# ANNUAL REPORT RAPPORT ANNUEL



### **Executive Committee 2013-2014**

President	Scott Abel
Vice-President	Sofia Mirza
Secretary/Treasurer	Dean Scaletta
Advocacy and Public Relations	Brad Regehr

Membership/Member Services	. Kael McKenzie
Past President	Karen Wittman
Executive Director	Stacy Nagle

## **Elected Council 2013-2014**

#### WINNIPEG JUDICIAL DISTRICT

Todd Andres

Richard Beamish

Melissa Beaumont

Karlee Blatz

Trevor Brown

Melanie Bueckert

Tony Cellitti

Grant Davis

George Derwin

Silvia de Sousa

Bev Froese

Jennifer Goldenberg

Gary Goodwin

Peter Kingsley

Lisa LaBossière

Cynthia Lau

Kathleen McCandless

Kael McKenzie

Lawrence Pinsky

Brad Regehr

Uzma Saeed

Nick Slonosky

Lisa Sumka

Mark Toews

Peter Tonge

James Wishart

#### **MLSA Representative**

Josh Bokhaut

#### **CPLED Student Representative**

Peter Anandranistakis

#### **CENTRAL JUDICIAL DISTRICT**

Carli Owens

Maureen Terra

#### **EASTERN JUDICIAL DISTRICT**

Anne Barkman

#### WESTERN JUDICIAL DISTRICT

Andrea Hadley

Richard Lonstrup

Kelli Potter

Derrick Stewart

#### **NORTHERN JUDICIAL DISTRICT**

Alain Huberdeau

#### DAUPHIN JUDICIAL DISTRICT

Therese Koturbash

#### **STAFF**

Executive Director - Stacy Nagle

Executive Assistant - Chelsey Tait

Section Coordinator - Melissa Tannahill

Law Student - Stephanie Chan



# **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:

#### **CBA Companies – Manitoba Representatives**

- Canadian Bar Insurance Association
   Jennifer Cooper, Q.C. (Director Management Committee)
   John Stefaniuk (Director until November 30, 2013)
   Ken Mandzuik (Director starting December 1, 2013)
- Canadian Bar Association Financial Services Wayne Onchulenko (Director)
   John Stefaniuk (Director)

# CBA Standing Committee Members – Manitoba Representatives

- Access to Justice Sarah Lugtig, Vice Chair
- Awards Melanie Bueckert
- Equality Karen Dyck
- Ethics & Professional Issues Tony Kavanagh, Vice-Chair
   & Kristin Dangerfield
- International Development
  - Lieutenant Commander Magdalena Siepka
- Judicial Compensation & Benefits
  - Richard Beamish, Chair
- Law Day Melissa Beaumont & Kael McKenzie
- Legislation and Law Reform Ken Mandzuik
- Membership Kael McKenzie
- Pro Bono Allison Fenske

# Estate Planning for Your Future Committee Representative Leilani Kagan

#### Francophone Affairs Committee

Antoine Hacault

#### Law Day Organizing Committee

Kael McKenzie, *Co-Chair* Melissa Beaumont, *Co-Chair* 

Tatiyana Bubnowicz

Andrew Buck

Andrea Doyle

Courtney Dyson

Celia Fergusson

Aimée Fortier

Jason Gisser

Noah Globerman

Amber Lamboo

Kvla Petersen

Mary Troszko

#### Lawyers Professional Assistance (Lawyers Helping Lawyers)

Gwen Hatch (until June 2013)

Therese Koturbash (effective July 2013)

#### **Legal Aid Advisory Committee Representatives**

**Edward Rice** 

Gerri Wiebe

#### Legal Help Centre MBA Board Representative

Bev Froese

#### **Legislation & Law Reform Committee**

Melanie Bueckert, Chair

Bev Froese

Ken Mandzuik

Catherine Skinner

#### Manitoba Law Foundation MBA Board Representative

Gary Goodwin

#### Manitoba Law School Foundation Board

Wayne Onchulenko

#### **RMTC/MBA Joint Production**

#### How To Succeed In Business Without Really Trying

Gail Asper	Miss Jones
Andrea Bellhouse	Secretary
Krista Boryskavich	Miss Krumholtz
Paul Cooper	J.B. Biggley
Tashia Dreger	Secretary/Wickette Girl
	Bratt
Bill Haight	Ovington/Peterson-Davis
John Harvie	Womper/Henchman
Melissa Hazelton	Secretary
Sean Hicks	Toynbee
Jeff Hirsch	Twimble/Henchman
Reannah Hocken	Rosemary
Jamie Jurczak	Hedy LaRue
Catherine (Kate) Kelly	First Scrubwoman
Nalini Reddy	Smitty
Leith Robertson	Gatch/Policeman
Jaime Rosin	Secretary/Wickette Girl
Steve Scarfone	Jenkins
Barb Shields	Second Scrubwoman
Richard Smith	Pete Tackaberry
Lyle Smordin	Book Voice/TV Announcer
Neil Steen	J. Pierrepont Finch
Mark Toews	Bud Frump

#### **RMTC/MBA Joint Production Play Committee Members**

Brad Regehr

#### 2014 Mid-Winter Conference Committee

Karlee Blatz, Co-Chair

Lisa LaBossière, Co-Chair

David Bruni

Andrew Buck

Sahar Cadili

Kelsey Desjardine

Adele Domenco

Cynthia Lau

Elona McGifford

Sofia Mirza

Kelli Potter

Uzma Saeed

Leandro Zylberman

#### 2013 Isaac Pitblado Lectures

Peter Glowacki, *Topic Selection Committee Member* Yvonne Peters, *Organizing Committee Member* 

#### Court of Queen's Bench & Bar Liaison Committee

The Honourable Mr. Justice Robert Carr, Chairperson

#### **Provincial Court Bench & Bar Liaison Committee**

The Honourable Judge Timothy Preston, Chairperson

# PRESIDENT'S REPORT

My year as President was a busy but enjoyable one. I had the privilege of being involved on behalf of the MBA in many discussions and committees on issues relating to access to justice.

I was the MBA representative on the Law Society's Access to Justice Stakeholders Committee, and will continue to be the MBA's representative on the Law Society's Steering Committee. The time has come for implementing many of the ideas contained within several of the recent reports on Access to Justice, including the CBA's report, Reaching Equal Justice: An Invitation to Envision and Act. The MBA locally and the CBA nationally, will continue to take a leadership role in these initiatives.

The CBA has undertaken a review of the organization to determine how best to serve the membership in years to come, and to continue to be the voice of the legal profession. This will not be a short term solution, and will come with some pain and sacrifice for all. However, it is with a view in ensuring that the CBA will continue to be a strong advocate for its members and the principles that the membership hold dear that this review is being undertaken.

The Mid-Winter Organizing Committee did an excellent job in organizing and preparing for the Mid Winter meeting held in January of 2014. The Law Day activities in Winnipeg in April of 2014 were a success and well attended. These Organizing Committees deserve much thanks and appreciation.

The MBA continued to meet with the Attorney General and advocated for issues affecting both the members, and the public, with Legal Aid funding always being at the top of the agenda. The MBA met with the judiciary on a regular basis to discuss issues affecting the practice. It is because of the positive relationships that the MBA has with both the AG, and the judiciary, that these discussions can take place and positive change be implemented.



Scott Abel

I also attended and spoke at a number of meetings and events on behalf of the MBA, including the CBA's Mid Winter meetings in February of 2013 in Ottawa, and the CBA's Canadian Legal Conference in St. John's, NL, in August of 2014.

I wish to extend my thanks to Karen Wittman, the Past-President of the MBA during my year as President. Her guidance and advice was much appreciated. I also wish to thank the rest of the Executive for their efforts as well. The MBA will be in good hands with Sofia Mirza as President.

Last, but certainly not least, I wish to thank Stacy Nagle, Melissa Tannahill, and Chelsey Tait, the staff of the MBA, whose tireless and often unacknowledged efforts help make this organization a success.

# **HONOURS 2013-2014**



2014 MBA Distinguished Service Award Recipient:

Alan W. Scarth, C.M., Q.C.

2013 MBA Council Member Award:

Karlee Blatz



New Directions Team

2013 MBA Headnotes & Footnotes Award:

Tony Cellitti



2013 MBA Community Involvement Award:

Alain Huberdeau

2013 Isabel Ross (Maclean) Hunt Award:

Patricia Lane



# VICE-PRESIDENT'S REPORT

My year as Vice President was a busy and exciting one. On behalf of the MBA, I had the privilege of being involved at national meetings including the CBA Board of Directors meetings.

As Vice President, I had the pleasure of oversight of Section activity for the 2013/2014. Involvement in Sections is one of the important benefits to members of the MBA as reflected by over 2,500 members in attendance at over 70 Section meetings held throughout the year. The year started off with 33 Sections, led by a dedicated group of Section leaders for these various legal practise areas. By the end of the fiscal year, we added a 34th Section of French Speaking Lawyers. The purpose of this Section is to make members aware of the practice of common law in French, identify relevant tools and resources for members, promote the organization of meetings in French, hold continuing education programs in French, work with other organizations interested in common law in French, examine the evolution of linguistic rights in Canada with particular attention to the unique situation in Manitoba, and promote linguistic equality within the profession.

Throughout the year, I also served as the liaison between the 2013/2014 Mid-Winter Organizing Committee and the MBA Executive. The Mid-Winter Organizing Committee, led by Karlee Blatz and Lisa Labossière, did an excellent job in planning and preparing 15 Professional Development sessions and other activities for the Mid-Winter conference held at the Fairmont Winnipeg in January 2014. The Mid-Winter conference allows for lawyers to obtain all of their professional development hours in one conference, through attendance at relevant and topical sessions. The Mid-Winter also includes an Awards Luncheon, which highlights the achievements of the award recipients in the practice of law.

I also attended a number of meetings and events on behalf of the MBA throughout the year, including the CBA's Canadian Legal Conference in Newfoundland, Section and Law School receptions, Mentorship Program receptions, meetings with the Attorney General and Minister of Justice for Manitoba, a meeting with the Justice Critic, swearing in



Sofia Mirza

ceremonies, Law Day, and a working dinner with the Chiefs and Associate Chief Justices and Judges of Manitoba.

Thank you to Scott Abel, the President of the MBA during my year as Vice President. He has been an exceptional role model and leader, especially with respect to our rural sector and his contribution to access to justice initiatives. I also wish to thank the rest of our diverse Executive for their efforts, inspiration, and energy. I look forward to my year as President, and wish Brad Regehr well in his year as Vice President.

It has been my pleasure to represent you as Vice President over the past year and I thank you for providing me with that opportunity. The work of the MBA Executive was made easier this year thanks to the contributions of the hardworking MBA Staff and, in particular, Stacy Nagle, Executive Director of the MBA. I thank her for her assistance, hard work, dedication, professionalism, and diplomacy. Year after year, Stacy has provided tireless support, guidance, and assistance to members of the MBA Executive and Council. She is well recognized nationally in the CBA as well. She makes volunteering as a voice of the legal profession an interesting and rewarding experience.

# PAST PRESIDENT'S REPORT

It has been my honour and privilege to serve as the Past President of the Manitoba Bar Association this past year. Although in past years, part of the Past President's duties has been to represent the MBA members at the Canadian Bar Association's Board of Directors as its voting delegate, that changed during my year as President. As of 2013, the representative and delegate to the Board is now the MBA President. The transformation was made in order to facilitate a uniform practice within the CBA.

As the CBA moves into the next year, high on its agenda will be the continued consideration and exploration of the future of the legal profession in Canada, the challenges now facing lawyers and law firms, as well as the future of the role of the CBA, and how it can position itself to respond most effectively to the needs of both the profession and the public. I have every confidence that the current CBA leaders will guide the organization in the right direction.

This is now my final report after sitting on Council and the Executive for the past several decades. I have enjoyed my involvement with the CBA and MBA tremendously and would not hesitate to encourage others to become more actively involved in what is, at the end of the day, an outstanding organization. As part of my final report, I wish to extend my sincere thanks and appreciation to all



Karen Wittman

members of the Executive, as well as members of MBA Council, for their tireless dedication and contributions. I also want to thank the MBA's outstanding staff, and in particular Stacy Nagle, for their professionalism, sage guidance, and unwavering support; they make volunteering for the MBA a pleasure as well as a privilege. Finally, I wish the current Executive a tremendous year trust they will enjoy the experience as much as I have.

# MEMBERSHIP/MEMBER SERVICES REPORT

The Manitoba Bar Association ended off the year with 1,336 paid members. We continue to hold a variety of membership recruitment activities throughout the year. In 2013-2014, the CBA rolled out its new membership fee structure. I was also pleased to represent the branch at a variety of activities throughout the year.

At the national level, the CBA overall membership showed a gradual increase this past year. Further, the CBA National Council approved the new membership fee structure in August 2012 and it was implemented on September 1, 2012. The new fee model was designed to members' specific needs, including a group model for larger firms, a participatory model and special circumstances model. Further a Fee Structure Communications Working Group was established this past year to contribute toward the planning, development and execution of a CBA Communication Strategy and Plan. One of its initiatives includes a recruitment / retention brochure.

At the branch level, membership recruitment efforts at the outset were geared towards the future of the legal profession - law students. Active recruitment initiatives began at the law school reception during orientation week and continued with the MBA Mentorship Program event held in November 2012. Thanks to MBA Council MLSA representative, Peter Anandranistakis, for his assistance in organizing the mentorship program. We also continued to provide great value to our members again this year with a variety of continuing professional development programs, the Mid-Winter Conference and through member savings with car rental and insurance discounts to name a few.

Personal phone calls were made throughout the year to lapsed and soon to lapse members, encouraging them to renew. Welcome letters are sent to new members and new member names are published in *Headnotes* & *Footnotes*. A "Wish You Were Here" postcard was developed and sent to non-members encouraging them to join. April and May 2013 were designated as "Bring a Buddy Months". Members were encouraged to bring a non-member to a Section meeting. In addition, MBA Council members participated in a membership recruitment campaign in 2012/2013.



Kael McKenzie

The province unfortunately has discontinued its policy of reimbursing Manitoba Justice employees half of their CBA membership fees as of April 1, 2013. This has had a negative impact on membership.

As Director of Membership, I attended a number of in-person and telephone meetings throughout the year, including meetings primarily associated with the roll out of the Membership Fee Review, the CBA Mid-Winter Meeting and the CBA Canadian Legal Conference. I also attended various meetings and functions locally, including the MBA Mid-Winter Conference.

It has been my pleasure to represent you as Director of Membership over the past year and I thank you for providing me with that opportunity. The work of the MBA Executive was made easier this year thanks to the contributions of the hardworking MBA Staff, Melissa Tannahill, Chelsey Tait and, in particular, Stacy Nagle, Executive Director of the MBA. We thank her for all her assistance, hard work, dedication, professionalism and diplomacy. Year after year, Stacy has provided tireless support, guidance and assistance to members of the MBA Executive and Council. She makes volunteering an interesting and rewarding experience.

# ADVOCACY AND PUBLIC RELATIONS REPORT

This past year was my second as Director of Advocacy and Public Relations. It was both busy and rewarding for me.

The MBA's Legislation and Law Reform Committee continues to be actively involved in reviewing provincial legislation. Their function is an important one in ensuring that MBA and specific Sections are alerted to specific legislation being tabled. On July 24, 2013, the MBA sent a letter supporting Private Member's Bill 213 The Settlement of International Investment Disputes Act. On September 3, 2013, the MBA presented at the legislative committee hearing in support of Bill 18 The Public Schools Amendment Act (Safe and Inclusive Schools), regarding antibullying legislation.

The MBA continues to see consistent and frequent use of our web-site by our members. The web-site continues to be an important tool in both informing our members as to what is going on, and in providing valuable resources to our members.

For many years now, the MBA and the RMTC have put on an annual fundraiser to display the talents of lawyers, judges, law professors and law students. This year's production was *How To Succeed In Business Without Really Trying* and was a huge success. New this year was being able to see the "view" from your seats on-line as well as the Lawyers' Play being advertised on the RMTC Main Stage marquee and the Creswin sign at Portage and Main. To date, the MBA has raised over \$800,000 for the RMTC. It goes without saying that the success of this production, as well as all previous productions, is due to the time, effort, and energy of those MBA members participating in the production. A "Community Event" advertisement about the play was featured in the *Winnipeg Free Press*.

It was a pleasure to participate in the selection process, to be present during the MBA Awards Luncheon held during the MBA Mid-Winter conference, and to be able to enjoy the variety and expanse of knowledge that our profession has locally in Manitoba. More information on the Awards can be found on page ??.



Brad Regehr

The 2014 MBA Legal Directory & Day Planner was another huge success. The Directory continues to be an invaluable resource for the legal community.

One of the key roles played by the MBA is defending our members, whether lawyers or the judiciary, from negative and often misinformed comments in the media. The MBA is quick to respond when a response is warranted. Equally important is the role the MBA plays in highlighting the accomplishments of our members in the media.

The MBA Newsletter, *Headnotes & Footnotes*, was published and distributed 10 times this past year. It is an important aspect of the value that members receive.

This past year, I also attended the MBA Mid-Winter conference in Winnipeg in January, the CBA Mid-Winter Meeting in Ottawa, Ontario in February, the CBA CLC in St. John's, Newfoundland and Labrador, in August and the Western Manitoba Bar AGAM in Clear Lake, Manitoba, in September.

Lastly, I want to thank Stacy Nagle, Melissa Tannahill, and Chelsey Tait for all of their hard work and assistance during this past year.

# **EXECUTIVE DIRECTOR'S REPORT**

The 2013/2014 year marks the first complete year of the MBA strategic plan that was approved by the MBA Council on January 26, 2013. Each of the 15 CBA organizations (National, Branches, and CCCA) developed respective strategic plans that all align with the priorities and strategies of the CBA strategic plan. The MBA has established initiatives to meet the five objectives outlined in the plan. The following are the highlights of some activities undertaken by the MBA in 2013-2014.

#### Influence and Leadership

CBA is recognized as the national and international voice of Canadian lawyers on matters of law and justice, and the advocate for the interests of its members and the legal profession.

- Representatives from the MBA met with The Hon. Andrew Swan, Attorney General, on September 30, 2013 and May 30, 2014.
- Members of the MBA Executive met with Kelvin Goertzen, Justice Critic, on April 24, 2014.
- The MBA continues to use the recommendations contained in our Town Hall Report to encourage changes to increase access to justice.
- The MBA spoke at the legislative committee hearing on Bill 18
   the anti-bullying legislation, on September 4, 2013.
- The MBA Family Law Section consulted with its members and provided feedback to the Courts on a proposal to abolish Rule 70.21.
- The MBA Legislation and Law Reform Committee reviews legislation introduced and forwards it to Section representatives for their information and possible comments.
- Yearly, representatives of the MBA meet with the Chiefs and Associate Chief Justices and Judges.
- Representatives from the MBA participated at Legal Aid management stakeholders meetings.
- The MBA President, or their representative, spoke at seven Judicial swearing-in ceremonies.
- The MBA President, or their representative, participated on one Provincial Court Judicial Nominating Selection Committee in 2013-2014. The MBA also has a representative on the Federal Justice Advisory Committee.
- Responded to attacks in the media, through letters to the editor, about the legal profession and the Judiciary.
- The MBA Council at their meeting on April 24, 2014 heard presentations on what various organizations were doing regarding access to justice and what they think the MBA should be doing to promote access to justice.
- An open house at the Winnipeg Law Courts Building was held in Winnipeg on Sunday, April 13, 2014. The open house included: guided tours of the law courts, exhibits and displays, special sitting of citizenship court, mock trials in French and English presented by elementary and senior high students, high school student debates in French, question and answer sessions, and a demonstration by a drug detection dog and its handler. Over 1,100 people attended the open house and over 325 participated in the courthouse tours. Social media outlets Facebook and Twitter were used to promote 2014 Law Day activities.
- The MBA, the Office of the Public Trustee, and The Winnipeg Foundation presented "Will Week" from April 21-25, 2014.

- The MBA participates on the Law Society of Manitoba's Forgivable Loan Program Committee and their Access to Justice Committee.
- The MBA participated at the National Action Committee on Access to Justice in Civil and Family Matters workshop in Winnipeg on October 28, 2013.



Stacy Nagle

#### Community

The CBA has a strong, diverse, engaged membership which reflects all sectors of the legal profession, and is the community of choice for lawyers.

- The mentorship program matched 55 law students and lawyers and held two networking events.
- The MBA hosted a reception for new law students during orientation week at the Faculty of Law and spoke to CPLED students during the first week of classes. The MBA also hosted a reception for CPLED students after one of their in-class sessions.
- The contributions of the legal profession were recognized through Awards and a "What's Happening" column in Headnotes & Footnotes. MBA provides a financial prize for the first and second place students in the Robson Hall moot court competition.
- Branch Section Chairs attended CBA National Section/Conference meetings.
- Section leaders' Council and Executive Committee orientation sessions were held.
- The MBA/RMTC joint production of *How to Succeed in Business Without Really Trying* ran from April 29 May 4, 2014. To date, CBA members have raised over \$900,000 for RMTC. Approximately 1,300 attended the show.
- Various networking events were held throughout the year.
- Travel rebates are provided to members outside of Winnipeg to attend MBA education programs in Winnipeg.
- MBA has a membership with Kids & Company Daycare. MBA members are guaranteed a full-time or part-time child care spot within six months.
- Members of the MBA Executive attended various regional bar meetings.
- Various membership recruitment and retention activities were held in 2013-2014.

#### Education

CBA is a leader in professional development and ensures access to timely, high quality, relevant and affordable PD, delivered in convenient and accessible formats.

- On November 22-23, 2013, the MBA, the University of Manitoba Faculty of Law and The Law Society of Manitoba featured the 2013 Isaac Pitblado Lectures.
- The 2014 MBA Mid-Winter conference was held on January 23-24, 2014 and featured two full days of continuing professional development, a bench and bar reception, an exhibitor trade show and the Awards luncheon. The 2014 Mid-Winter featured on-line registration.

# **EXECUTIVE DIRECTOR'S REPORT cont'd**

- In 2013-2014 a total of ???2,826 members attended ??79
  Section meetings and sessions that provided over ???133.50
  hours of continuing professional development, many offered
  at no charge for members. Where possible, these meetings
  offer teleconferencing for members outside of Winnipeg.
  These numbers include three meetings that were held via
  webinars.
- Written materials from Section meetings are posted behind the wall on the MBA web-site.
- The MBA promoted other CBA on-line and Law Society of Manitoba continuing professional development programs.
- Weekly decision packages are distributed to subscribers.
- Ten editions of *Headnotes & Footnotes* were prepared and distributed. Members can now receive the newsletter via a link to a pdf version or an on-line magazine format on the MBA web-site instead of a paper copy. Some colour pages are now featured in the newsletter. A readership survey was sent out to the membership in August 2013.
- The 2014 Legal Directory and Legal Directory and Dayplanner sold out.
- A new fresh look for the MBA web-site went live on December 6, 2013.

#### Cohesion

Legal profession, members, and staff experience and understand the CBA as one cohesive association, operating both nationally and locally for all of its constituents to effectively deliver products and services that provide demonstrable value.

- Progress on the branch strategic plan is reviewed yearly and it aligns with the other branch, CCCA and CBA strategic plans.
- Attend teleconference and in-person meetings with other branch and CCCA Executive Directors and senior management of the CBA. In June 2014, the MBA Executive Director was appointed Chair of the CBA Management Group.
- MBA Executive and Executive Director attends national CBA meetings, including Board of Directors, membership, CBA Mid-Winter conference and CBA Canadian Legal Conference.
- CBA news is featured in Headnotes & Footnotes.
- Invited neighbouring branch Presidents and CBA President to attend MBA Mid-Winter conference.

#### Organizational Excellence

CBA is a strong, stable, innovative, forward-looking and technologically advanced organization that is led by outstanding volunteers and staff.

- Thank you letters are sent to MBA volunteers.
- All MBA staff receive yearly written evaluations.
- Staff is encouraged to take professional development.
- An audit was conducted on October 8, 2013 and no concerns were identified.

My thanks go to the Executive Committee members, Council members and the other MBA staff – Melissa Tannahill, Chelsey Tait and Stephanie Chan. Their hard work and dedication is the reason why we are able to provide services to all of our members. In August 2013 Melissa Tannahill resigned from the MBA to explore another career opportunity. Melissa had been with the MBA for over ?? years. We wish Melissa all the best.

Dean I. Scaletta

# SECRETARY / TREASURER'S REPORT

Attached are the audited financial statements for the MBA for the fiscal year ended August 31, 2014 prepared by Dean R. Jenkyns Chartered Accountant Ltd. This is the second year that the financial statements have been prepared in accordance with Canadian Accounting Standards for Not-for-Profit Organizations (ASNFPO), which the MBA adopted effective September 1, 2012.

Several items are worthy of note:

• Several years ago, Council determined that it would be appropriate to reduce the MBA surplus. In 2013-2014, the Association budgeted for a deficit of \$27,300. Primarily due to higher than expected net revenues from the Mid-Winter Meeting, Headnotes & Footnotes Advertising, the Legal Directory, Weekly Decisions, Membership Income, and Section Activities, the MBA realized an operating surplus of \$27,429 (before Amortization). The aggregate Net Assets (General Fund plus Capital Fund) at year-end grew from \$172,722 to \$197,578.

- The aggregate of Current Assets and Long Term Investments at year-end fell from \$337,869 to \$248,244. Although Long Term Investments as a distinct asset category fell from \$205,206 to \$107,872, this was largely offset by the \$94,541 in Cash at year-end. A more detailed description of the Investments portfolio as at August 31, 2014 can be found at Note 3 to the Financial Statements.
- Aggregate revenue was up significantly from \$557,222 last year to \$594,052 this year, primarily due to a strong \$23,000 increase in membership revenues.
- Aggregate expenses were down marginally from \$568,089 last year to \$566,623 this year.

The MBA continues to be fiscally prudent and financially strong, putting it on a solid foundation for the realization of its short and long-term strategic goals.

Although I am notionally responsible for the oversight of the finances of the MBA, credit for the careful and astute manner in which those finances are actually managed belongs entirely to Executive Director, Stacy Nagle, and to her incomparable staff.

#### Independent Auditor's Report to the Members of Manitoba Bar Association

I have audited the accompanying financial statements of Manitoba Bar Association, which comprise the statement of financial position as at August 31, 2014 and the statements of revenues and expenditures, changes in net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian Accounting Standards for Not-for-Profit Organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

#### Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. I believe that the audit evidence I have obtained is sufficient, and appropriate to provide a basis for my audit opinion.

#### Opinion

In my opinion, the financial statements present fairly, in all material respects, the financial position of Manitoba Bar Association as at August 31, 2014 and the results of its operations and its cash flows for the year then ended in accordance with Canadian Accounting Standards for Not-for-Profit Organizations.

Winnipeg, Manitoba December 19, 2013

Dean R. Jenkyns, Chartered Accountant

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.

# Statement of Financial Position 31 August 2014

	August 31, 2014	August 31, 2013
ASSETS		<b>3</b>
CURRENT ASSETS		
Cash	\$ 94,541	\$ 71,919
Accounts receivable	33,315	49,429
Goods and services tax recoverable	1,618	~ ~ ~
Prepaid expenses	10,898	11,315
	\$140,372	132,663
INVESTMENTS (Notes 2, 4)	107,872	205,206
CAPITAL ASSETS (Notes 2, 3)	1,168	3,740
	\$249,412	\$341,609
LIABILITIES		
CURRENT		
Accounts payable	27,865	\$ 61,935
Goods and Services Tax Payable	~ ~ ~	234
Deferred revenue (Note 2)	23,969	106,718
	\$ 51,834	\$168,887
NET ASSETS		
General Fund	196,410	168,981
Capital Fund	1,168	3,741
	197,578	172,722
	\$249,412	\$341,609

# Statement of Revenues and Expenditures 31 August 2014

MEMBERSHIP REVENUE	<u>2014</u>	<u>2013</u>
CBA Membership rebates	\$219,398	\$195,998
CBA middle province rebates	38,779	44,565
CBIA rebates	7,460	7,460
MBA levies	45,536	40.149
MDA ICACO	311,173	288,172
FEES AND OTHER INCOME		
Council activity	112,710	100,776
Membership services	130,872	130,774
Sections	17,324	18,944
Investment Income	12,628	6,792
Sundry income	9,345	11,764
	282,879	269,050
REVENUE TOTAL	594,052	557,222
EXPENDITURES		
Administration	288,655	273,986
Council Activity	145,812	141,019
Member services	82,162	99,235
Membership and public relations	21,169	18,629
Sections	28,825	35,220
	566,623	568,089
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES FROM OPERATIONS	27,429	(10,867)
CAPITAL FUND		
Amoritization	(2,573)	(2,573)
	` ` ` ′	, , ,
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES FOR THE YEAR	24,856	(13,440)

# Statement of Changes in Net Assets 31 August 2014

	GENERAL <u>FUND</u>	CAPITAL <u>FUND</u>	<u>2014</u>	<u>2013</u>
NET ASSETS - BEGINNING OF YEAR	\$168,981	\$3,741	172,722	\$186,162
Excess (Deficiency) of revenue over expenses				
for the year	27,429	(2,573)	24,856	(13,440)
Transfer to Capital Fund for purchase				
of equipment	-	-	•	-
NET ASSETS - END OF YEAR	\$196,410	\$1,168	\$197,578	\$172,722

# Statement of Cash Flows 31 August 2013

	<u>2014</u>	<u>2013</u>
OPERATING ACTIVITIES		
Cash receipts from customers	\$514,788	\$567,354
Cash paid to suppliers and employees	(600,276)	(575,220)
Interest paid	12,628	6,264
Goods and services tax	(1,852)	2,971
Cash flow from (used by) operating activities	(74,712)	1,369
INVESTING ACTIVITIES		
Purchase of capital assets	•	(2,052)
(Increase) decrease in investments	97,334	30,000
Cash Flow from Investing Activities	97,334	27,948
INCREASE (DECREASE) IN CASH FLOW	22,622	29,317
CASH (DEFICIENCY) - BEGINNING OF YEAR		42,602
CASH (DEFICIENCY) - END OF YEAR	\$94,541	\$71,919

#### **NOTES TO FINANCIAL STATEMENTS**

Year Ended August 31, 2014

#### 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 1,300 members of Manitoba's legal profession, including: lawyers, judges, law students and law professors.

#### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### Basis of presentation

The financial statements were prepared in accordance with Canadian accounting standards for not-for-profit organizations (ASNFPO).

#### **Fund 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.

#### Capital assets

Capital assets are stated at cost less accumulated amortization. Capital assets are amortized over their estimated useful lives at the following rates and methods:

Computer equipment 3 years straight-line method Furniture and fixtures 5 years straight-line method

The Association regularly reviews its capital assets to eliminate obsolete items.

#### Investments

Investments are classified as held for trading and are recorded at market value.

#### Revenue Recognition

Restricted contributions related to general operations are recognized as revenue of the General Fund in the year in which the related expenses are incurred. All other restricted contributions are recognized as revenue of the appropriate restricted fund.

Unrestricted contributions are recognized as revenue of the General Fund in the year received or receivable if the amount to be received can be reasonably assured. Investment income is recognized as revenue of the General Fund when earned.

Fees and other income are recognized as revenue of the General Fund when the events are held and or services or products are provided.

#### Deferred revenue

Deferred revenue reported in the General Fund relates to revenue collected for the legal directory which will not be issued until the subsequent year. In the prior year annual membership dues received in the current year which related to the subsequent year were also deferred. The annual membership dues collected are now based on the same fiscal period as the corporation and therefore no deferral is required.

#### Measurement uncertainty

The preparation of financial statements in conformity with Canadian Accounting Standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amount of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the period. Such estimates are periodically reviewed and any adjustments necessary are reported in earnings in the period in which they become known. Actual results could differ from these estimates.

#### Financial Instruments

Fair Value - Fair value is the amount that would be agreed upon in an arm's length transaction between knowledgeable willing parties who are under no compulsion to act. Fair value is an estimate, which is significantly affected by the assumptions and methods used in its determination. Further, estimation of fair value involves the use of subjective judgements and uncertainty. Fair value should not be interpreted as an amount which could be realized in immediate settlement of the instruments. With the exception of investments, management has estimated that the fair value of all financial instruments approximate their cost, as there is no active market for the assets and liabilities of the association that are financial instruments. The fair value of investments is based on the quoted market values.

3.	INVESTMENTS	2	014	<u>'</u>	2013
	Cash		•	\$8	37,000
	Money market funds		*	1	0,413
	Guaranteed Investment certificates	1	,133	1	2,304
	Equity funds	<u>10</u>	6,739	9	5,489
	Investments are recorded at market value	<u>\$10</u>	<u>07,872</u>	<u>\$2</u>	<u>05,206</u>
4.	CAPITAL ASSETS	2	014	;	2013
			Accumulated		Accumulated
		<u>Cost</u>	<u>Amoritzation</u>	<u>Cost</u>	<u>Amoritzation</u>
	Computer equipment	\$18,722	\$18,038	\$18,722	\$15,677
	Furniture & Fixtures	<u>8,266</u>	<u>7,782</u>	8,266	7,571
		\$26,988	\$25,820	\$26,988	\$23,248
	Net Book Value	\$1	,168	<u>\$</u>	3,740

#### FINANCIAL INSTRUMENTS

The association is exposed to various risks through its financial instruments and has a comprehensive risk management framework to monitor, evaluate and manage these risks. The following analysis provides information about the association's risk exposure and concentration as of August 31, 2013.

#### Credit Risk

Credit risk arises from the potential that a counter party will fail to perform its obligations. The association is exposed to credit risk from customers. In order to reduce its credit risk, the association reviews a new customer's credit history before extending credit and conducts regular reviews of its existing customers' credit performance. An allowance for doubtful accounts is established based upon factors surrounding the credit risk of specific accounts, historical trends and other information. The association has a significant number of customers which minimizes concentration of credit risk.

#### Liquidity Rish

Liquidity risk is the risk that an entity will encounter difficulty in meeting obligations associated with financial liabilities. The association is exposed to this risk mainly in respect of its receipt of funds from its customers and other related sources, long-term debt, obligations under capital leases, contributions to the pension plan, and accounts payable.

#### 6. COMMITMENTS

On August 1, 2012 the Association entered into a 84 month lease for its office, terminating on July 31, 2019. Annual Base rent is as follows each rental period August 1 to July 31, \$13,635.00 (2013), \$14,392.50 (2014), \$15,150.00 (2015), \$15,907.50 (2016), \$16,665.00 (2017), \$18,180.00 (2018), and \$18;937.50 (2019) plus common area costs.



# Section Chairs 2013-2014

Within brackets, the first figure indicates the number of members enrolled, and the second figure indicates the number of meetings, events or continuing professional development programs held in 2013/2014.

Aboriginal Law (109; 5) Allison Fenske, Chair

Administrative Law (202; 2)

Sarah Hill, Chair

Alternative Dispute Resolution (138; 0)

Lyle Smordin, Chair

Bankruptcy & Insolvency Law (86; 2)

Jason Kendall, Chair

Business Law (266; 5)

Robert Fleischaker, Co-Chair

Michael Jason, Co-Chair

CCCA (Canadian Corporate Counsel Association)

(282; 11)

Nick Slonosky, Co-Chair

Dianne Pemkowski, Co-Chair

Civil Litigation (272; 4)

Trevor Brown, Chair

Constitutional/Human Rights (150; 0)

Michael Conner, Co-Chair Mark Toews, Co-Chair

Construction Law (126; 0)

Tom Turner, Chair

Criminal Justice (119; 6)

Tony Cellitti, Co-Chair

Nancy Fazenda, Co-Chair

Elder Law (73; 1)

Sharon Tod, Chair

Environmental Law (78; 3)

Stewart Pierce, Chair

Equality Issues (87; 2)

Karen Dyck, Chair

Family Law (194; 8)

Andrea Dodgson, Chair

General Practitioners (105; 1)

Joe Gallagher, Chair

Health Law (93; 0)

Douglas Forbes, Chair

Immigration Law (60; 4)

Sofia Mirza, Chair

International Law (76; 1)

George Derwin, Chair

Labour Law (141; 1)

Adrian Frost, Co-Chair

Kathryn Hordienko, Co-Chair

Law Practice Management & Technology (98; 1)

Vacant, Chair

Legal Research (123; 3)

Melanie Bueckert, Co-Chair

Darla Rettie, Co-Chair

Media & Communications Law (61; 1)

Robert Sokalski, Chair

Municipal Law (82; 0)

Robert Tyler, Chair

Public Sector Lawyers' Forum (82; 1)

Eli Goldenberg, Co-Chair

Cynthia Lau, Co-Chair

Real Property (238; 8)

Ned Brown, Co-Chair

Howard Nerman, Co-Chair

Securities Law (79; 0)

Peter Davey, Co-Chair

W. Doug Stewart, Co-Chair

SOGIC Manitoba (31; 2)

Kristine Barr, Co-Chair

Ken Mandzuik, Co-Chair

Taxation Law (110; 0)

Paul Grower, Chair

Technology & Intellectual Property Law (120; 5)

Adam Herstein, Co-Chair

Cheryl Jason, Co-Chair

Transportation Law (43; 0)

Joseph Barnsley, Chair

Wills & Estate Law (249; 3)

John Delaney, Chair

Women Lawyers' Forum (202; 4)

Robynne Kazina, Co-Chair

The Hon. Judge Cynthia Devine, Co-Chair

Young Lawyers' (467; 4)

Jason Gisser, Chair



# MANITOBA BAR ASSOCIATION/ASSOCIATION DU BARREAU DU MANITOBA

# 2013/2014 SECTION ACTIVITY Aboriginal Law January 24, 2014 Mid-Winter CPD – The Commissioner of Competition's annus horribilis in the

Aboriginal Law		January 24, 2014	Mid-Winter CPD – The Commissioner of	
October 18, 2013	Business Meeting		Competition's annus horribilis in the	
December 9, 2013	Environmental Approvals and Crown-		Competition Tribunal (joint session with the Business Law Section)	
	Aboriginal Consultation (joint session with Environmental Law Section)	January 24, 2014	Mid-Winter CPD – The New Canada Anti-	
January 23, 2014	Mid-Winter CPD – Changing Legislative Landscape: Aboriginal People and Rights		Spam Law: What you, Your Employer and Clients need to know (joint session with Technology & IP Section)	
March 5, 2014	Manitoba's Environmental Assessment and Licensing Regime (joint session with Environmental Law Section)	February 10, 2014	Immigration Law 2014: A New Dawn (Raid)	
June 16, 2014	Business & Executive Planning Meeting	March 5, 2014	The Modern-Day P3: Project Procurement & Politics – Dinner Meeting	
Administrative Law		April 16, 2014	A Review and Best Practices in Procurement Processes (joint session	
May 30, 2014	Manitoba's New Regulatory Cocktail: One		with Public Sector Lawyers' Forum)	
	Part Legislation, One Part Modernization, with a Generous Dash of Stakeholder	May 12, 2014	Understanding Whistle Blowing Law: The Ethical Considerations	
June 26, 2014	Input Webinar - The New Social Security Tribunal	June 17, 2014	Fraud – Are You Aware of Current Threats and Risks?	
		Civil Litigation		
Bankruptcy & Insolver December 12, 2013	ncy Law  Homestead rights, seize or sue legislation	October 31, 2013	Review of the Recent Amendments to The Insurance Act	
	and an overview of the new Queen's Bench panel for CCAA and receivership	January 23, 2014	Mid-Winter CPD – Civil Trials – Procedural & Evidentiary Issues (AM)	
April 10, 2014	Applications Implications of Factoring in an	January 23, 2014	Mid-Winter CPD – Civil Trials – Procedural & Evidentiary Issues <i>(PM)</i>	
	Insolvency	May 28, 2014	Developments in the Law of Vicarious Liability relating to Sexual Abuse Claims	
Business Law			,	
December 6, 2013	Securities Law Basics: What you Need to Know	Criminal Justice		
January 24, 2014	Mid-Winter CPD – The Commissioner of	November 26, 2013	Lawyer-client interviews by computer and Video Conferencing for Court	
	Competition's annus horribilis in the Competition Tribunal (joint session with	March 4, 2014	New Queen's Bench Criminal Rules	
	CCCA) (AM)	April 4, 2014	"All Manner of Wickedness Abounds": Reconciling Queer Rights and Religious	
January 24, 2014	Mid-Winter CPD – Effective Lease Review: How to Make the Most of your		Rights (joint session with the Criminal Justice Section)	
	Time when Reviewing a Lease (PM)	May 26, 2014	Top 5 Criminal Cases for 2013-2014	
May 9, 2014	Branding from the Inside Out	May 28, 2014	NEW Front End Protocol	
June 5, 2014	The Hollinger Saga: Lessons Learned	June 23, 2014	Welcome to the Practice of Criminal Law	
CCCA (Canadian Corporate Counsel Association)		Elder Law		
September 12, 2013	CCAA for CCCA? How Our Restructuring Regime May Impact Your Company	December 13, 2013	End of Life Decisions	
October 24, 2013	Anti-Corruption and Bribery Legislation	Environmental Law		
November 27, 2013	Financial Literacy & What In-house Counsel Should Know About "Vulnerable Persons" ( <i>In-person and Webinar</i> )	December 9, 2013	Environmental Approvals and Crown- Aboriginal Consultation <i>(joint session with the Aboriginal Law Section)</i>	
January 23, 2014	Mid-Winter CPD – General Counsel Speak – Lessons for Law Firms on Women's Advancement and Increasing	March 5, 2014	Manitoba's Environmental Assessment and Licensing Regime (joint session with the Aboriginal Law Section)	
	Client Connections (joint session with the Women Lawyers' Forum)	June 5, 2014	Contaminated Sites Remediation Act Amendments	



# MANITOBA BAR ASSOCIATION /ASSOCIATION DU BARREAU DU MANITOBA

# **2013/2014 SECTION ACTIVITY**



Equality Issues		Media & Communications Law		
October 8, 2013	So you want to be a Judge? (joint session with Women Lawyers' Forum)	January 24, 2014	Mid-Winter CPD – Lawyers in the Media: Sound-bytes and Pitfalls	
March 11, 2014	Toward a More Diverse Profession	Public Sector Lawyers	' Forum	
Family Law		April 16, 2014	A Review and Best Practices in	
November 1, 2013 December 12, 2013	Relocation – To Move or Not to Move?? Annual Holiday Party		Procurement Processes (joint session with CCCA)	
January 24, 2014	Mid-Winter CPD – Aaron on the Side of	Real Property Law	,	
january 21, 2011	Caution – A Critical Review of the Past Year's Family Cases	September 12, 2013	The use of property home inspectors in real estate transactions	
February 18, 2014	Child Protection Procedures	October 30, 2013	Dealing with Homestead Act matters in	
March 12, 2014	Bail and Probation	conveyancing		
April 25, 2014	Client Competency: How to Protect Yourself and Your Client	November 13, 2013	A review of the current version of the City of Winnipeg rules applicable to the preservation of historical structures	
June 4, 2014	Welcome to Family Law - What they didn't teach you at law school	January 23, 2014	Mid-Winter CPD – Farming Operations for the 21st Century (AM)	
June 12, 2014  General Practitioners	Annual BBQ	January 23, 2014	Mid-Winter CPD – Farming Operations for the 21st Century ( <i>PM</i> )	
February 26, 2014	Webinar - Coaching your Team: Using	February 13, 2014	Insurance considerations for owners, tenants and security holders	
Coaching to Motivate, Engage and Inspire Staff and Colleagues (joint session with Law Practice Management Section)	April 17, 2014	Real property conveyancing from the perspective of a lawyer practicing "outside the Perimeter Highway"		
Immigration Law		June 3, 2014	Operation of the Property Registry (real	
September 11, 2013	Recent Developments with the Temporary Foreign Worker Program	COCIC Manaitaha	and personal property) by Teranet Inc.	
March 5, 2014	Recent Developments with the	SOGIC Manitoba November 5, 2013	General Business Meeting	
	Temporary Foreign Worker Program	April 4, 2014	"All Manner of Wickedness Abounds":	
April 23, 2014 June 26, 2014	Update from the CBSA – Enforcement Update on Manitoba Provincial Nominee	пріп 4, 2014	Reconciling Queer Rights and Religious	
June 20, 2014	Program for Business		Rights (joint session with the Criminal Justice Section)	
International Law		Technology & Intellec	tual Property Law	
June 10, 2014	Introduction to European Union Law	December 12, 2013	Canadian Centre for Child Protection	
Labour Law		January 24, 2014	Mid-Winter CPD – The New Canada Anti-	
January 24, 2014	Mid-Winter CPD – Accommodation &		Spam Law: What you, Your Employer and Clients need to know <i>(joint session</i>	
January 2 -, 2 - 1	Privacy Issues		with CCCA)	
Law Practice Managen	nent	March 20, 2014	BYOD (Bring Your Own Device) – How to Manage the Risks	
February 26, 2014	Webinar - Coaching your Team: Using	May 20, 2014	Employee Monitoring	
	Coaching to Motivate, Engage and Inspire Staff and Colleagues (joint session with Law Practice Management Section)	June 20, 2014	Annual Update on IP, Privacy & Technology Law	
Legal Research		Wills & Estates		
December 11, 2013	Legal Research Holiday Party	October 25, 2013	Update on the new Estate Tariff	
January 24, 2014	Legal Research Holiday Party  Mid-Winter CPD – A Roadmap for  Statutory Interpretation	January 23, 2014	Mid-Winter CPD – Digital and Online Assets: Estate Planning and Administration Issues	
June 25, 2014	Citation Rules!	April 21, 2014	Challenging Inter Vivos Gifts	
-		-		

45



# MANITOBA BAR ASSOCIATION/ASSOCIATION DU BARREAU DU MANITOBA 2013/2014 SECTION ACTIVITY

#### Women Lawyers' Forum

October 8, 2013 So you want to be a Judge? (joint session

with Equality Issues Section)

January 23, 2014 Mid-Winter CPD – General Counsel Speak - Lessons for Law Firms on

> Women's Advancement and Increasing Client Connections (joint session with

CCCA)

April 24, 2014 Networking Event - Building A Dream:

The Story of an Entrepreneur

June 10, 2014 Celebrating Success - Wine & Cheese

Reception

Young Lawyers'

September 19, 2013 Annual Wine & Cheese

January 24, 2014 Mid-Winter CPD - Pre-Trial Case

> Conferences: Tips for Success from the Civil Litigation and Family Bench & Bar

March 28, 2014 Navigating your way through Wills and

Estate Administration Issues

Small Claims Primer July 11, 2014

