

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

**Minutes of the Closing Plenary Session of the 98<sup>th</sup> Annual Meeting  
of the Uniform Law Conference of Canada  
Held in Fredericton, NB  
on Thursday August 11, 2016 at 11:15am**

**Opening Remarks**

The meeting was called to order at 11:30am with President Elizabeth Strange as Chair and Marie Bordeleau as Secretary. Ms. Strange welcomed the delegates to the Closing Plenary, thanked everyone for being here and noted that the week was a great success, both workwise and socially.

**Report from the Criminal Section**

Eric Gottardi reported that there was a very challenging week on the Criminal side. There were late finishes and early starts to get through all the resolutions. The passion was inspiring, interventions were top quality and 31 resolutions were passed with a sense of collegiality. One motion was defeated and a couple were withdrawn. Working groups were struck for upcoming projects to look into criminal background checks and the disclosure of non-conviction information. A number of presentations were made by Justice Canada, flowing from the Justice Minister's mandate letter and there was much discussion about what could be possible at the policy level. As Tony Paisana suggested, there is a hope that this work will be performed jointly with the Civil Section and E Gottardi invited volunteers from the Civil Section to serve on the working group. Peter Lown noted that the ACPDM will strike a working group to address the issue. Eric Gottardi thanked Dorette Pollard for her hard work as Secretary of the Section throughout the year and announced that Laura Pitcairn is the incoming Chair of the Section.

**Report from the Civil Section**

Civil Section Chair John Lee noted that the Civil Section had a very successful meeting. During this year's meeting, the Civil Section adopted the Uniform Access to Digital Assets by Fiduciaries Act and amendments to both the Uniform Wills Act and the Uniform Recognition of Substitute Decision-Making Documents Act. In addition, the Civil Section resolved to adopt the Uniform Arbitration Act on November 30, 2016 and the Uniform Protection of Public Participation Act on February 1, 2017, subject to the incorporation of the directions of the Civil Section and to the receipt of no more than one jurisdiction objecting before those dates. The Civil Section also heard reports on ongoing projects concerning the Uniform Vital Statistics Act and the Uniform Commercial Tenancies Act.

The Civil Section Chair noted that the success of the week was due principally to the working groups who have worked year-round so that the Civil Section can come to the meeting with products of very high quality. The Civil Section Chair thanked the Advisory Committee on Program Development and Management and the Projects Coordinator for their support, Sarah Dafoe, for taking the Civil Section meeting minutes, and the New Brunswick organizers for planning and hosting the meeting.

The Civil Section Chair concluded by announcing that Sarah Dafoe of Alberta will be the Chair of the Section for the coming year.

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**Report from the Nominating Committee**

The Nominating Committee was struck earlier this week, comprised of Immediate Past President Luc Labonté, QC as chair and long-time delegates and past presidents. The result of their deliberations being unanimous, Mr Labonté presented the following motion on behalf of the committee:

**THAT** Josh Hawkes, QC, currently Vice-President, be nominated for President of the ULCC, and **THAT** Manon Dostie be nominated for Vice-President of the ULCC. Seconded by E Gottardi. The motion was carried unanimously.

**Outgoing President's Report**

Elizabeth Strange said that the last year has been focused on the challenges the ULCC is facing, especially finances and attendance at annual meetings. Launching the Strategic Plan Oversight Committee (SPOC) will help to address these issues and others in anticipation of the ULCC's upcoming 100<sup>th</sup> anniversary in 2018. The momentum is there to take the organization forward. Ms. Strange said she enjoyed her experience while noting the challenges of being both President and Co-chair of the Host Committee. Ms. Strange encouraged delegates to serve when asked. Ms. Strange congratulated Josh Hawkes, Q.C., and offered her assistance during his year as President.

Ms. Strange said she was pleased to propose the following Resolution:

**BE IT RESOLVED THAT** the Uniform Law Conference of Canada express its thanks to:

1. The Government of New Brunswick and the Office of the Attorney General for hosting the 98<sup>th</sup> Annual Meeting of the Uniform Law Conference of Canada;
2. Attorney General of New Brunswick, Serge Rousselle, Q.C., for his kind words at the Opening Reception;
3. Deputy Attorney General, Kelli Simmonds, for attending the Opening Reception;
4. The Attorney General of Canada, Jody Wilson-Raybould, P.C., Q.C., M.P., for her letter of support;
5. The Lieutenant Governor, Jocelyne Roy-Vienneau for allowing us to hold the Opening Reception at Government House, and to everyone at Government House, particularly Tim Richardson;
6. The Mayor of Fredericton, Mike O'Brien, for his kind words of welcome;
7. The Canadian Bar Association's New Brunswick Branch and the New Brunswick Law Society for co-hosting the Opening Reception; and George Filliter, Q.C., President of the Law Society of New Brunswick, for his kind words of welcome;

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8. The Organizing Committee that worked so hard to host our Annual Meeting, Elizabeth Strange, Luc Labonté, Q.C., Sylvette Basque and Linda Bertrand;
9. Our outstanding secretariat staff, Angie Lee, Sophie St-Pierre, Sylvette Basque, Linda Bertrand – they were extremely helpful and Ms. Strange encouraged other host committees to have staff on the host committee who will also work at the Secretariat;
10. The Immediate Past President Luc Labonté, Q.C., now leaving the Executive Committee;
11. John Lee, Chair of the Civil Section for his hard work this week and throughout the year, and Sarah Dafoe, for expertly taking minutes for the Civil Section;
12. Eric Gottardi, Chair of the Criminal Section and Dorette Pollard, Secretary to the Criminal Section for their exemplary work throughout the year and especially this week;
13. Peter Lown, Q.C., Chair of the Advisory Committee on Program Development and Management and Chair of the International Committee for all the work he accomplishes this and every year;
14. The Communications Committee, especially Genevieve Harvey and Ian Rennie.
15. Members of the Strategic Plan Oversight Committee for their commitment and enthusiasm – they are so committed that we are having a meeting at 2pm this afternoon.
16. The reinvigorated Finance Committee.
17. Clark Dalton, Q.C., our Projects Coordinator who works so hard for the Conference all year round – on the civil Section he is the glue that holds everything together;
18. Our Executive Director, Marie Bordeleau, for her ongoing and unwavering support and her efforts all year long;
19. Our esteemed colleagues from the US Uniform Law Commission, President Rich Cassidy and former President Bob Stein;
20. Our Civil Section presenters, Gerald Ghikas, Q.C., William Horton, Donna Molzan, Q.C., and John Gregory;
21. The interpreters in each Section: Jacques Audet, Josée Beaudoin, Sabine Davies, Peter Douglas, Krissi Michaud and Hélène Régimbald;
22. The audio-visual technicians, Ryan Nesbitt and Dillon Anthony;
23. Katherine Moller for the great entertainment at our closing dinner last night;

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24. The hotel staff of the Delta Fredericton;
25. All of you – delegates from all 14 jurisdictions and all working group chairs and members; and
26. Last but not least, my Vice-president, Josh Hawkes, QC, for his enthusiasm and support.

Seconded by Kathryn Sabo. 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.

Ms. Strange formally handed the gavel to Josh Hawkes, QC.

**Incoming President's Remarks**

Mr Hawkes said that he is honoured to accept this position on behalf of an organization to which he is passionately committed. He has had the great privilege to work for the ULCC in a variety of capacities, to make great friends over the last 10 years and to have his passion for the justice system renewed and reinvigorated every summer as we meet and work through these important issues together.

Mr Hawkes joked that he hopes he won't break the ULCC in the coming year, and that he is glad that the incoming vice-president is uniquely qualified to rehabilitate the organization after he is done with it. Mr Hawkes said he is looking forward to working with Ms Strange, Ms Dostie and the rest of the Executive Committee in the coming months. He said he had great help throughout the past year and has been greatly assisted by Peter Lown, Clark Dalton, and other members of the ACPDM as they answered his numerous questions so he could familiarize himself with the inner workings of the Civil Section.

On a personal note, Mr Hawkes said that it is almost as traditional as the soft ball game that the airlines will damage or lose the wheelchair as he travels. When he travels with a companion he is always treated as if he is invisible; service providers address his spouse or traveling companion and speak of him in the third person, but it's almost as if he isn't even there. However, this has never been his experience here among his colleagues and friends at the ULCC Annual Meetings. It says something significant about Canadian society in general and the ULCC in particular that the wheelchair was supremely irrelevant in the selection of this year's President. This shows that the ULCC is a forum in which merit counts; in which only merit counts. Mr Hawkes said he very much appreciates this and is grateful for it. It is reflective of all that is the best about the ULCC.

Mr Hawkes said he hopes that next year's closing speech will outline the multiyear plan for SPOC and that we will have a structure in place and that we will be making concerted and sustained efforts to get there. Mr Hawkes gave his thanks for his colleagues' amazing friendship, their contribution to the administration of justice and to the law in Canada.

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**Host Jurisdiction's Report – Regina, SK - 2017**

Darcy McGovern said that the 99<sup>th</sup> Annual Meeting will be held on August 13<sup>th</sup> to the 17<sup>th</sup>. The folk festival will be held from the 11<sup>th</sup> to the 13<sup>th</sup> in Victoria Park, directly across the street from the Hotel Saskatchewan, our host property. Visits to the home of the RCMP, hot and dry weather are hoped to be part of the Annual Meeting, as well as a Riders' game if the stadium is ready for them. Mr McGovern said that the host committee is looking forward to welcoming the group in Regina next year and noted that tourism brochures are available in the Foyer.

**Host Jurisdiction's Report – Québec City, QC - 2018**

Frédérique Sabourin reported that the host committee is just beginning to plan the 100<sup>th</sup> anniversary Annual Meeting, and thanked all the delegates who have volunteered to assist in planning this special event. Please feel free contact her or Joanne Marceau if you wish to work on the event.

**Other Business**

Mr Hawkes noted that a working group to examine the issue of charter of cost awards will be struck, but that a resolution dating back to 2015 can be revived. Mr Hawkes said that there are a few minutes left to wrap up discussion of the strategic plan; the intent is to book-end the discussion at the Opening Plenary and subsequent discussions at the Section level. The SPOC will meet this afternoon to follow through on the issues that have been identified as key. Mr Hawkes said that it took more than a year to get to the state that we are in, so it will take more than a year to turn things around. Bringing the constitution and by-laws in harmony with the work we do and processes we actually use in time for the Annual Meeting in Québec City in 2018 is a priority. Getting the website in shape is the next big goal, as is our relations with governments and other legal sectors, groups and societies to enhance the organization's network so as to keep the ULCC relevant to them. A detailed list of priorities will emerge and delegates will receive an update after today's meeting early in the Fall. Additional volunteers will need to be identified. We will build on the steps Ms. Strange took; there will be another mid-year JRs' call. Ms. Strange was too modest to mention her very successful presentation before the Senate earlier this year, thus(?) raising the ULCC's profile. Mr Hawkes thanked everyone for their suggestions and ideas and invited delegates to email him with their further thoughts.

There being no further business, Mr Hawkes thanked our New Brunswick hosts and the meeting was adjourned at 12:27pm.