

**UNIFORM LAW CONFERENCE OF CANADA
CONFÉRENCE POUR L'HARMONISATION DES LOIS AU CANADA**

**Minutes of the Closing Plenary Session
Held at the Explorer Inn, Yellowknife, NT
On Thursday August 13, 2015 at 11:30am**

Opening Remarks

The meeting was called to order at 11:40am with President Luc Labonté, QC, as Chair and Marie Bordeleau as Secretary. Mr Labonté sent the get-well card for Ian Rennie around the room for those who may not have had a chance to sign it yet. Luc Labonté noted that Catherine Cogswell's joint session is cancelled as the speaker cannot be here at this time.

Report from the Criminal Section

Kusham Sharma reported another successful week of debates has just flown by. Fifteen resolutions were passed, some of which were broken down into two, so it's actually more than 15 resolutions altogether, most of which without opposition or amendment. This was a very agreeable year for the Criminal Sections.

The Section received two status reports from Working Groups and the Section looks forward to receiving their final reports next year. Two new Working Groups have been struck, to be led by Josh Hawkes, QC. Ms Sharma said that what differentiates the ULCC from CPSO is that the delegates are not solely policy-makers or prosecutors; they have a wide variety of experience and diversity of roles they hold. Delegates are indeed policy-makers and prosecutors, but we also have the judiciary and defense lawyers. It is not uncommon for a delegate to come sessions with a set opinion on a given topic, and through the depth of the debates and different perspectives, change that opinion. That open mind approach is the hallmark of the ULCC and something to be very proud of.

Ms Sharma said that this year the Section came together to ensure that the Justice system continues to evolve and grow through the experience that delegates bring to the table. Ms Sharma noted that one thing which was accomplished this year and that she is very proud of is the unprecedented event of taking a day off because a number of items were removed from the agenda. It was a very successful and fun week, from delegates meeting up at 1am in the parking lot in their PJs to observe the aurora borealis to renewing ties with old acquaintances, and the important work that was done throughout the week. Ms Sharma said she was pleased to pass the Chair on to Eric Gottardi for 2015-2016.

Report from the Civil Section

Genevieve Harvey reported that the Civil Section had a busy and productive meeting this week and noted that despite the changes to the agenda a lot of work was accomplished. Four items were adopted or adopted in principle with some changes to be made: the Uniform Substitute Decision-makers' Act, the Model Interpretation Act, the Uniform Enduring Powers of Attorney Act, and the Uniform Rules on Service in Other Contracting States to the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (which wins the prize for the longest title ever).

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In addition, there were excellent presentations on on-going projects and Ms Harvey said she was excited to see them come to fruition at next year's Annual Meeting. Anita Ramasastry of the United States Uniform Law Commission also spoke, and Ms Harvey noted that the collaboration between the two organizations is continuing despite the change in their leadership.

Ms Harvey thanked the presenters and participants for their hard work all week as well as throughout the year, the Steering Committee for providing support, Peter Lown, QC and the Advisory Committee on Project Development and Management for the direction that they provided to the Civil Section. Ms Harvey also thanked Clark Dalton, QC, saying he does a phenomenal amount of work and that she would have been lost without him, Manon Dostie, who provided a great deal of guidance as Past Chair of the Section as well as translation support, and Thomas Druyan for stepping in to take the minutes of the Civil Section. Ms Harvey congratulated John Lee of Ontario on taking the Chair of the Section for the coming year, and Sarah Dafoe of Alberta, who will assume the Chair after Mr Lee.

Report from the Nominating Committee

On behalf of Immediate Past President Lynn Romeo, who could not attend the Annual Meeting this week, Darcy McGovern, QC reported that the Nominating Committee was struck earlier this week, comprised of long-time delegates and past presidents, including Greg Steele, Russell Getz, Earl Fruchtmann, Dean Sinclair and Kathryn Sabo. The result of their deliberations being unanimous, D McGovern presented the following motion on behalf of the committee:

THAT Elizabeth Strange, currently Vice-President, be nominated for President of the ULCC, and **THAT** Josh Hawkes, QC, be nominated for Vice-President of the ULCC. Seconded by Kathryn Sabo. The motion was carried unanimously.

Luc Labonté said that the ULCC will be very well served by Ms Strange and Mr Hawkes, and noted he felt confident that they would fix any mess he might have made in the last year.

Outgoing President's Report

Mr Labonté said it was a good experience to be President of the ULCC and said that coming from the Criminal Section, he didn't understand fully all the issues pertaining to the Civil Section but that he had numerous discussions with Ms Strange over the course of the year to remain abreast of the work that is being done on the Civil side. Mr Labonté noted that the one difficulty of being President is that the work is done off the corner of one's desk, which means it can be difficult to get things done efficiently, but thankfully as a group JRs work collegially together, and that helps ease the challenges. When one sees the work that gets accomplished at the Annual Meeting, it becomes obvious that we participants from all areas of the law, from defense lawyers and judges to policy-makers and frontline prosecutors.

Mr Labonté said he was pleased to propose the following Resolution:

BE IT RESOLVED THAT the Uniform Law Conference of Canada (ULCC) express its appreciation by way of letters from the Executive Director to:

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1. The Government of the Northwest Territories which hosted the 97th Annual Meeting of the Uniform Law Conference of Canada, in particular Assistant Deputy Minister and Attorney General of the Department of Justice of the Northwest Territories Mark Aitken;
2. Karen Wilford, Executive Member of the Law Society of the Northwest Territories, for graciously hosting us at the welcome reception, which was so appreciated by our delegates and Caroline Wawzonek, Criminal Section Chair of the Northwest Territories Branch of the Canadian Bar Association for her words of welcome;
3. Lawson Lundell LLP for hosting our post-ballgame BBQ;
4. The Organizing Committee that worked so hard to host our Annual Meeting, Ian Rennie, who unfortunately could not be with us this week, Janice Laycock, Sue Glowach, Ken Chutskoff, Karen Lajoie, Kelly McLaughlin, Roger Shepard, Thomas Druyan, Cherie Jarock, Maya Bugorski, Marie-Eve Martel, Disa Wilson and Mike Reddy;
5. Our very competent secretariat staff, Marie-Eve Dupéré and Heather Kenny;
6. Our esteemed colleague from the US Uniform Law Commission, Anita Ramasastry;
7. Immediate Past President Lynn Romeo, now leaving the Executive Committee;
8. Kusham Sharma, Chair of the Criminal Section and Anny Bernier, Secretary to the Criminal Section for the exemplary work accomplished in chairing that Section's debates;
9. Genevieve Harvey, Chair of the Civil Section for the work done and the smooth running of our sessions;
10. Our presenters, Gerald Ghikas, QC, Peter Pagano, QC, Richard Olson, Chief Justice Christine Gagnon, Jill Andrews, Tony Amounds and Dawn Anderson;
11. Tim Mercer, Clerk of the Legislative Assembly of the Northwest Territories for his fascinating presentation on consensus government at our gala dinner, and Margo Nightingale, President of the Law Society of the Northwest Territories for seeing us off at the end of our week in Yellowknife;
12. Thomas Druyan for preparing the minutes of the Civil Section;
13. Peter Lown, QC, Chair of the Advisory Committee on Program Development and Management and Chair of the International Committee for all the work he accomplishes every year, it's very appreciated;
14. Clark Dalton, QC, our Projects Coordinator who works so hard for the Conference;
15. Our Executive Director, Marie Bordeleau – this Conference doesn't work without her and I really appreciated everything she did for me;
16. The staff of the Explorer Hotel – it was a nice venue;
17. The interpreters in each Section: Jacques Audet, Josée Beaudoin, Sabine Davies, Isabelle Mercier, Carole Savard and Sara Vafaï for their competence and commitment – their service has been top notch as always;
18. The audio-visual technicians, Tyler McAlear and Sasha Keevill, for ensuring the smooth running of the meetings; and
19. Our intrepid and fair umpire, Ken Chutskoff.

Seconded by Josh Hawkes, QC. The resolution was approved unanimously. The President presented gift cards to the above-named members of the host committee and secretariat staff for their excellent work in the secretariat office throughout the week.

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Mr Labonté said he was happy to pass on the gavel to Ms Strange.

Incoming President's Remarks

Elizabeth Strange thanked the Nominating Committee for giving her this great honour and privilege, and said she is looking forward to an interesting year. Ms Strange noted that she was at Aurora Village until very late last night and that the experience was extraordinary. She encouraged anyone staying on to visit the facility and enjoy the beautiful display. Ms Strange said that many gorgeous pictures were taken, particularly by Manon Dostie and Thomas Ahlfors.

Ms Strange thanked Luc Labonté for his service to the organization this past year, and said that as Immediate Past President living and working in the same city, she expects he will take a much more active role than he seems to think he will. Ms Strange thanked all delegates and everyone involved in making this meeting a success, as well as the outgoing Executive Committee members. Ms Strange said the Executive will discuss how it can keep members involved to ensure continuity.

The first theme Ms Strange wanted to reflect on is the challenges we are facing, which seems to be a common theme when one reads the speeches of previous incoming Presidents. However, with challenge comes opportunity. Ms Strange said she had a lot of conversations all week with delegates, and was struck by how many people have ideas on how to improve or move the organization forward. Three areas where we have had challenges and which provides opportunity for improvement is getting back on the DM meeting's list. Now that Lynn Romeo and Kusham Sharma have made a presentation that was so well received, we need to build on their success so that the ULCC is top-of-mind when the next DM meeting's agenda is being planned. The second area is to try and cement our relationship with Chief Legislative Counsels to make sure they understand the value that they have in getting Uniform Acts drafted, particularly in the Civil Section. The third area is the relationship with our international colleagues, particularly the ULC in the States. We are now working in different ways and learning from each other. Ms Strange expressed her tanks to Peter Lown, QC and Bob Stein for fostering the growth of that relationship.

Ms Strange noted that she will have a mid-year meeting with the JRs to ensure that they continue to be engaged during the course of the year. Mr Labonté will work toward getting the Strategic Plan Committee off the ground to rethink the ULCC as it approaches its 100th anniversary. Ms Strange invited all delegates to share their thoughts and ideas with her and with Mr Labonté, as well as volunteering to sit on the Committee. Ms Strange congratulated and welcomed the incoming members of the Executive.

Host Jurisdiction's Report – Fredericton, NB - 2016

Ms Strange thanked the Government of the Northwest Territories for hosting us this week and called on Mr Labonté to talk about next year's Annual meeting. Mr Labonté noted that unfortunately a promotional package that was prepared by New Brunswick has not been delivered to the hotel. The 2016 Annual Meeting will be held at the Delta Fredericton from August 7th to the 11th. The scenic

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property is located on the river and is about 20 minutes' walk to the downtown area on a path along the St John River.

The closing dinner will be very casual as it will likely be a lobster dinner. The new DM in New Brunswick is invested in ensuring that the Province hosts the delegates well. Mr Labonté said that New Brunswick has a lot to offer, featuring the warmest sandy beaches north of the Carolinas as well as the highest tides in the world, and encouraged delegates to bring their families for vacation time either before or after the Annual Meeting.

Host Jurisdiction's Report – Regina, SK - 2017

Mr McGovern reported that a host committee has been struck to plan the 2017 Annual Meeting in Regina. A hotel will be booked shortly, hopefully around the folk festival. Regina is known as the home of the RCMP and the Saskatchewan Rough Riders, and Mr McGovern said the committee is looking forward to crafting an excellent program for the delegates.

Other Business

There being no further business, Elizabeth Strange thanked our Yellowknife hosts and the meeting was adjourned at 12:15pm.