

FROM the KDLA PRESIDENT

Dear Friends and Colleagues,

Another beautiful summer in the District of Kenora is coming to an end. Fall is in the air, cool and crisp. The sun is setting lower in the sky and our days begin in darkness once again.

For nearly half a year now the KDLA Executive has been meeting routinely on your behalf. So, what have we done?

Here are the highlights:

Our Association has purchased a membership with Grapple Law to allow access to CPD programming at no additional cost to members. At this time we have had some very positive feedback. Check out their website. Your access code should have been emailed to you on Sept 15. In the event that you have remaining CPD hours to complete, access the Grapple Law service to complete your hours in the comfort of your home or office. We welcome any feedback regarding this service.

Carlyne S. Bell (McAuley & Partners) has agreed to take on the role as our

Ontario Bar Association representative. We would like to take this opportunity to thank Jim Hook for his years of volunteer service as our OBA representative.

We have been working to achieve greater access to resources for our members in our Kenora court and satellite courts. We are still at an early stage, however we can advise that there is WiFi access at the Kenora courthouse available to KDLA members. Please contact our librarian, Maria, or a member of the executive for the password.

Additionally, we have been issued 4 key cards to enter the courthouse after hours for library access. The key cards will be kept in the library, and are available to be signed out for short-term loans. Please see Maria. The eventual goal is to have individual key cards for each member. We are optimistic that this will be achieved in time, dependent on the success of this program.

Please be sure to RSVP and attend the following events:

Retirement Reception for Peter Kirby—postponed—new date TBA

Gladue Study Group

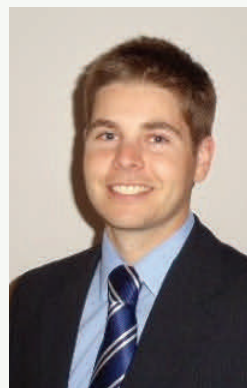
Wed, Nov. 4, 2015
4:30 Legal Aid Boardroom
Arthur Huminuk, the Gladue Report Writers, Rob Nelson (ADR) and Jennifer Dreaver of Ne-Chee Community Justice will attend to talk about their programs.

KDLA Semi-Annual Meeting

Friday, Nov 20 , 2015
Location: Riverview Lodge, Dryden
3:00-5:00 Meeting
5:00 Cocktails and Dinner

We look forward to seeing you at the KDLA semi-annual meeting in Dryden.

Yours Truly,
Sayer Down, President
On behalf of the KDLA Executive



SAYER DOWN
KDLA PRESIDENT

EXECUTIVE HIGHLIGHTS

- ◆ Carlyne S. Bell becomes our new OBA rep
- ◆ Free access to Grapple Law for CPD programs
- ◆ WiFi access at the courthouse
- ◆ Key cards to borrow for after-hours access to the Law Library



INSIDE THIS ISSUE:

<i>New to KDLA</i>	2
<i>CDLPA News</i>	3
<i>Articling Student</i>	4
<i>Great Library Ghost</i>	5
<i>Library Acquisitions</i>	6
<i>View from my Window</i>	6



PALOMA CORRIN
NEW ASSOCIATE AT MJOR
SOBISKI MOFFATT LLP

Major Sobiski Moffatt LLP Welcomes Paloma Corrin

Paloma completed her undergraduate degree in Environmental Studies at the University of Winnipeg and received her Juris Doctor from the University of Ottawa where she focused on Aboriginal and environmental law. Following law school, Paloma articulated in

Kenora with Keshen & Major and thoroughly enjoyed a rich and unique legal learning experience. On September 25, Paloma was called to the Bar and is eager to begin practicing Aboriginal law and assisting clients as an Associate at Major Sobiski Moffatt LLP.

Outside of the office, Paloma enjoys swimming with the Kenora Sharks, kiteboarding, and all things outdoors.



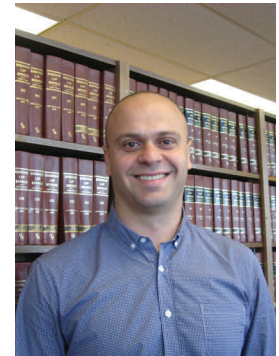
New Staff Lawyer at Northwest Legal Clinic

Kevin Warkentin is a new staff lawyer at the Northwest Community Legal Clinic. Kevin grew up in Winnipeg and completed his undergraduate degree in Politics and International Development Studies at the University of Winnipeg. After graduating, he interned at the Manitoba Legislative Assembly and then went on to spend several years working in South Korea as an English instructor. He then returned to

Canada and obtained his J.D. at Osgoode Hall Law School where he participated in the Criminal Law Intensive Program. Kevin completed his licensing requirements with the Ministry of the Attorney General – Court Services Division. He was seconded to Pro Bono Law Ontario and worked at the organization's Law Help Ontario centres in Toronto. He was called to the Bar of Ontario in June 2015. Kevin is

thrilled to step into the position at the legal clinic where he looks forward to developing his advocacy skills.

In his spare time, Kevin enjoys hiking, cooking, travelling, reading and learning languages. He is excited about his move to Kenora and plans on taking advantage of all the canoeing possibilities the area has to offer.



KEVIN WARKENTIN JOINS
THE STAFF AT THE NORTH-
WEST COMMUNITY LEGAL
CLINIC.

KDLA Welcomes Tara Letwiniuk



TARA LETWINIUK

Tara Letwiniuk holds a Bachelor of Social Sciences degree from the University of Ottawa, and a Bachelor of Law, and Master of Laws degrees from the University of Toronto.

Tara started her legal career with the global law firm Stikeman Elliott in Vancouver where she specialized in Real Estate, Corporate Commercial and Mining Law. Prior to Tara moving home to Northwestern Ontario and opening her law practice in

Kenora, Tara had lived and worked in several countries globally working on human rights issues, was a Professor of Law at the University of British Columbia Faculty of Law and a sessional Professor at Simon Fraser University and Langara College in BC. Tara also started and owned several small businesses in the last decade from consulting to retail stores.

Tara's practice areas include real estate - conveyancing for residential and commercial buyers and sellers, commercial leasing, landlord tenant leases and disputes, family law, wills and estates, small business law, and Aboriginal law with interests in corporate law and governance, and international human rights.

Tara will be working with Terence Douglas Professional Corporation at 101 Chipman Street.

Notes from your CDLPA Chair

As I enter the final leg of my term as Chair of County and District Law Presidents' Association, I think often on the future of the profession, what we will face in the coming years and how lawyers will respond to those challenges as they arise.

For those of you who don't know, CDLPA is a provincial organization tasked with representing the interests of 46 County and District Law Associations across Ontario on matters affecting the practising lawyer, and to advocate for a better justice system that recognizes the crucial role competent and professional lawyers play in that system. There are no organizations like ours in the country, and no one organization in Ontario that does what we strive to do. We work closely with a number of justice partners, including the Law Society of Upper Canada, Legal Aid Ontario and the Ministry of the Attorney General to name a few, and all our work has the goal of ensuring practising lawyers "on the front lines" across the province have a strong voice in issues affecting their practice.

This is not an easy task.

Lawyers are trained to be adversarial, to use argument to reach conclusions and to "battle it out" on behalf of the interests of our clients. This is what makes us who we are, but it also means we're a group that often fails to see the forest through the trees. We too often choose to argue, rather than seek consensus and compromise. Further, many in

our profession are "lone-wolves" who, even if they are part of a partnership, work alone. We are a profession that is hard to organize, hard to rally around a consensus or compromise and extremely resistant to change. Layered on top of all this, the legal profession has a less-than-stellar reputation with the general public. We are not a sympathetic actor in the world of public policy or in the media. All of this leaves our profession vulnerable to attack and change that could be harmful to our profession - whether we like it or not.

Finding lawyers to express their views is rarely the problem. The problem is often in the numbers who participate. Too often, I have observed apathy from the profession that borders on a resignation that the future of the profession should be decided by someone else. This is both a tactical and potentially fatal error for lawyers.

A good recent example is the low turnout in voters for the Law Society's Benchers elections in June. Given that there were already going to be 19 new benchers elected, there was real opportunity to have an influential voice regarding the make-up of Convocation, who are the very lawyers who consider and implement changes to all relevant items concerning the profession. The turnout declined from 37% four years ago to 34% this year. And this in the face of a number of issues that have the potential to shape our profession for decades to come. Instead,

Cheryl Siran

the few decided for the many and every single incumbent who ran was re-elected. Hardly a rousing signal that the profession wanted anything but the status quo.

We are all busy people. Very busy. And I appreciate that lawyers feel they are continually being asked to do more with less, in both their personal and professional lives. We face constant pressures, often alone, without asking for support, no matter how much we may need it. In our communities and in our professional practice, we are turned to for solutions. We're problem solvers. To each other, we are not always civil or treat each other with the respect and courtesy we are entitled to. That can also lead many of us to be isolated and feel divorced from the profession.

This separation in the profession means we are often "reactive" instead of "proactive" in our advocacy for our own interests. We struggle, even in smaller centers, to sit together at a table to discuss what we are facing. The result of this is that change will happen without our input, or perhaps the minority of those who do participate having minimal impact, because the numbers will be too small.

There are clearly those who work tirelessly for the betterment of the profession and the public, and many in our district. One who deserves mention now is Peter Kirby. Peter is retiring this year (or at least trying to!)

Continued on p. 4

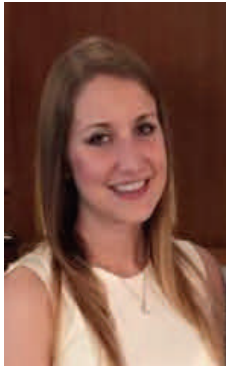


CHERYL SIRAN
CHAIR OF CDLPA

WE ARE A
PROFESSION THAT
IS HARD TO
ORGANIZE, HARD
TO RALLY AROUND
A CONSENSUS OR
COMPROMISE, AND
EXTREMELY
RESISTANT TO
CHANGE.



Meet the Articling Student



KIRSI ELO
ARTICLING AT SHEW-
CHUK ORMISTON RICH-
ARDT & JOHNSON LLP

Kirsi Elo
Shewchuk Ormiston Richardt
& Johnson LLP

Kirsi has joined our firm as an articling student for the 2015/2016 articling period. She will be called to the Bar of Ontario in June of 2016.

Originally from Thunder Bay, Kirsi received her Honours Bachelor of Commerce degree from Lakehead University in 2012, where she completed dual

majors in General Management and Information Systems and a minor in Finnish Language. Kirsi then attended law school at the University of Manitoba’s Robson Hall where she volunteered with the University Law Centre’s Legal Aid Clinic. She completed her Juris Doctor in April of 2015 before moving to Kenora.

You may have already seen Kirsi

out on the links this summer, as she has taken up playing golf since arriving in Kenora. She has also enjoyed getting to know other local young professionals through the NEXUS YPN Kenora group.

Notes from CDLPA

continued from p. 3

“WE MUST
 MOBILIZE AND
 DEFEND
 OURSELVES,
 BECAUSE NO ONE
 ELSE WILL.”

and I hope there are going to be many who recognize his achievements, and the gaps we all will have to fill in his absence. He was always willing to comment and deal with the issues facing our profession. As a bar, we need to be prepared to lead the charge on the next challenges as Peter would have.

We must mobilize and defend ourselves, because no one else will. There is no lawyer joke out there where the punchline leads to a victory for the lawyer. The legal profession in Ontario has changed, and will continue to do so. Much of this change is not necessarily bad – but if you feel it is, you best do something about it.



A VIEW OF KENORA’S SKYLINE INCLUDING THE COURTHOUSE , WITH THE ROTARY GOODWILL GEYSER IN THE FOREGROUND. TAKEN FROM MCLEOD PARK.

Great Library Haunted?

It has long been rumoured that Osgoode Hall is haunted. Indeed, over the decades, several experiences of a spectral nature have been reported. In honour of Hallowe'en, we would like to share the tale of a mysterious visitor to the Great Library, as told to Kenneth Jarvis, former Law Society Under-Treasurer, by George Johnston.

Mr. Johnston was called to the bar in 1919 and served as Chief Librarian of the Law Society from 1939 to 1965. Described by Jarvis as “a sober man of vigorous mental and physical health who lived to be over a hundred,” Mr. Johnston was not given to flights of fancy. The encounter he described to Jarvis occurred during the 1960s, when the Great Library was open each Saturday, but closed on Sundays.

Staff would quietly lock the doors to the Great Library on Saturday evening, doors which remained closed to visitors until the library re-opened early the following Monday morning. Occasionally, however, the Chief Librarian would avail himself of the opportunity to work in the library’s peaceful quiet on a Sunday afternoon.

One particular Sunday in late autumn, Mr. Johnston came to the library, unlocked the door at the south-east corner, entered, and then locked the door again behind himself. When he turned to walk the length of the room to reach his office he was surprised to see a person sitting at the first desk, hunched over a book apparently engrossed in reading.

The Chief Librarian wondered

who the person was and how he had gained access to the library. Perhaps the watchman had let him in, or perhaps one of the other four doors to the library had been left unlocked by mistake? He made a mental note to find out, but decided not to disturb the figure.

When the Chief Librarian was ready to leave just before 5 o’clock, he saw the figure was still seated at the desk. He approached, but when about twenty feet away, the figure stood and walked quickly towards the south-east door, passing right through it and out of sight. It was that same door the Chief Librarian had locked earlier!

Mr. Johnston tested the door and all the other doors to the library, too, only to find them all locked. Then, he sought out the watchman to ask about the stranger. The watchman said he had seen no one except Mr.

Johnson, himself.

It seems that paranormal activity in the library is not restricted to the past. Only two years ago, during Doors Open Toronto, a visitor touring Osgoode Hall stopped in front of the massive stone carved fireplace in the Main Reading Room of the Great Library and declared that she sensed a “portal to another world” at that exact spot. It’s no wonder the building is featured on a number of walking tours of haunted sites in Toronto. See Muddy York Walking Tours – The Haunted Streets of Downtown Toronto.

-- J.Bosschart and S.Jürgens

(Adapted in part from Kenneth Jarvis, Q.C., RCA, “Ghosts of Osgoode Hall” (Speech delivered at the Medico-Legal Society of Toronto Meeting, November 20, 1996), [unpublished])

Reprinted with permission

“PERHAPS THE
WATCHMAN HAD
LET HIM IN, OR
PERHAPS ONE OF
THE OTHER FOUR
DOORS TO THE
LIBRARY HAD BEEN
LEFT UNLOCKED BY
MISTAKE? “



INTERIOR VIEW OF THE GREAT LIBRARY IN OSGOODE HALL.



**DISTRICT OF KENORA LAW
ASSOCIATION**

District Court House
216 Water St.
Kenora, Ontario
P9N 1S4

**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

www.kenoradistrictlawassociation.com

Recent Library Acquisitions

NEW BOOKS

2013/2014 Annotated Fire-
arms Act & Related Legislation

The 2015 Annotated Ontario
Highway Traffic Act (Segal

The 2015-2016 Annotated
Ontario Personal Property
Security Act (McLaren)

The 2015 Annotated Ontario
Provincial Offences Act (Segal
& Libman)

2015 Annual Review of Civil
Litigation (Archibald & Echlin)

Canada Business Corporations
Act & Commentary 2015/2016

Canadian Administrative Law
(Regimbald) 2nd ed.

Consolidated Ontario Family
Law Statutes & Regulations
2015-16 (Siegel)

Defending Drinking and Driv-

ing Cases 2015 (Gold)

Guide to the Youth Criminal
Justice Act 2016 (Tustin)

Handling Provincial Offences
Cases in Ontario 2015 (Allen &
Libman)

Income Tax Annotated 2015
(Stikeman)

Mack's Criminal Law Trial
Book 2015 (Mack)

Ontario Business Corporations
Act & Commentary 2015/2016

Ontario Civil Practice (Watson
& McGowan)

Ontario Planning Legislation &
Commentary 2016 (Doumani
& Foran)

Ontario Small Claims Court
Practice 2016 (Zuker & Winny)

Ontario Superior Court Prac-
tice 2016 (Archibald et al)

Ontario Workplace Safety &
Insurance Act & Commentary
(Dee & Newhouse) 2015/2016
ed

Practitioner's Goods & Ser-
vices Tax Annotated – 2015

Rules of Professional Conduct
2015 (LSUC)

Watts Manual of Criminal Evi-
dence 2015 (Watt)

NEW CLE

From LSUC

The Administration of Es-
tates 2015

Breaking the Bonds of Boil-
erplate

Probate Essentials 2015

Solo and Small Firm Confer-
ence 2015: the business of
law

KDLA EXECUTIVE

President—SAYER DOWN

Hook Seller & Lundin LLP, Kenora

VP—ELAINE BRIGHT

Pace Law Firm, Kenora

Secretary/Treasurer

CARLYNN S. BELL

McAuley & Partners,

Dryden

A View From My Window



A SAILBOAT MOTORS PAST MY WINDOW WITH A BACKDROP OF EARLY AUTUMN LEAVES.