

# KDLA NEWS MARCH 2022



QUARTERLY NEWSLETTER OF THE  
KENORA DISTRICT LAW ASSOCIATION



Phaedra Olinyk  
Hook Seller & Lundin LLP  
President of KDLA

## Message from KDLA President

by Phaedra Olinyk

The KDLA met for their AGM on March 4, 2022 by Zoom and it was a great turnout – please refer to the Bench and Bar update for all of those details.

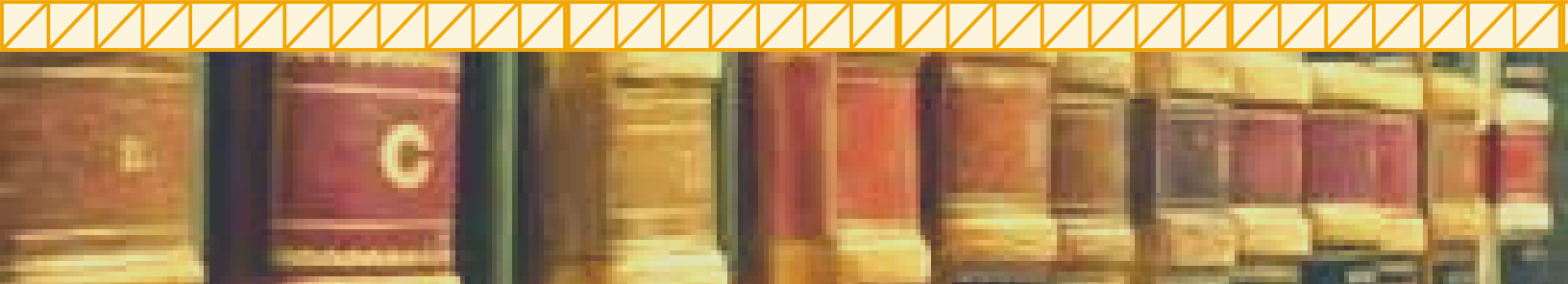
Spring is around the corner and the return to in person proceedings seems to be as well! What will this look like for our region? Bench and Bar meetings have been scheduled for both Kenora and Dryden to hopefully provide some clarity and I encourage all counsel to attend with any questions, concerns or comments they may have. We will be meeting with Local Administrative Justice Hoshizaki on March 28, 2022 at 1 PM and Regional Senior Justice Gibson on April 8, 2022 at 1 PM. Zoom details will be circulated prior to the meetings. For all of those unable to attend, we will circulate a brief memorandum following the meetings.

As always, please feel free to reach out to the Executive if you have any issues, concerns or ideas.

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## BOOK REVIEW

The Road less taken: Non-anger and Taming the Furies in Criminal Court

**ANGER AND FORGIVENESS**

**BY MARTHA NUSSBAUM**

**(OXFORD UNIVERSITY PRESSE, 2015)**

“The retaliatory instinct is deeply human,” says University of Chicago professor of Law and Ethics, Martha Nussbaum. The general argument of *Anger and Forgiveness* is that anger leads us down the roads of payback and downranking or status reduction and that we should learn how to turn the vengeful Furies of Greek myth into Eumenides—the kindly ones.

*Anger and Forgiveness* dissects anger and its lack of utility in all realms of life: encounters with strangers, intimate relationships, the criminal justice system, and nation building. Through historical, religious, and philosophical accounts and an examination of the lives of Mahatma Gandhi, Martin Luther King and Nelson Mandela, Nussbaum suggests that when provoked, we should either not react (non-anger), or pivot, and turn our anger into a useful project (transition-anger).

Nussbaum tells us that the scope for non-anger is largest in the personal sphere where we can discipline ourselves not to react to irritants in our daily lives. It is when we encounter serious injury to ourselves or to others or serious injustice, that we must work hard to transition.

The Roman Stoics, like the Greeks, thought anger was a disease. Seneca kept a journal in which he listed occasions for anger in his personal life (a messy couch, a clumsy slave) and made it his life’s quest to subdue the beast. During his twenty-seven years of imprisonment, Nelson Mandela studied the stoic philosopher, Marcus Aurelius.

Nussbaum leads us through Jewish and Christian concepts of wrongdoing and the forgiveness rituals both developed to purge anger and retaliation from their communities. She finds that both teshuva, in the Jewish tradition, and confession, in the Christian, are deficient because they can produce feelings of moral superiority in the injured party and abasement in the petitioner/penitent.

Nussbaum also dissects the magical thinking which underlies much of our criminal justice system: the belief that in exacting vengeance through imprisonment and degradation (the *lex talionis*), society is restoring a cosmic balance and returning victims to wholeness.

In the next newsletter, I will elaborate on Nussbaum’s critique on how the justice system gives the Furies room to act and her discussion of the paths of unconditional forgiveness and reconciliation.

Peter Kirby LL.B.  
(non-practicing)



## KDLA DUES REMINDER

Invoices for 2022 membership dues were sent at the beginning of March.

If you have not received yours, please let Maria know and she will prepare a duplicate.

Membership dues should be paid no later than the end of April.

The executive has held the dues at the reduced rate again this year, in recognition of the financial strain caused by the pandemic.

Please remember that the KDLA library should not be used for audio or video court appearances. You are welcome to use the Lawyers' Lounge if necessary.



## A View from My Window



Gray skies have not been conducive to getting a good "view" picture lately. In the category of "Wishful Thinking" I have included this more optimistic picture, taken in April 2016

## NEW ELECTRONIC RESOURCES IN THE LIBRARY

LiRN (the Legal Information Resource Network) has been busy making improvements to the suite of electronic resources available in Ontario's courthouse libraries.

I expect that by now we are all familiar with Lexis Advance QuickLaw, as it has been available in our libraries for many years. We are now adding access to LexisNexis Practical Guidance.

LexisNexis Practical Guidance gives you the know-how to accomplish your tasks from experienced lawyers. You can save time by accessing authoritative content, precedents, checklists, toolkits, practice guides, and drafting tools by leading practitioners.

LiRN will also provide access to a number of Westlaw Canada Legal Research tools from Thomson Reuters. Our subscription from LiRN includes Criminal Source (Cases, Digests & Annotations, Criminal Codes, Key texts), Family Source (Sample agreements, checklists and Quantums, leading texts and This Week in Family Law newsletter), and Estates and Trusts Source (Build-a-Will and Form-fillable precedents, legislation, case law, probate rules, and key texts).

New to many of us is the vLex resource. This resource includes Vincent, a virtual legal assistant. Vincent uses AI and machine-learning technologies to find legal citations, cited documents and the most relevant legal concepts.

Our vLex subscription also gives us access to Irwin Law's e-book collection.

At this time, all of these resources are available only in the courthouse libraries. Our licensing agreements preclude granting remote access to most of these products.

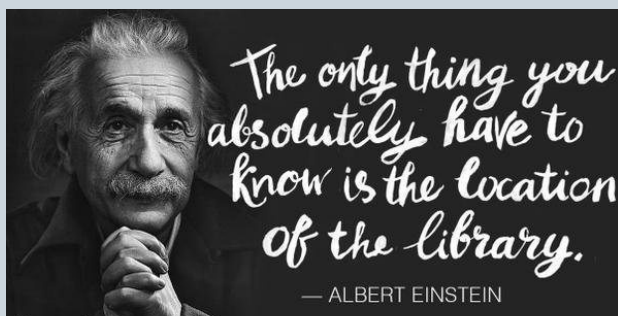
# Recent Library Acquisitions

## NEW TITLES

Administrative Law: Cases, Text, and Materials (Heckman et.al.) 8th ed  
Annotated Ontario Rules of Criminal Practice (Segal) 2022 ed.  
2022 Canadian Federal Courts Practice(Hughes, Renaud & Horne)  
2022 Charities Legislation & Commentary (Carter, Hoffstein & Parachin)  
The Civil Litigation Process: Cases & Materials (Walker et. al.) 9th ed.  
Foundations of Criminal and Civil Law in Canada (Mukherji & Kossowski) 5th ed.  
The Law of Independent Legal Advice (Tjaden) 3rd ed.  
The Law of Search & Seizure in Canada (Fontana & Keeshan) 12th ed.  
The Law of Trusts: a Contextual Approach (Gillen & Woodman) 4th ed.  
Litigating Artificial Intelligence (Presser, Beatson & Chan) 2021/22 ed  
Provincial Offences for Paralegals (Zubick) 3rd ed.  
Statutes of Canada 2020  
Teachers and the Law: Diverse Roles and New Challenges (Mackay & Sutherland) 4th ed  
Working with the Residential Tenancies Act (Dickie & Lyman) 5th ed

## NEW CPD

From LSO  
The Annotated Alter Ego Trust & Discretionary Trust 2022  
The Annotated Will 2022  
Civil Appeals: the year in review 2021  
10th Human Rights Summit  
29th Immigration Law Summit  
26th Intellectual Property Law: the year in review.  
Impaired and "Over 80" 2021  
Safeguarding Real Estate Transactions 2021  
The Six-Minute Criminal Court Judge 2022  
The Six-Minute Family Law Lawyer 2021  
The Six-Minute Real Estate Lawyer 2021



## KDLA EXECUTIVE

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Hook Seller & Lundin LLP  
Kenora

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(on leave)  
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