



News & Updates

June 19, 2024

IMPORTANT REMINDER

Cash Transactions and Recordkeeping Requirements and Client Identification and Verification Rules Amendments - Administrative Penalties

This is a reminder that the Benchers have approved amendments to Rules 15 and 16, introducing administrative penalties for breaches of Anti-Money Laundering and Terrorist Financing (AMLTF) Rules. Penalties can reach up to \$2,500 for the first instance of non-compliance and up to \$5,000 for subsequent instances. The Law Society continues to see client files where regulatory requirements under the AMLTF Rules are not fully met. These Rules are crucial in our efforts to prevent money laundering and terrorist financing activities within the legal profession, as lawyers' trust accounts may be exploited for criminal activities.

These amendments will take effect on 30 June 2024. The amended Rules can be viewed [here](#). Practice resources are available on our [website](#) and the Federation of Law Societies of Canada [website](#). To view the original notice, please click [here](#).

If you have any questions, please contact Brenda B. Grimes, KC, Executive Director, at bgrimes@lsnl.ca, or Lori S. Chafe, Director of Professional Responsibility, at lchafe@lsnl.ca.

Amendment to Rule 5.1-2C of the Code of Professional Conduct

The Council of the Federation of Law Societies of Canada approved an amendment to Rule 5.1-2C of the Model Code of Professional Conduct, Single Party Communications with a Tribunal. The amendment is intended to clarify that the Rule does not apply in the context of mediation. Benchers have approved an amendment to LSNL's Code of

Professional Conduct to mirror the Federation's amendment, effective immediately. **The amendment is highlighted below.**

5.1-2C: Except where authorized by law, and subject to rule 5.1-2B, a lawyer must not communicate with a tribunal in the absence of the opposing party or their lawyer (when they are represented) concerning any matter of substance, unless the opposing party or their lawyer has been made aware of the content of the communication or has appropriate notice of the communication.

Commentary

1. It is improper for a lawyer to attempt to influence, discuss a matter with, or make submissions to, a tribunal without the knowledge of the other party or the lawyer for the other party (when they are represented). A lawyer should be particularly diligent to avoid improper single-party communications when engaging with a tribunal by electronic means, such as email correspondence.
2. When a tribunal invites or requests a communication from a lawyer, the lawyer should inform the other party or their lawyer. As a general rule, the other party or their lawyer should be copied on communications to the tribunal or given advance notice of the communication.
3. This rule does not **apply in the context of mediation or** prohibit single-party communication with a tribunal on routine administrative or procedural matters, such as scheduling hearing dates or appearances. A lawyer should consider notifying the other party or their lawyer of administrative communications with the tribunal. Routine administrative communications should not include any submissions dealing with the substance of the matter or its merits.
4. When considering whether single-party communication with a tribunal is authorized by law, a lawyer should review local rules, practice directives, and other relevant authorities that may regulate such a communication.

A complete copy of the Code of Professional Conduct can be viewed [here](#).



Law Society of Newfoundland and Labrador Seeking Trust Compliance Auditor

The Trust Compliance Auditor plans, organizes, leads, and manages the Trust Audit Program for the Law Society of Newfoundland and Labrador in accordance with the Law Society Act, Rules and Code of Professional Conduct.

For more information on this opportunity, including the job description, click [here](#).

To apply in confidence, **please provide a resume and cover letter by 26 June 2024**, to recruitment@lsnl.ca.

Legal French for Beginners - Continuing Professional Development Opportunity

The Fédération des Francophones de Terre-Neuve et du Labrador, in partnership with Memorial University and the Centre Canadien de français juridique, with support from the Law Society of Newfoundland and Labrador, is excited to offer a series of beginner to intermediate micro-courses in Legal French. This pilot project aims to enhance legal practitioners' skills, improving their French proficiency to serve Newfoundland and Labrador's French-speaking community better. No prior French experience is required. The course includes registration for the internationally recognized DELF exam and qualifies for CPD credit.

Courses run from September 10, 2024, to August 16, 2025. For more information or to register please click [here](#).

Early Career Achievement Award Recipients

The Law Society of Newfoundland and Labrador is pleased to congratulate Allison Conway, Justin Caines, and Caitlin Urquhart, the recipients of this year's Early Career Achievement Award.

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Allison Conway

Allison Conway's distinguished legal career is marked by a steadfast commitment to justice and community service. With a Juris Doctor and Master of Laws in Constitutional Law, she exemplifies a relentless pursuit of knowledge. Beyond academia, Allison's dedication to clients and the Francophone community underscores her legal acumen and devotion to fairness. Her diverse roles, including as an adjudicator with the Newfoundland and Labrador Human Rights Commission, highlight her dedicated pursuit of equality. Additionally, Allison's passion for community service shines through her mentorship, participation in access to justice programs, and volunteer work. Her embodiment of professionalism sets a high standard for all.

Justin Caines

Justin's exceptional legal expertise shines through his work at the Department of Justice and Public Safety, demonstrating unwavering dedication to public service. His involvement with organizations like the Canadian Bar Association and the Newfoundland and Labrador Association of Chartered Professional Accountants underscores his commitment to equality and professional standards. As provincial chair of the Canadian Corporate Counsel Association, Justin advocates for professional excellence, while his volunteer efforts with the Law Society of Newfoundland and Labrador reflect his commitment to promoting ethical

standards. His remarkable legal contributions and community engagement speak volumes about his compassion and consistent pursuit of justice.

Caitlin Urquhart

Caitlin Urquhart has garnered acclaim for her extraordinary contributions since entering the legal profession in 2015. With expertise in child protection, family, and Aboriginal law, Caitlin also dedicates her time to advocating for environmental justice, Indigenous rights, and gender equity, as highlighted by her extensive volunteer work. Her leadership as Chair of the Women Lawyers Forum and her recognition with the Douglas Miller Rising Star Award underscore her significant influence within the legal community and beyond. Caitlin's achievements reflect her commitment to excellence, driving positive change, and advancing social equity. Her devotion to the legal profession and community empowerment continues to make a profound impact.

READ MORE ABOUT THIS AWARD



Opportunity to Get Involved with the Law Society

Contribute to honoring the rich legal legacy of Newfoundland and Labrador by becoming involved with the *SS Daisy* Legal History Committee. Your participation is vital as we work to preserve the legal history of our province.

We're currently seeking expressions of interest for the following opportunity:

The Law Society's *SS Daisy* Legal History Committee

- Review the Terms of Reference for the *SS Daisy* Legal History Committee [here](#)

To express your interest, **please send your resume or a synopsis of your qualifications** to Erin Rowe at erowe@lsnl.ca **no later than 28 June 2024.**

Join us in celebrating our legal heritage and shaping the future of legal history in Newfoundland and Labrador.



Our [practice resources](#) offer valuable insights regarding the complexities of law practice management. Created to help lawyers navigate the requirements and obligations outlined in the *Law Society Act, 1999*, Law Society Rules, and Code of Professional Conduct, they serve as supportive tools. While not exhaustive, they provide valuable insights.

Please remember that every practice management question should be considered within your unique context, and professional judgment is very important.

[Reading Suggestions for Practice Management](#)

REAL ESTATE TRANSACTIONS

Disciplinary Matters

Through the disciplinary process, the Law Society of Newfoundland and Labrador reviews and assesses the professional conduct of its members. These assessments are made based on ethical standards outlined in the *Law Society Act, 1999*, along with the [Law Society Rules](#) and the [Code of Professional Conduct](#).

DISCIPLINARY DECISIONS

HEARINGS

COUNSELS & CAUTIONS



Supreme Court Notice to the Profession: Summer Court Attire

This Notice outlines the expectations for counsel's court attire for appearances during the summer term, which runs from July 1 to September 6, 2024, inclusive. This Notice applies to proceedings in both the General and Family Divisions and supplants, for the summer term, the [Notice issued on March 10, 2016](#).

These guidelines are optional, and counsel who wish to dress in conformance with the earlier Notice will be permitted to do so. Counsel appearing in any matter before the Court must ensure that they wear:

- A business suit, with or without a tie; and
- Closed-toed shoes.

Counsel will not be expected to gown unless appearing in a criminal trial. Read the full notice [here](#).



Not So Risky Business Blog by CLIA

The [Canadian Lawyers Insurance Association \(CLIA\) Not So Risky Business Blog](#) aims to assist legal professionals in practice management, error avoidance, and gaining a deeper insight into insurance coverage requirements. Every Wednesday, CLIA's blog will cover informative topics such as loss prevention tips, fraud alerts, cyber awareness, wellness, and more.

You can also [subscribe to receive notifications of new posts directly to your inbox](#).

Recent Articles

- [Prevent Data Loss with Backups](#)



National Indigenous Peoples Day - June 21

National Indigenous Peoples Day is a special occasion to learn about the rich and diverse histories, experiences, and cultures of First Nations, Inuit, and Métis peoples. While these groups share similarities, each has its own distinct cultural practices, language, spiritual beliefs, and heritage.

As the longest day of the year, the summer solstice has held deep cultural, historical, and spiritual significance for many Indigenous peoples and communities for generations. While today is a time to celebrate Indigenous peoples, it is also an opportunity to acknowledge the ongoing work needed on the important journey to reconciliation. It is through concrete actions and collaboration that we can create a better future for all.



The Law Society of Newfoundland and Labrador website has an events section with updated CPD opportunities, events, conferences, and more. [Seminar recordings are available here.](#)

Upcoming Events

- Atlantic Immigrant Career Loan Fund Online Information Session by the Immigrant Services Association of Nova Scotia - *June 24*

- Summary Trials 2024 by the Continuing Legal Education Society of British Columbia - *June 25*
- Animals and the Law 2024 by the Law Society of Ontario - *July 3*
- Stress Management for Legal Professionals by the Law Society of Ontario - *July 4*
- 2024 National Criminal Law Program by the Federation of Law Societies of Canada - *July 8*
- National Family Law Program by the Federation of Law Societies of Canada - *July 22*
- Recovering the Balance: Practical guidance on flexible work, the right to disconnect, and avoiding burnout by Lancaster House - *August 15*
- Can We Be Friends? Navigating workplace interactions in an increasingly conflicted world by Lancaster House - *August 27*
- Legal French for Beginners Series by the Fédération des Francophones de Terre-Neuve et du Labrador - *September 10*
- Introduction to Family Dispute Resolution by the Continuing Legal Education Society of British Columbia - *September 12*
- Family Mediation - Theory, Skills, and Practice by MDW Mediation - *September 19*
- Killer Correspondence by the Toronto Lawyers Association - *October 1*

[VIEW ALL EVENTS](#)

Did you know that the Law Society of Newfoundland and Labrador website has a News section with updated information on job opportunities, professional development, notices, and more? Visit our website today to check out some of the great online resources available.



Current Opportunities

- Crown Attorney - Public Prosecution Service (NS)
- Trust Compliance Auditor - Law Society of Newfoundland and Labrador
- Legal Counsel - Nunatsiavut Government
- Crown Prosecutor - Alberta Crown Prosecution Services Division
- Executive Assistant (Legal) - WorkplaceNL
- Associate Lawyer - Brothers Law
- Crown Attorney - Manitoba Justice
- Crown Prosecutor - Ministry of Justice (SK)
- Director of Public Education and Professional Responsibility - Law

Society of Prince Edward Island
• Crown Prosecutor - Meadow Lake
Public Prosecutions (SK)

[VIEW ALL OPPORTUNITIES](#)

VISIT US



This is a mandatory communication.