

President's "Massage"

Two-thirds of the entire executive took some precious time away from our practices and piano lessons this November to attend the CDLPA Fall Plenary. What's CDLPA, you ask? Well, it's an umbrella organization of all of the presidents of all 46 law associations in Ontario (plenary is French for heavy rain). And it's headed up by our very own Cheryl Siran! Some highlights of the gathering:

* Law Society CEO Robert Lapper reported that there will be no increase in member fees for 2015, that the LibraryCo fee will remain at \$202/lawyer, and that LibraryCo funding will increase from 7.5 to 7.7 million (not including my late fines). He also updated us on the Law Practice Program as an alternative to articling, which has 245 participants in its inaugural year. Various other important acronyms were also discussed.



SIMON OWEN, CONTINUING HIS SERIES OF "PRESIDENT AND BABY" PHOTOS,

* We have 14% more lawyers in northwestern Ontario, while our total population has declined by 5.7%, over the past five years. That explains it.

* Bencher elections are coming up. Nominations must be filed by February 15. Osgoode Hall is sumptuously appointed.



* While we are losing Lexis-Nexis on our desktops in 2015, most courthouses in the province have, at least, a computer with internet and Quicklaw access for use by counsel. "Most" does not include the Kenora District. More to come on this inequity.

* Increases to Legal Aid eligibility will double the number of people who can get access to LAO services. The exact nature and quality of these services remains less than certain.

This was Sayer Down's first-ever time in Toronto. He made his way to Yonge Street late one night and was not heard from for several hours.

As always, please contact us if you are interested in more information on these or other topics, in particular the following letters of the alphabet: LISS, ABS, MAP, or TAG.



INSIDE THIS ISSUE:

<i>LAO News</i>	2
<i>Paloma Corrin</i>	2
<i>Christmas Greetings</i>	3
<i>CDLPA</i>	3
<i>Henry Porter Cooke</i>	4
<i>April CLE</i>	5
<i>Library Acquisitions</i>	6

News from Legal Aid

by Andreas Asmus

LAO WILL BE
RAISING THE INCOME
ELIGIBILITY
THRESHOLD BY SIX
PERCENT EVERY
YEAR FOR THE NEXT
3 YEARS.

On behalf of all the staff of Legal Aid Ontario in the Northwest District, I wish you and your family a joyous and peaceful holiday season and a prosperous New Year. In the spirit of the season, I wish to advise you of the following good news announcements from LAO.

For the first time since 1996, the Ontario government is increasing the financial eligibility threshold for legal aid services. LAO will be raising the income eligibility threshold by six percent every year for the next 3 years. The first increase was implemented November 1, 2014 and the next two are scheduled for April 1, 2015 and April 1, 2016. The increases apply to Duty Counsel and community legal clinic financial eligibility thresholds as well as to the certificate program.

Also, effective November

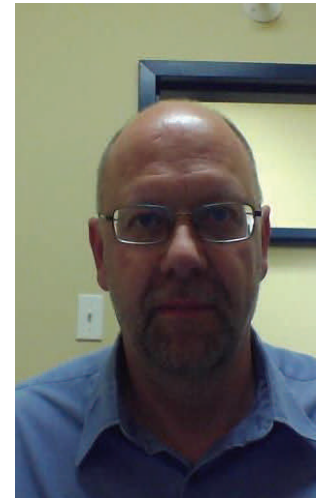
3rd, LAO significantly increased the number of hours available to family law hours assisting clients in *CFSA* proceedings.

In the summer we began to fund and schedule members of the family legal aid panel to provide advice and assistance to potential family law clients by providing regular Family Law Information Centre (“FLIC”) services in Fort Frances, Red Lake, Sioux Lookout and Dryden.

Effective July 3rd, LAO increased the options for out-of-court settlement for low-income people by introducing mediation related -ILA and separation agreement certificates. The number of people potentially eligible for those certificates was greatly enhanced by permitting one side to earn up to \$ 50,000 if the other side qualified for duty counsel services. This is part of LAO’s family law strategy

which, among other things, aims to reduce the number of unrepresented family law litigants and provide an avenue for consensual dispute resolution.

LAO is also providing funding to NALSC for three *Gladue* report writers for NAN members of Treaties 5 and 9 in Thunder Bay, Timmins and Sioux Lookout. “



Andreas Asmus: Director General - NW District LAO - Sioux Lookout

Meet the Articling Student: Paloma Corrin

Paloma Corrin completed her undergraduate degree in Environmental Studies at the University of Winnipeg and received her Juris Doctor from the University of Ottawa. While in law school, Paloma’s legal passion was Aboriginal law. She is thrilled to have followed that passion to Kenora to article with Keshen & Major.

Paloma is an avid water sports enthusiast. She will travel great distances to catch the wind to go windsurfing, and when she can’t find wind-strewn whitecaps, stand up paddling is her fix. She recently discovered a new fervor for swimming after joining the Kenora Sharks Masters Swim Team where she is

hoping to compete in her first swim meet this year. Paloma also loves wildlife and outdoor adventure, and is thrilled to call the boreal forest home. She is looking forward to improving her birding skills and trying out the seemingly endless canoe-trip routes in the region.



PALOMA CORRIN IS ARTICLING AT KESHEN AND MAJOR IN KENORA.



CDLPA NOTES

Greetings from CDLPA Chair Cheryl Siran: The year has brought a lot of change, challenges and opportunities that are going to make the coming year a very important one for our profession. The potential introduction of Alternative Business Structures, Paralegal education and scope of practice, changes to our local law libraries/Practice Resource Centers, Access to Justice,

and courthouse security are only a few of the major issues we are facing. The continued vibrancy of solo and small firms remains a primary goal of our organization, but we continue to need the input of the local law associations to respond to the issues. Lawyers need to have a voice, and ensure that they are advocating for themselves, the profession and the

public on the consequences to changes in the practice of law in Ontario. I am grateful for the work and commitment of the Kenora District Law Association is raising awareness on the issues that affect us all, and look forward to continuing to work with KDLA and its members in the new year. I wish you all a happy and safe holiday season, and all the best in 2015!"



Cheryl Siran, Chair of the County and District Law Presidents' Association (CDLPA)

Notes from the Great War Project

by Mark Mymko



Major Henry Porter Cooke (1884 to 1936)

As many of you know, in addition to my time as a lawyer I have been serving as a member of the Canadian Armed Forces. I am presently at the rank of Second Lieutenant with the 116th Independent Field Battery, Royal Canadian Artillery where I work part-time as the Unit Administration Officer. I am now joined by newly commissioned Second Lieutenant Ian Argue to follow a lineage of Kenora lawyers in the Army.

This year marks the centennial of, the First World War, or the Great War as it was known before 1939. As a part of the commemoration of the War, the Great War Project has been undertaken across Canada and in other nations. The Canadian project site can be found at www.thecanadiangreatwarproject.ca.

I have been tasked with some historical work for my Unit, in particular its origins. In this project I have found a number of connections between the Army in Kenora and the Kenora Bar. The following is one member of interest which I have edited from the GWP notes.

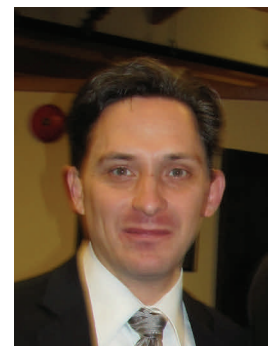
Major Henry Porter Cooke (1884 to 1936)

Henry Cooke was born in Uxbridge, Ontario. He was raised and educated there, and later attended the University of Toronto where he graduated with his BA and LLB. He attended Osgoode Hall and was called to the Bar in 1908 after which he practiced law in Uxbridge. In 1911 he joined the 34th Ontario Regiment of the Canadian militia. In December 1915 he joined the 116th Battalion and went to Europe sailing aboard the SS Olympic (sister ship to Titanic).

According to records, Henry arrived in France in February 1917. He was with the Canadian Army at Vimy Ridge in April 1917 and injured by a gas shell in June 1917 during a battle known as the “affairs south of the Souchez River” which was a German counter attack in an attempt to retake the ridge (on the day he was injured there were 36 Canadians killed). Injured, Henry was sent to England, and later granted leave to

return to Canada where he was later retained as unable to return to combat. He was placed in charge of the Military Services Act in Kingston under the command of Colonel Harold Machin, from Kenora (his story is on exhibit at the museum), who after the War convinced Henry to move to Kenora.

In 1919 Henry set up practice in Kenora, built a home on Main Street North and eventually was the District Crown Attorney and town solicitor. Actively involved in town affairs, the Bar Association, Rotary, Board of Trade, Masonic Order, Legion and Golf Club he was a highly regarded member of the community. If you look in our Association’s old minutes you can see he was active as a member of our Executive.



Mark Mymko is an attorney at Legal Aid Ontario in Kenora, and Second Lieutenant with the 115th Independent Field Battery, Royal Canadian Artillery.

IN 1919 HENRY SET
UP PRACTICE IN
KENORA, BUILT A
HOME ON MAIN
STREET NORTH AND
EVENTUALLY WAS THE
DISTRICT CROWN
ATTORNEY AND TOWN
SOLICITOR.

SAVE THE DATE

On April 23-24, 2015 KDLA will be hosting a CLE event in Kenora. Guest presenters include Rupert Ross, Janet Minor (LSUC treasurer), Justice Gibson, and forensic psychiatrist, Dr. Philip Klassen.

The next semi-annual meeting of KDLA will be held in conjunction with this event. We hope to see you all there!

Library Matters

There are a couple of issues arising from the use of computers in our Law Library. These issues have to do with confidentiality.

The computer workstations provided in our library are for

lawyers' use only. They can serve as a remote link to your office, or a portal to the databases to which we subscribe. We encourage you to use the computers to do your research, and to produce documents needed to serve your clients.

However, it is incumbent on lawyers to ensure that they protect their clients' privacy. This means closing and deleting documents, signing off secure sites, and saving required documents to a portable memory device rather than the computer's hard drive



View from my Window



This picture was taken on November 27, just days after the ice formed between the island and the point. These adventurous deer attempted to cross from the island, but thought better of it and returned to terra firma a few minutes after posing for this shot.

District Courthouse
216 Water St,
Kenora, Ontario
P9N 1S4

Recent Library Acquisitions

YOUR LAW LIBRARY

Maria Berezowski
Librarian

PHONE:

807-468-9335

TOLL FREE

1-866-684-1164

FAX

1-807-468-1758

E-MAIL

lawlib@kmts.ca

HOURS

Monday, Tuesday, Thursday

8:00 AM-12:30 PM

Wednesday, Friday

8:00 AM – 12:00 noon

KDLA EXECUTIVE

President—SIMON OWEN
Beamish & Associates,
Sioux Lookout

VP—ELAINE BRIGHT
Pace Law Firm, Kenora

Secretary/Treasurer
SAYER DOWN
Hook Seller & Lundin LLP,
Kenora

BOOKS

The 2014 Annotated Ontario Partnerships Act (MacPherson & Doobay)

The 2015 Annotated Bank Act with Associated Regulations (David & Dooley)

The 2015 Annotated Divorce Act (MacDonald & Wilton)

Capacity and Undue Influence (Poysler)

Common Canadian Criminal Code Offences and procedures 2014 (Waldock)

Consolidated Ontario Insurance Statutes and Regulations 2014

Every Cyclist's Guide to Canadian Law (Forcese & LaViolette)

Handbook for Municipal Councillors (Rust-D'Eye) 2nd ed.

The Law of Equitable Remedies (Berryman) 2nd ed.

The Law of Trusts (Gillese) 3rd ed.

Modern First Nations Legislation *Annotated* 2015

Ontario Municipal Act & Commentary 2015

Oosterhoff on Trusts (Oosterhoff, Chambers & McInnes) 8th ed

Police services act of Ontario : an annotated guide (Scott) 3rd ed.

A Practical guide to eDiscovery in Canada (Austin & Landry)

Principles of Property Law (Ziff) 6th ed.

Raindance II : a blueprint for growing your practice (Mitchell) Small firm/solo practice ed.

Real Estate transactions (Perell) 2nd ed.

Supreme Court of Canada Practice 2015 (Brown)

Tenant's rights and remedies in a commercial lease (Haber) 2nd ed.

To right historical wrongs: race, gender and sentencing in Canada (Murdocca)

NEW CLE

From LSUC

15th Annual Employment Law Summit

17th Annual Estates and Trusts Summit

Civil litigation PRACTICE BASICS 2014

Expert Evidence for Litigators

Securities Law Update 2014

The Six-Minute Debtor-Creditor & Insolvency Lawyer 2014

The Six-Minute Environmental Lawyer 2014

Understanding Pensions in Family Law

From OBA

5th Annual bread and butter issues in family law

Ethics and professionalism issues for family lawyers

Expert strategies for trial preparation

How to effectively represent teens and young adults seeking child support

Summary judgment motions

Your first residential real estate transaction (YLD)

