNATIVE DISPUTE RESOLUTION (115; 3)

Patricia Lane, Chair

BANKRUPTCY & INSOLVENCY LAW (67; 1)

David Jackson, Chair

BUSINESS LAW (219; 1)

Daniel Sherbo, Chair

CIVIL LITIGATION (241; 57)

Shane Perlmutter, Chair

CONSTITUTIONAL/HUMAN RIGHTS (112; 9)

Lisa Cupples, Chair

CONSTRUCTION LAW (98; 3)

Eleanor Andres, Chair

CORPORATE (IN-HOUSE) COUNSEL (184; 5)

Dianne Pemkowski, Chair

CRIMINAL JUSTICE (101; 5)

Diana Cameron, Co-Chair

Evan Roitenberg, Co-Chair

ELDER LAW (43; 1)

Eric Lister, Q.C., Chair

ENVIRONMENTAL LAW (64; 4)

Sheryl Rosenberg, Chair

EQUALITY ISSUES (75; 3)

Catherine Dunn, Chair

FAMILY LAW (151; 7)

Anu Osborne, Chair

GENERAL PRACTITIONERS (102; 0)

Victoria Lehman, Chair

HEALTH LAW (73; 1)

Wayne Forbes, Chair

IMMIGRATION LAW (42; 5)

Edward Rice, Chair

INTERNATIONAL LAW (67; 2)

Dhara Drew, Co-Chair

Charlotte Young, Co-Chair

LABOUR LAW (114; 1)

Ken Dolinsky, Chair

MEDIA & COMMUNICATIONS LAW (49; 0)

Robert Sokalski, Chair

MUNICIPAL LAW (60; 1)

Robert Tyler, Chair

PUBLIC SECTOR LAWYERS (67; 2)

Mary Ann Thompson, Chair

REAL PROPERTY (177; 3)

Ned Brown, Co-Chair

Kim Mercury, Co-Chair

SECURITIES LAW (69; 1)

Richmond Bayes, Chair

SOGIC MANITOBA (30; 4)

Kristine Barr, Co-Chair

Michael Law, Co-Chair

TAXATION LAW (89; 2)

Leilani Kagan, Chair

TECHNOLOGY & INTELLECTUAL PROPERTY LAW (76; 3)

Adam Herstein, Chair

TRANSPORTATION LAW (32; 0)

Joseph Barnsley, Chair

WILLS & ESTATE LAW (186; 3)

Peter Glowacki, Co-Chair

Jacob Giesbrecht, Co-Chair

YOUNG LAWYERS' (460; 5)

Kim Antonio, Chair

MBA Branch Statistics

Members

Sections

1,210

30

Section Membership

3,409

HONOURS - 2005-2006

HONOURS:



The 2006 MBA

Distinguished Service Award Recipient:

Dr. Arthur Mauro, O.C., O.M., Q.C.

The 2006 Pro Bono Award Recipient:

Candace Everard, Pitblado LLP



MANITOBA BAR ASSOCIATION / ASSOCIATION DU BARREAU DU MANITOBA

2005/2006 SECTION ACTIVITY

Aboriginal Law

November 14, 2005 Aboriginal Issues in Federal Court (joint CLE with Constitutional/Human Rights and Civil Litigation Law Sections)

January 27, 2006 Mid-Winter CLE – Sentencing Aboriginal Offenders (joint CLE with Criminal Justice Section)

February 24, 2006 First Nation Estates (joint CLE with Wills & Estates Section)

June 22, 2006 General Business Meeting

Administrative Law

February 21, 2006 Reasonableness Simplificiter

June 15, 2006 Council of Chairs – Not just a collection of Furniture

Alternative Dispute Resolution

December 20, 2005 General Business Meeting

Bankruptcy & Insolvency Law

December 7, 2005 Receivership Orders

Business Law

November 24, 2005 Responsibilities of Corporate Directors

January 27, 2006 Mid-Winter CLE – 15 Minute Business Lawyer (joint CLE with Corporate (In House) Counsel Section)

Civil Litigation

October 25, 2005 Enforcement of *Judgments Act*

November 14, 2005 Aboriginal Issues in Federal Court (joint CLE with Aboriginal Law and Constitutional/Human Rights Sections)

December 13, 2005 Queen's Bench Rules Committee

January 27, 2006 Mid-Winter CLE – Evidence Issues and the Use of Experts

April 4, 2006 Amendments to Rule 62

June 6, 2006 Rule 20A Review Committee

Constitutional/Human Rights Law

October 19, 2005 General Business Meeting

November 14, 2005 Aboriginal Issues in Federal Court (joint CLE with Aboriginal Law and Civil Litigation Sections)

November 30, 2005 Nuts and Bolts of *Charter* Issues in Criminal Law (joint CLE with Criminal Justice Section)

January 28, 2005 Mid-Winter CLE – Soft Packages...Hard Cases – *R. v. Mann* (joint CLE with Criminal Justice Section)

February 20, 2006 Workplace Human Rights (joint CLE with The Law Society of Manitoba)

May 9, 2006 Canadian Museum of Human Rights (joint CLE with International Law Section)

May 25, 2006

June 1, 2006

June 9, 2006

June 28, 2006

Construction Law

January 4, 2006

April 27, 2006

June 15, 2006

Corporate (In-House) Counsel

December 1, 2005

January 12, 2006

January 27, 2006

March 15, 2006

April 27, 2006

June 15, 2006

Criminal Justice

November 30, 2005

January 27, 2006

April 27, 2006

June 1, 2006

June 13, 2006

June 28, 2006

Elder Law

June 12, 2006

Environmental Law

October 20, 2005

December 5, 2005

May 10, 2006

June 7, 2006

Equality Issues

November 17, 2005

February 22, 2006

Best and Worst Human Rights Cases

Advising Clients regarding Cross-Border Issues (joint CLE with Criminal Justice Section)

Business Meeting and Election

Best and Worst Constitutional Cases (joint CLE with Criminal Justice Section)

Floodway Authority Project (joint CLE with Labour Law Section)

Construction Project Bonds

Business and Planning Meeting

Corporate Governance in Manitoba

Trends in Drafting

Mid-Winter CLE – 15 Minute Business Lawyer (joint CLE with Business Law Section)

Corporate Liability and Identity Theft Agreements of Choice

Looking for Fraud in all the Right Places

Nuts and Bolts of *Charter* Issues in Criminal Law (joint CLE with Constitutional/Human Rights Section)

Mid-Winter CLE – Sentencing Aboriginal Offenders (joint CLE with Aboriginal Law Section)

Drinking and Driving Video Link CLE

Advising Clients regarding Cross-Border Issues (joint CLE with Constitutional/Human Rights Section)

General Meeting and Executive Election

Best and Worst Constitutional Cases (joint CLE with Constitutional/Human Rights Law Section)

Meeting with the Alzheimer's Society

General Business Meeting

General Business Meeting

Continued Work with Contaminated Sites

Election of Executive

Smash the Glass Reception (all members invited)

Employment Standards Review

MANITOBA BAR ASSOCIATION /ASSOCIATION DU BARREAU DU MANITOBA

2005/2006 SECTION ACTIVITY

Equality Issues cont'd

May 19, 2006 Business and Planning Meeting

Family Law

November 21, 2005 Child Support Recalculation

December 13, 2005 Annual Christmas Party

January 13, 2006 Psychological Assessments

February 28, 2006 Financial Statements

April 21, 2006 Family Practices in the New Millennium (joint CLE with The Law Society of Manitoba)

May 23, 2006 Who's afraid of Tax Law

June 13, 2006 Annual BBQ

Health Law

March 1, 2006 *The Personal Health Information Act*

Immigration Law

October 28, 2005 Labour Market Opinion Process

November 28, 2005 Provincial Nominee Program

January 10, 2006 Immigration Admissions

January 27, 2006 Mid-Winter CLE – Cross Border Confusion?

June 7, 2006 Citizenship & Immigration Canada

August 25, 2006 US Immigration Issues

International Law

December 6, 2005 Inaugural Meeting

May 9, 2006 Canadian Museum of Human Rights (joint CLE with Constitutional/Human Rights Law Section)

Labour Law

January 4, 2006 Floodway Authority Project (joint CLE with Construction Law Section)

Municipal Law

February 16, 2006 City of Winnipeg Legal Staff Presentation

Public Sector Lawyers'

December 6, 2005 Pro-Bono Work

June 12, 2006 Year End Wrap-up

Real Property Law

November 17, 2005 The Cautious Use of Title Insurance

February 21, 2006 Ins and Outs of Subdivisions

April 18, 2006

Securities Law

September 19, 2005 Prospectus and Registration Exemptions

SOGIC Manitoba

October 19, 2005 General Business Meeting

January 11, 2006 Public Education Evening

March 1, 2006 SOGIC Community Legal Forum

June 20, 2006 Year End Wrap-Up and Election

Taxation Law

March 24, 2006 Non-Resident Testators and Beneficiaries (joint CLE with Wills & Estates Law Section)

June 20, 2006 General Business Meeting

Technology & Intellectual Property Law

December 1, 2005 Domain Names and Due Diligence

March 9, 2006 Impact of Bankruptcy on Software Licenses

June 15, 2006 Patents of Business Methods

Wills & Estates Law

January 27, 2006 Mid-Winter CLE – Estate Fees and Costs: How to keep the Law Society Away

February 24, 2006 First Nation Estates (joint CLE with Aboriginal Law Section)

March 24, 2006 Non-Resident Testators and Beneficiaries (joint CLE with Taxation Law Section)

May 30, 2006 Annual Session with Justice Beard

Young Lawyers'

November 23, 2005 General Meeting

December 15, 2005 Winnipeg Harvest Volunteer Night

January 27, 2006 Mid-Winter CLE – Drafting for Dummies

March 30, 2006 Stressed Out and Trying to Make it

April 20, 2006 Young Lawyers' Judges Luncheon

June 29, 2006 Business & Planning Meeting

Statement of Financial Position as at 31 August 2006

	GENERAL FUND	CAPITAL FUND	TOTAL 2006	TOTAL 2005
ASSETS				
CURRENT ASSETS				
Cash in bank	\$10,924	\$ -	\$10,924	\$ -
Accounts receivable	11,138	-	11,138	9,055
Prepaid expenses	8,517	-	8,517	6,159
	<u>30,579</u>	<u>-</u>	<u>30,579</u>	<u>15,214</u>
INVESTMENTS (note 4)	318,327	-	318,327	295,948
CAPITAL ASSETS (note 3)	-	2,893	2,893	5,452
	<u>\$348,906</u>	<u>\$ 2,893</u>	<u>\$351,799</u>	<u>\$316,614</u>
LIABILITIES AND FUND BALANCES				
CURRENT LIABILITIES				
Bank Indebtedness	\$ -	\$ -	\$ -	\$ 5,084
Accounts payable & accrued liabilities	43,848	-	43,848	2,578
Deferred revenue	32,328	-	32,328	29,070
	<u>76,176</u>	<u>-</u>	<u>76,176</u>	<u>36,732</u>
FUND BALANCES				
Invested in capital assets	-	2,893	2,893	5,452
Unrestricted	272,730	-	272,730	274,430
Balances, end of year	<u>272,730</u>	<u>2,893</u>	<u>275,623</u>	<u>279,882</u>
	<u><u>\$348,906</u></u>	<u><u>\$ 2,893</u></u>	<u><u>\$ 351,799</u></u>	<u><u>\$316,614</u></u>

Statement of Operations and Changes in Fund Balances for the year ended 31 August 2006

	GENERAL FUND	CAPITAL FUND	TOTAL 2006	TOTAL 2005
REVENUE				
Membership				
CBA memberships rebates	\$ 143,274	\$ -	\$ 143,274	\$134,511
CBA middle province rebates	35,227	-	35,227	35,198
CBIA rebates	5,659	-	5,659	5,418
MBA levies	35,844	-	35,844	34,400
	<u>220,004</u>	<u>-</u>	<u>220,004</u>	<u>209,527</u>
Council activity	41,759	-	41,759	31,072
Membership services	118,296	-	118,296	112,682
Sections	9,852	-	9,852	8,088
Investment income	7,476	-	7,476	13,874
Sundry income	4,190	-	4,190	1,092
	<u>401,577</u>	<u>-</u>	<u>401,577</u>	<u>376,335</u>
EXPENDITURES				
Council activity	108,018	-	108,018	73,642
Member services	106,556	-	106,556	99,175
Membership and public relations	14,532	-	14,532	7,649
Sections	21,128	-	21,128	19,924
Administration	153,043	-	153,043	131,715
Amortization	-	2,559	2,559	2,226
Winnipeg 2004 CBA CLC and Expo	-	-	-	3,093
	<u>403,277</u>	<u>2,559</u>	<u>405,836</u>	<u>337,424</u>
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES	1,700	(2,559)	(4,259)	38,911
FUND BALANCES, BEGINNING OF YEAR	274,430	5,452	279,882	240,971
FUND BALANCES, END OF YEAR	<u>\$272,730</u>	<u>\$ 2,893</u>	<u>\$275,623</u>	<u>\$279,882</u>

NOTES TO FINANCIAL STATEMENTS

Year Ended August 31, 2006

1. PURPOSE OF THE ORGANIZATION

The Manitoba Bar Association, a branch of the Canadian Bar Association, is a non-profit organization dedicated to enhancing the economic, professional and social interests and well-being of its members throughout the province of Manitoba. The Manitoba Bar Association represents approximately 1,250 members of Manitoba's legal profession, including: lawyers, judges, law students and law professors.

2. SIGNIFICANT ACCOUNTING POLICIES

a) METHOD OF ACCOUNTING

The Association follows the restricted fund method of accounting. Revenue and expenses related to program delivery and administration are reported in the General Fund, on an accrual basis. Purchases, sales and amortization of capital assets are reported in the Capital Fund. Revenue and expenses related to participation in the Canadian Bar Association's annual meetings are reported in the Conference Fund, on an accrual basis.

b) INVESTMENTS

Investments are recorded at cost. Interest income is recognized as revenue when earned.

c) CAPITAL ASSETS

Capital assets are stated at costs less accumulated amortization, recorded on the straight-line basis at a rate designated to amortize the cost over the estimated useful life: Computers – 3 years.

d) USE OF ESTIMATES

The preparation of financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amount of assets and liabilities at the date of the financial statements and the reported amount of revenues and expenses during the reporting period. Actual results could differ from these estimates.

e) FAIR VALUE

Due to the short-term nature of all financial instruments other than long-term debt and long-term investments, the carrying values as presented in the financial statements are reasonable estimates of fair value. Management has estimated fair value by reference to established financial markets. As is true for all estimates, actual fair value could differ from this estimate, and if so, any difference would be accounted for in the period in which it becomes known. For long-term investments and long-term debt, it is not practicable within constraints of timeliness or cost to determine the fair value with sufficient reliability because the instruments are not traded in an organized financial market.

3. CAPITAL ASSETS

	<u>2006</u>		<u>2005</u>	
	<u>Cost</u>	<u>Accumulated Amortization</u>	<u>Cost</u>	<u>Accumulated Amortization</u>
Computer equipment	\$32,506	\$29,613	\$32,506	\$27,054
Net Book Value	\$ 2,893		\$ 5,452	

4. INVESTMENTS

	<u>2006</u>	<u>2005</u>
Various series, at cost, of		
Guaranteed Investment certificates	\$ 1,004	\$ 1,012
Provincial government bonds	\$109,732	\$112,639
Money market funds	\$130,514	\$107,297
Equity funds	\$ 77,077	\$ 75,000
Market Value	\$318,327	\$295,948

The financial statements and notes presented are excerpts from the complete financial statements. To obtain a full set of the financial statements please contact the branch.

5. COMMITMENTS

On September 1, 2006 the Association entered into a 48 month lease for its office, terminating on August 31, 2010. Base rent is \$869.33 per month plus common area costs.

Auditor's Report to the Members

I have audited the statement of financial position of the Manitoba Bar Association as at 31 August 2006 and the statement of operations, changes in net assets and cash flows for the year then ended. These financial statements are the responsibility of the association's management. My responsibility is to express an opinion of these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether these financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosure in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the association as at 31 August 2006 and the results of its operation and cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Winnipeg, Manitoba
13 October 2006

Dean R. Jenkyns, Chartered Accountant Ltd.