

UNIFORM LAW CONFERENCE OF CANADA
CIVIL LAW SECTION

**ADVISORY COMMITTEE ON PROGRAM
DEVELOPMENT AND MANAGEMENT (ACPDM)**

YEAR IN REVIEW

2009 – 2010

**Halifax,
Nova Scotia
August 2010**

Regular Meetings

[1] During the year the ACPDM met every month on the second last Tuesday of each month for approximately one hour. The only exception to this routine was in October where the Committee met Face-to-Face for most of two days in conjunction with the Justice Canada Seminar on Canada and Harmonization of International Private Law.

Funding

[2] Throughout the year one of the primary topics for discussion was Funding for the Conference. As you know the Conference is funded through the grants from the jurisdictions and particularly during these economic times it was essential to carefully monitor our incoming and outgoing funds.

[3] This year we were pleased to hear that Justice Canada would increase its current statutory grant to the Conference to \$50,000. This will allow the Committee to plan with more certainty on budget items in the future.

[4] We also took a significant step towards renewal of our web site by transferring monies from our 2009 - 2010 budget to help with that renewal. Revamping the site was long overdue and this was the first move in that direction. The Committee also made a number of suggestions for site improvement including integrating the Commercial Law Strategy portion of the site into the Civil Section portion.

[5] During the year, as well, over the course of several meetings, the Committee looked at potential funding for specific projects that might be of interest to the various Law Foundations. Initial contacts were made with the Law Foundations with a later follow-up with some of the larger Foundations. Our goal here was not necessarily to make a specific application to any particular Law Foundation, but to ensure that we as a Conference got “on the Radar” for the Foundations for possible further applications in the future. Although we did not progress very far in this process, we did gain some recognition for the Conference. For now, though, this avenue of funding remains on the back burner.

Methodology

[6] In relation to ULCC projects a Running Report on Projects for the 2010 meeting was prepared and updated each month. This chart allowed members to see what progress had taken place on particular projects and allowed us the opportunity to see if there were any projects that required attention.

ADVISORY COMMITTEE ON PROGRAM DEVELOPMENT AND MANAGEMENT YEAR IN REVIEW

Project Review

[7] In October, as mentioned, the Committee met Face-to-Face in Ottawa. It considered, firstly, Projects then before the Conference and a “To-Do” list was created for follow-up. Next the Committee spent a considerable amount of time on Project Proposals with a review of the Project Proposals we had already, a weighing of each and the development of a Four-Year Plan resulting from those considerations. This included Projects that were under consideration with our International Partners, the Uniform Law Commission of the United States and the Mexican Uniform Law Centre.

[8] In addition, we began the process of considering the issue of implementation of Uniform Acts. Case studies were developed and presented to the meeting on the Judgment Enforcement Acts by Saskatchewan and on the Apology Act by Ontario. This work of the Committee is ongoing.

[9] We were also pleased to have in attendance during the course of our meeting two distinguished guests; José Ángel Estrella Faria, Secretary-General from UNIDROIT and Hans Van Loon, Secretary General from the Hague Conference on Private International Law. Members of the Committee were grateful to have had this opportunity to meet with the heads of these two International Organizations and to exchange ideas with them.

Other Agencies

[10] Outside of the process of funding and Project Development, the Committee was made aware of a Canadian Bar Association Initiative on Interjurisdictional Class Actions, something the Conference had done considerable work on, and made an offer to the CBA to provide any assistance they might require in view of that work. We also began to look at ways we can better interface with Legislative Drafters so that we can ensure timely drafting of Uniform Acts. Initial contacts have been made and we hope to follow-up on this issue during the next year.

[11] In April, the Chair (I) participated in a panel discussion on uniformity issues, part of the ABA International Law Spring Meeting. In addition, as part of the Uniform Law Commission (ULC) annual meeting, I was able to sit in on and participate in the meeting of the ULC Scope and Program Committee.

ADVISORY COMMITTEE ON PROGRAM DEVELOPMENT AND MANAGEMENT YEAR IN REVIEW

Committee Mandate

[12] The objective of the creation of the ACPDM was to transfer our learning and expertise gained in the Commercial Law Strategy to the medium and long-term planning of the research inventory of the Conference. That process is well underway, even though there is more work to be done in the implementation area.

[13] A bigger picture view of the operations of the conference has also allowed the committee to give valuable advice to the Executive on finance, website development, relations with our jurisdictions and drafting issues.

Acknowledgments

[14] None of this work would have been achieved without the tireless effort of our National Coordinator, Clark Dalton, and the individual project management of Nolan Steed. Similarly, Claudette Racette has been an integral part of our discussion on Finance and Administration.

[15] It has been my pleasure to serve the conference as Chair of this committee and to work with our members. They have been attentive, disciplined in our meeting schedules and mode of discussion. I want to thank each of them for their contribution and support.

Peter J.M. Lown, QC
Chair, ACPDM

Attachments:

Appendix A - Chart of Projects

Appendix B - Committee Membership

ADVISORY COMMITTEE ON PROGRAM DEVELOPMENT AND MANAGEMENT
YEAR IN REVIEW

Appendix B

**ADVISORY COMMITTEE ON PROGRAM DEVELOPMENT
AND MANAGEMENT**

MEMBERSHIP

Mr. Peter Lown, QC, **Chair**
Alberta Law Reform Institute

Ms. Susan C. Amrud, QC
Executive Director
Public Law Division
Saskatchewan Justice

Ms. Jennifer Babe
Miller Thomson LLP

Mr. Arthur Close, QC
British Columbia Civil Section

Mr. Clark Dalton, QC
Projects Coordinator
Uniform Law Conference of Canada

Ms. Denise Gervais
Ministère de la Justice Quebec

Mr. Russell Getz
Ministry of the Attorney General
British Columbia
President, Uniform Law Conference of Canada

Mr. Luc Labonte
Office of the Attorney General
New Brunswick

Abe Lewis
Ministry of the Attorney General
Ontario

Mr. Darcy McGovern
Saskatchewan Justice

Ms. Claudette Racette
Executive Director
Uniform Law Conference of Canada

Ms. Lynn Romeo
Manitoba Department of Justice

Ms. Kathryn Sabo
Department of Justice Canada

Mr. W. Dean Sinclair
Saskatchewan Justice
Past President, Uniform Law Conference of
Canada

Mr. Nolan Steed, QC
Alberta Justice

Mr. Gregory Steele, QC
British Columbia Civil Section

Ms. Elizabeth Strange
Office of the Attorney General
New Brunswick

Mr. John Twohig
Ministry of the Attorney General Ontario