



NCLA NEWSLETTER

PANDEMIC EDITION



Dictating in the Chicken Coop

Warren WhiteKnight, *Bergeron Clifford, LLP*

My boss and mentor Ted Bergeron (I still call him my boss, even though we're partners now) told me once "I've already done all my chores" when I asked him why he didn't live on a farm anymore. Depending on which day of the week it is Ted will tell you he grew up in a different place - Cobden, Tweed, Perth - but a common thread runs through it - hard work, often times on a farm. Ted grew up with his 9 brothers (making them one short of a soccer team, but then again I don't think soccer was much thought of in mid 20th century Lanark and Ottawa Valley), and as he tells it he and his brothers were tasked with milking, fixing, hauling - really anything to keep the farm running and the boys out of the house and occupied.

But just because Ted is done with his chores doesn't mean he doesn't love farms. I'd been working for him for two years when I told him about a somewhat rundown limestone house and farm I'd visited, and how much my wife and I wanted to move with the kids from Kingston up to the country. Ted pushed me to make the big move, and in 2016 we moved to our 81 acre farm and 1834 limestone house in South Frontenac.

Fast forward to 2020 and the whole world is living in the midst of COVID-19. I can't imagine what these past months would have been like if we were still in our 1000 square foot semi-detached house in downtown Kingston with our (now) 3 kids, and (now) 3 dogs, 3 cats, and our (now) 80 chickens, 10 ducks, 5 guineas, donkey, and pony. Forget the farm animals, and just keep the domestic, and I'd still be crazy. I'd be crazy.

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My dog Moose is my best friend. But like a real best friend that means 30% of the time I feel like strangling him or calling his mother and asking what damages she did to him to make him such a special creature?! Downtown I had a backyard that was 40 feet by 18 feet, and Moose turned it into one giant poop. It was uncleanable. On the farm Moose and my wife and I ramble and we rumble with the kids in tow and he poops all over the acreage and I'm none the wiser.

The COVID-19 isolation has been a breath of fresh air, not only because I can't smell moose's poop, but as I've actually had time to open the farm this spring in a way I haven't since moving to the farm 4 years ago. Unlike Ted I'm not done with my chores, and in fact with my 50-60 hour/week law practice, leading the Frontenac Law Association and teaching at Queen's Law, I never seem to have time enough to do my chores to completion, and that's just the daily stuff. The seasonal stuff and the constantly breaking stuff just never gets done.

During this pandemic I've had more time, and more energy than in years. My wife and I have traded days sleeping in and getting a real full 8 hours! I've taken to scheduling phone calls back to back and then talking to clients and opposing counsel and experts on my blue tooth while doing chores. I've patched the roof on one of my barns. I've trimmed my apple trees. I've helped my wife in her garden. I've played innumerable hours in the yards and trampoline and treehouses with my kids.

Not all of my multi tasking has been without its difficulties. My assistant sends me my letters for review before they go out, and she LOVES putting "bark bark bark" or "cockadoodledoo!!!" In the middle of a sentence, because I dictate on my cell phone while I do chores. Not only does she think it's hilarious, but she actually can't hear my dictation over the cacophony.

Despite all of the changes the pandemic has brought, there has been regularity as well. My wife is a saint and normally cooks a homemade meal 6 days a week, and she has homeschooled the kids for several years now. The sometimes stressful COVID-19 isolation has been an affirmation that our daily routines are sustainable in both good times and bad.

On the other end of the spectrum the pandemic has brought my lack of constitution for technological practice into sharp relief. I detest Zoom. I shudder at the thought of online trials and motions. I cringe at the thought of only having Amazon and Walmart and Costco survive this economic apocalypse. Don't get me wrong. My firm runs a paperless cloud based practice and we're actually very well set up for this. It's just that if I'd wanted to be a computer engineer I would've done that - but I wanted to work for Ted the use-to-be farmer instead.



To me the law is more Mozart than Musk (Elon), and I rebel against the way technology permeates all aspects of my law practice under COVID-19.

Before the pandemic and once it's over my life was and will be family, then work, then farm, then hobbies, and in that order. For now I've got my chores and I'm happy I do. Thankfully up to this point the pandemic has been more gentle to most of Canada than to many other parts of the world. The truth is that I find the world outside more confounding than scary, but there's nothing confounding about a chicken coop or donkey stall - they just need mucking. I'll see you all after the pandemic, and after my chores.

The Role of Forensic Accountants in Legal Disputes

Christine Roth, Roth Law Offices

In addition to the significant impact this pandemic continues to have on us individually and as a society, it is clear that companies and organizations are going through tremendous challenges as they navigate through these uncharted waters. With that comes potential risks and vulnerabilities, many of which may not immediately come to the surface.

There are several potential issues that our clients will be facing in the months and years to come, including allegations of fraud and other illicit activity arising at their organizations. These matters may require the expertise of a forensic accountant to support the legal advice you are providing them. Fortunately, we have experience working together, so you have a good idea of what we can do!

We have prepared a 40-minute webinar that describes the role of forensic accountants

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in legal disputes, focusing in particular on the areas where our firm tends to practice. It provides a number of case examples illustrating various engagements and how we worked with legal counsel.

There is no cost to take this webinar (and as a bonus, upon completing the webinar, it provides a certificate confirming that you have taken a 0.75hr course, which can be applied towards your annual CPD requirements).

To view the webinar, please click on the following link to Nagel Academy:

<https://academy.nagel-forensics.com/p/the-role-of-forensic-accountants>

Once you click 'Enroll Now', you will be prompted to 'Add Coupon', which is ROTHLOW; entering this coupon will remove the payment fields. Once you enter your name and email and create a password, your account is set up and the webinar can proceed.



Bruce McMeekin's associate Wilby is taking time out to celebrate another birthday

Crazy Co-Workers

As a result of the coronavirus, many of us are now working from home with our pets near by. For many, that means sharing their work area with pets who don't understand business etiquette. In response, people are taking to social media to talk about their pets as "coworkers," detail the behavior of their "coworkers," sharing heartwarming and funny anecdotes and photos of their pets.



Peterborough's Law Librarian, Laura Dobbie, has a co-worker who only wants to go for walks, and has no interest in work.



The NCLA Librarian's co-workers spend most of their day begging for snacks and fighting over who gets to nap in the sun.

Know the Difference Between Consolidated Acts and Annual Acts

Susannah Tredwell, *for slaw.ca*

One question that comes up on a regular basis is “why can’t I find a copy of this act on CanLII?”

One possibility is that the act is an annual statute that only amends another act (or acts), e.g. [the Human Rights Code Amendment Act, 2018, S.B.C. 2018, c. 48](#). Not all amendment acts appear on CanLII; it depends on the jurisdiction.

If you’re not having any luck finding an act on CanLII, and its citation does not begin with “R.S.” (for Revised Statutes), you will probably want to look at the annual statutes for that jurisdiction on the appropriate Queen’s Printer or legislature’s website.

Note that CanLII does include a number of annual statutes, e.g. [Canada](#) (back to 2001), [Alberta](#) (back to 1906!), [New Brunswick](#) (back to 1974), [Quebec](#) (back to 1996) and [Saskatchewan](#) (back to 1996).



Mindful Moments from the OBA

We know working remotely doesn’t make the struggle to maintain balance any easier. That is why the OBA is sending two minute reminders around 2:00 pm each day as a reminder to our members to check in on themselves, be mindful and remember that physical distancing doesn’t mean any one’s mental health should suffer. Check out the collection of Mindful Moments here:

<https://bit.ly/2WygDWY>



Survive (& Thrive) While Working From Home

Three standout posts on surviving and thriving during this abrupt change to working life:

[Staying sane while shifting to remote work](#)

Halifax lawyer Jennifer Taylor shares crowdsourced gems of wisdom on “how to be a lawyer, and a feminist, working from home in the age of COVID-19” (CBA National)

[What Lessons Lawyers Can Learn From Week One of Working From Home](#)

US lawyer coach Lauren Krasnow outlines 13 best practices for “how to remain effective, realistic, responsive and human.” (Law.com)

[New work from home reality an opportunity for law firms](#)

Toronto PR & communications pro Andrea Lekushoff posits that the coronavirus pandemic could be an “opportunity to begin moving away from the always-on, always-here law-firm culture, to step boldly into a new, flexible way of working.” (The Lawyer’s Daily)

NCLA Covid-19 Website Keeps You Updated

Did you know the NCLA has a webpage dedicated to keeping track of all the Covid-19 updates for you? It covers national, provincial, and Northumberland Specific updates, so if you miss anything in your Inbox everything is accessible right here:

<https://bit.ly/2zdijs>

If you do not wish to receive updates via email, please contact the Librarian and she will be happy to remove you from the emailing lists.

Historic Member: Honourable Clive Pringle

8th January 1871 – 2 May 1920

Roderick Harold Clive Pringle was a Canadian Senator and Northumberland County Lawyer. He was born in Grafton, Ontario on 8 January 1871 to Robert Pringle and Sara Margaret Stanton.

His father had served in the local Militia during the Fenian Raids as a commissioned officer, and was a well-known supporter of Sir John A MacDonal. He passed away on 5 February 1905 in Toronto, at the Queen Hotel.

Clive, as he was commonly known as, spent his early years being educated in Port Hope at Trinity College School (TCS), and went on to earn a Bachelor of Arts degree from (what was then) Trinity University in Toronto and was called to the bar in Ontario in 1894.

In 1898, he was called to the bar of British Columbia and set up a law practice in Greenwood, British Columbia. By 1901 he was back in Ontario and on 11 July, at St. Peter's Church in Cobourg, he married Rebecca Brooks Cornell, whom he had known since childhood; they grew up as neighbours.

Rebecca was born 7 December 1876, and was the daughter of Richard Cornell and renowned soprano Madam Mary Brooks-Scovel – who, after the death of her husband remarried Cuban diplomat Chevalier de Diaz Albertini. They had three children: May Baker (born 1902); Margaret Marian (born 1903) and Roderick John Cornell (born 1912).

Rebecca's mother was also known as the proprietor of the Arlington Hotel, a well known Summer Colony hotel in Cobourg.

In 1903, he was listed in the "Society Blue Book of Toronto, Hamilton and London" – a social directory of "elite families". That same year he relocated his family to Ottawa, Ontario where he continued his law practice, before eventually returning to his hometown of Cobourg. In 1913 Clive had "New Hall", 130 King Street East, in Cobourg, built for his family (which still stands today).

He was appointed to the Canadian Senate by Sir Robert Borden on 8 January 1917. Clive represented the Senatorial division of Cobourg, and sat as a Conservative for Ontario until his death on 2 May 1920 at the age of 49 of a heart condition after a lengthy illness.

In 1930 Rebecca donated some of their real estate holdings to be used as part of Hatfield Hall School for Girls, in memory of her husband. Rebecca continued to live in their Cobourg home, New Hall, until her death in 1949.



Rebecca and Clive's Wedding



Middle Row: Rebecca Cornell, Lydia Hadfield, Alice Cornell



130 King Street East "New Hall"

Update from FOLA

Katie Robinette, *Executive Director, FOLA*

What a difference a few months makes! FOLA's last article for the Northumberland County Law Association was back in November – right after our Fall Plenary. Life was normal – in person events peppered my calendar and Zoom meetings were rare. Grocery stores only had line ups at checkout and a coffee at Starbucks often included sitting down and visiting with someone. Those were the days!

With all that is going on now, FOLA lucked out in that we were able to host our first-ever Lobby Day in February – while the Coronavirus seemed to be some mysterious virus in China. Nothing, we were told, to worry much about.

Lobby Days are common in amongst professional industry groups in North America and are essentially advocacy days at either a provincial or federal capital. In Ontario, members of a given profession or provincial association descend upon Queen's Park for meetings with Members of Provincial Parliament (MPPs), Cabinet Ministers, and Cabinet Ministers' staff to discuss issues of concern to them, their fellow members, and their clients. And yet FOLA had never done one and most of you had never heard of such a thing.

At our Summer Board Retreat, during our discussion on government relations, FOLA decided to host our own Lobby Day in 2020. We booked a room at Queen's Park and began curating information about the day, building out an event page on our website explaining how the day would unfold, and started promoting the event. We then crossed our fingers and basically hoped that law association members would register – and you did! By the date of the event, FOLA had 60 registered attendees! To help prepare, FOLA hosted issue conference calls for registrants on Legal Aid; Real Estate Law; Courtroom/Facilities Operations; Family Law; and Criminal Law. These were optional and served as an opportunity for participants to hear key topics under each area and supplement our key topics with suggestions of their own. FOLA also prepared issue backgrounders and put together MPP bios.

Meetings with Cabinet Ministers, Cabinet Ministers' Staff, Opposition Critics, and attendees' MPPs were scheduled and, depending on the practice area of those registered, meetings were assigned throughout the afternoon. Starting off with breakfast, two "training" meetings (an issues recap followed by an "Lobbying/Advocacy 101" session hosted by Fasken's Lindsay Aagaard), law association member then watched Question Period from inside the Legislature. Following that, we took a group photo on Grand Stairs before attending a FOLA/MPP luncheon reception where FOLA Lobby Day attendees were welcomed by the Attorney General and the NDP's Official

Opposition Critic for the AG. Immediately following lunch, law association members headed off to their respective scheduled meetings – some in groups and some on their own. We capped the day off with a debriefing session. You can read more about the event [here](#).

Since our last newsletter update, FOLA has also been busy reaching out to various companies that offer services and products designed to help lawyers to add to discuss partnership arrangements that can help add value for association membership. Some of these help with travel ([Hilton Hotels & Enterprise Car Rentals](#)), one offers entertainment benefits ([MemberDeals](#)), and one helps your practice ([MoveCache for online payments](#)). By February, three more were in the works (TELUS Business, VIA Rail, and FedEx). However, due to the Coronavirus, these were all put on a temporary hold (but stay tuned for updates on these in the weeks to come!). These partnerships have been designed to help you provide additional value to your members and compliment some additional partnerships we have (like with the [CCTX](#) to provide your members with information on Cybercrime, [TechSoup](#) for discounts on hardware and software purchases, [CPDOnline](#) for professional credits, [GoAhead Tours](#) for travel packages, and more!).

Further, since the emergence of the Coronavirus in Canada, your team at FOLA rolled up our sleeves to ensure that all law association members receive important information from the Courts and from the Ministry of the Attorney General (MAG). But we also knew that there would be a lot of questions. So in mid-March, FOLA began meeting with other provincial legal organizations (the OBA, LSO, Advocates' Society, Legal Aid Ontario, the Criminal Lawyers Association, and the Ontario Trial Lawyers' Association), the Courts (SCJ, OJC, and Ontario Court of Appeal), and MAG (both political and department staff). For the first two weeks, these meetings were daily. FOLA produced daily reports and offered an avenue for your members to submit questions and concerns that they could be brought to the attention the Courts, the Law Society, MAG, and Legal Aid Ontario. These calls are now once a week but we have since added two other weekly calls – one dedicated to Family Law and the other to Criminal Law. These new calls are designed to discuss long-term recommendations to help flag areas of concern and to help the Courts and MAG modernize processes and procedures in the long term.

By FOLA's March Board meeting, it became clear that FOLA's Plenary would not be able to go ahead as planned. FOLA had a great agenda planned with speakers and panelists lined up to address the issue of diversity in the profession. Unfortunately, we had to

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contact all our fantastic presenters and get in touch with our sponsors to share the bad news - FOLA's Spring Plenary would not be going ahead as planned. Instead, FOLA hosted a very truncated, business-only, Plenary via Zoom. You can watch a recording of that [here](#) and read our Post Plenary Report [here](#).

Remember – if you never want to miss our submissions, initiatives, and news please remember to sign up for our [newsletter!](#)

NCLA's AGM

This year's AGM on Monday, February 24th, 2020 at Dalewood Golf Club, with 48 NCLA members in attendance – this is the largest member turn out NCLA has had at the AGM in 5 years! The two proposed amendments to the by-laws were passed:

General

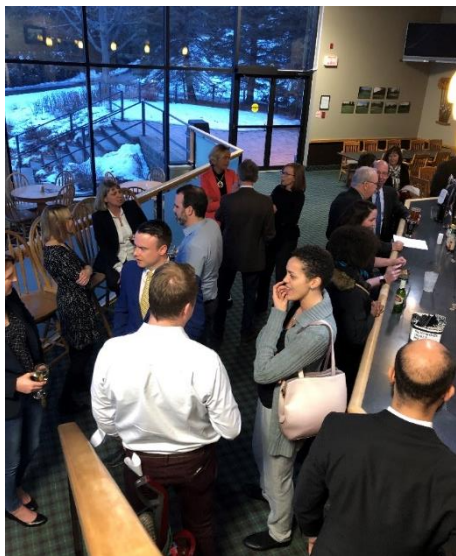
29. The affairs of the Corporation shall be managed by a board consisting of between seven (7) and twelve (12) Directors, each of whom at the time of his or her election or within ten (10) days thereafter and throughout his or her term of office shall be a Member of the Corporation.

Election

30. Directors shall be elected at the Annual General Meeting. Each Director shall hold office for a term of two years or until his or her successor shall have been duly elected and qualified. After the expiry of a two-year term, a Director shall be eligible for re-election if otherwise qualified. The election may be by a show of hands unless a ballot be demanded by any Member.

NCLA would like to extend a warm welcome to our new Executive Members:

James Hunt (Treasurer)
Phillip Crannell (Director)
Alexander Scanlon (Director)
Teresa Williams (Director)



We would also like to extend our sincerest thanks and well wishes to Alison Lester, our Past President, whose term of service has now concluded.



From the Library

At the beginning of the pandemic, when I started working from home, there were quite a few books signed out of the library. This is one of the many things that will have to be factored into our re-opening procedures, so I ask for your understanding with regards to book loans, and returns. Once we are in phase one of re-opening those who have books signed out will be receiving an email with specific return instructions.

This month I have been busy preparing re-opening procedures for the library – so keep an eye open for those. Unfortunately, it will not be as simple as opening the doors and letting everyone in again, though I wish it were. As you are aware of by now, MAG has had access cards suspended, NCLA has no control over this, so I ask for your continued patience as things start to get going again. We will continue to coordinate with the court staff to ensure everyone's safety during this time.

For now, you can contact me via email, and I am happy to help with all your research and reference needs.

You can also check out our website for any important Covid-19 related updated (or NCLA related updates) that you may have missed in your inboxes.

<https://www.northumberlandlawassociation.com/>

As well, please feel free to “like” and “follow” us on our social media platforms:

<https://www.facebook.com/NorthCtyLawAssn>

<https://twitter.com/NorthCtyLawAssn>

A Lawyer Joke

From Colin Browne & Brenda Pietrzyk

A lawyer a priest and a Doctor were out golfing together.

A foursome up ahead were all over the map and as minutes ticked by they were getting quite irritated. They see the marshal of the course coming along and call out to him to complain about the hold up.

The Marshall asks them to please be patient as only once a year, the course allows a blind foursome to play nine holes. He explains that the balls are sound equipped for sonar location and the group uses a seeing eye dog to point them towards the flag.

The priest is immediately contrite and apologizes for complaining and says that for the next three Sundays he will send out a prayer to the blind.

The doctor says - what a coincidence - I happen to be an eye specialist and surgeon. Please send the group to me and I will see what I can do for them free of charge.

The Marshall is quite pleased with both the doctor and the priest and he looks at the lawyer for his response.

The lawyer pauses and scratches his chin, thinks for a moment and quietly says:

I know that what you are doing for these people is a wonderful thing and I don't mean to sound insensitive, but is there any reason why they can't play at night?

From the President

What is there to say? I am weary, like many of you, with what the last two months has brought us. I have nothing to say that you have not heard. I have no resources to direct you to that you have not already received. There is no summer party planning taking place or in-library CPDs happening. However, we are working to bring round table discussions via Zoom to association members.

If there is anything else you think the association can be doing, please reach out and let us know. From the bottom of my heart I hope everyone stays safe and healthy and I look forward to seeing many of you in some capacity other than on a computer screen soon.

Meaghan Adams

THE NORTHUMBERLAND COUNTY LAW ASSOCIATION Executive Committee

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Secretary: Morgan Payne
Treasurer: James Hunt

Director: Phillip Crannell
Director: Kiran Grewal
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NCLA Library
860 William Street, Cobourg ON, K9A 3A9 | (tel.) 905.372.1382 | (fax) 905.372.7713
ncla@bellnet.ca | <http://www.northumberlandlawassociation.com>