



Community Legal  
Education Association



L'Association d'éducation  
juridique communautaire

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### CLEA's Mission Statement

#### **“Unknown Rights Are Not Rights At All”**

CLEA is a not-for-profit organization that provides public legal information to Manitobans. We believe that legal knowledge is a prerequisite to full and equal participation in our society. The purpose of CLEA is to educate the general public with respect to the legal system, with the betterment of Manitobans as its ultimate goal, and to increase the ability of individuals (primarily those perceived to have the greatest need) to deal competently with legal issues.

#### CLEA Staff

Mary Troszko, Executive Director  
Kerri Brass, Program Coordinator  
Jennifer Dunik, Law Phone-In  
Lawyer

#### Board of Directors

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Randeau Kopytko  
Brendan Friesen  
Robert Buye M'vondo

# Executive Director's Message

This fall finds us busier than ever at CLEA. In this issue of our newsletter you will find information about our newest projects: A Probate Court Guide and Family Law workshops to be delivered in Winnipeg and rural Manitoba. We have provided updates about new publications we have available and publications we have recently revised. plus information about used car legislation. Our annual Law Conference is coming up on Friday, February 10, 2012.

We would like to remind you to renew your memberships for 2012. If you are not a member of CLEA, we would encourage you to become a member. To that end, we have included membership forms as well.

We are very excited about our Inaugural Public Legal Education Award to be awarded at a reception at the Manitoba Hydro Building on May 16, 2012. We've enclosed an application form. So start thinking about deserving candidates and start sending in your nominations.

I would like to take this opportunity to thank a few people. First, CLEA's staff, who do so much and often go above and beyond the call of duty. Second, I would like to thank all of our volunteers, and that includes our board members, our Speakers Bureau members, our Lawyer Referral Panel members, our Pro Bono Canada law student volunteers as well as people who volunteer their time to write publications for us and to review publications for us. Third, I would like to thank our funders, our core funders: The Manitoba Law Foundation, Justice Canada and The Law Society of Manitoba and our project funders: The Winnipeg Foundation and Family Services and Consumer Affairs. Finally, I would like to thank all of our members, our donors and other supporters. Together we can make a difference in providing Manitobans with access to quality legal information and education programs.

# *Don't Forget to Renew your Membership!*

# *CLEA Welcomes New Directors*

## **Gary McPherson**

Gary joined the Board in the spring of 2011. He has a Bachelor of Arts degree (Law & Economics) from Carleton University, Ottawa, Ontario. In 2002, he retired from the R.C.M.P., as a Superintendent, having served for 36 years in a variety of positions, including Chief of Operations for the United Nations Peacekeeping mission in Kosovo (formerly Yugoslavia). He is currently on the Board of Directors with the College of Registered Nurses of Manitoba and also is on the W.R.H.A. advisory committee for St. Vital/St. Boniface. He understands and appreciates CLEA's mandate and the essential service this organization provides to all Manitobans.

## **Randean Kopytko**

Randean joined the Board in the spring of 2011. She is currently completing her Master's degree with a special focus on immigrant women who relocate for their spouse. She also works full-time with new immigrants in Seven Oaks. Prior to returning to Winnipeg in 2004, Randean taught in Scotland and in the United States.

## **Brendan Friesen**

Brendan is from small-town Manitoba – Kleefeld to be precise. After a short career in radio production, he went to university for his BA (U of W) and LLB (U of M). Since then he has practiced law for the federal government, mainly in the areas of immigration law and civil litigation. When he's not a lawyer he can often be found somewhere outdoors and outside of city limits – on the water is his preference.

## **Robert Buye M'vondo**

Robert Buye M'vondo's background includes several years of service delivery, teaching, research, and community development experiences. A civil servant with the federal government of Canada, Mr. M'vondo has led many non-profit and community organizations. Fluent in both French and English, he has traveled extensively and has worked with peoples of various backgrounds and cultures.

Robert Buye M'vondo holds a Bachelor in Legal Studies, a Diploma in Development Policy and Masters Degrees both in Public Administration and in Political Science.

# **Farewell to Directors**

*CLEA's members, staff and Board of Directors would like to thank Norman Boudreau, Heather Dixon, Rhonda San Filippo, Eric Wach, and Ramona Tkachuk for their commitment to the organization and to public legal education. We wish them all the best in their future endeavours.*

# New Used Car Legislation

Used car dealers are required to provide purchasers with a Certificate of Inspection (or safety inspection), sales or lease agreement, and a Transfer of Ownership Document. Besides these requirements, however, no further details on the history of the vehicle or the condition of it (aside from information contained in the safety inspection) has to be disclosed. This will change with new consumer legislation, *The Business Practices Amendment Act* (Disclosing Motor Vehicle Information), S.M. 2008, c.3, which comes into effect on December 31, 2011.

The changes to *The Business Practices Act* are aimed at providing a consumer with more complete information about the vehicle that they are intending to purchase or lease. Specific information that used car dealers will now have to provide includes details about:

- flood and fire damage,
- use of the vehicle as an emergency vehicle, taxi, or limousine,
- history as a written-off or salvageable motor vehicle,
- use as a rental vehicle, and
- registration of the vehicle in another jurisdiction.

In addition, the dealer must inform the consumer if the motor vehicle has been returned to the manufacturer under the laws of another jurisdiction because it did not conform to the manufacturer's warranty or had significant defects that could not be repaired after reasonable attempts (lemon status).

The consumer must also be informed if the vehicle has had repairs that cost in excess of \$3,000 due to one incident. If the specific amount over \$3,000 is known that must also be given in a statement.

There is also one all-encompassing section of the *Motor Vehicle Information Disclosure Regulation* that ensures that any other significant detail about the vehicle that would affect the consumer's decision to enter into a contract must be disclosed:

3(1)(e) any other fact about the motor vehicle that, if disclosed, could reasonably be expected to influence the decision of a reasonable consumer to purchase or lease the vehicle on the terms of the purchase or lease.

The information must be presented in the contract in a way that is likely to come to the consumer's attention and that is in clear and understandable language. In addition, the consumer must be provided with this disclosure orally prior to entering into the contract for selling or leasing the vehicle.

If dealers contravene a provision of the *Act* or *Regulation* they could be ordered to compensate a consumer for loss or damages, along with other penalties.

# CLEA UPDATES

## Family Law Workshops

CLEA will be partnering with Association des juristes d'expression française du Manitoba (AJEFM) in delivering a series of French and English Family Law workshops. English and French workshops will take place in Winnipeg and St. Boniface early in the new year. Then we plan to take the show on the road so to speak. Further English workshops will be held in Pine Falls, Selkirk, Portage la Prairie, Steinbach and Gimli, in April/May of 2012. Justice Canada is funding this project.

## *Criminal Code Exchange*

In our spring newsletter we advertised a new initiative – a Criminal Code exchange. We are pleased to announce that we have received a number of Criminal Codes. Thank you to Mr. Justice Michel Monnin of the Manitoba Court of Appeal, Manitoba Justice, Victim Services, the Legislative Counsel's Office and the Winnipeg Justice Library. Criminal Codes have been sent out to teachers in Rosenort, Barrows, Portage la Prairie, Beausejour, Elkhorn, St. Laurent, Wabowden, Austin, and Russell, as well as Winnipeg. The response from teachers so far has been so great that we now have a waiting list, so if there are lawyers or judges out there with Criminal Codes 2005 or newer that you are not using, please drop them off at our office. Our office hours are 9 to 5, Monday to Friday.

## Law Phone-In & Lawyer Referral Program

The Law Phone-In & Lawyer Referral Program has handled 6950 calls, including 418 emails as of the end of October (6885 calls were handled in 2010). 59% of the calls were from women, 70% from Winnipeg, 94 calls from other parts of Canada, 15 from the U.S. and 12 from around the world: Nigeria, Moldova, China, Belgium, The United Kingdom, United Arab Emirates, Qatar. 894 of the calls resulted in a referral to a lawyer. 32% of the calls dealt with family law matters, 17% with civil and employment law matters, 9% with criminal matters and 8% with wills and estates.

We held an orientation session with the Pro Bono student volunteers. We thank the following students, Alyssa Mymko, Audrey Yang, Brennan Clyde, Kyle Harder, Megan Smith and Will Steinburg for volunteering and look forward to working with them and their supervisor, Inderjit Singh, in 2011/12.

*We bid farewell to Law Phone-In lawyer, Shannon Lazell, who has been lured away by the bright lights of Toronto. We wish her all the best in her future endeavours.*

# New Publications for 2012

## Probate Guide

## My Funeral Plan

We would like to thank the Manitoba Law Foundation and The Winnipeg Foundation, our joint funders for this project. The guide will deal with small estates. We anticipate that it will be available around the end of April 2012.

We have been working with Norm Larsen of *Tales from the Underworld* fame. Norm believes that everyone should have the following four documents prepared: a will, power of attorney, healthcare directive and funeral plan. We anticipate the funeral plan document will be ready for distribution and on our website by the end of November.

## Community Legal Education Association's Annual Law Conference

*For Law Teachers, Lawyers, Students, Community Service Providers  
and Members of the Public*

Have you ever wondered about the privacy of your personal information or about obtaining information?

How has privacy changed with the advancement of technology?

How safe is social media?

What are the pitfalls of technology?

Do I need to worry about identity theft?

New copyright legislation is coming into effect. How will the new copyright laws affect me personally as well as in the workplace?

*For the answers to these questions and much more join us  
on*

Friday, February 10, 2012

at the

Union Centre – 206 – 275 Broadway

Winnipeg, Manitoba

**For more information, contact:**

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Website: [www.communitylegal.mb.ca](http://www.communitylegal.mb.ca)

# Publications Available for Sale

**HALF PRICE SALE - 2011 Manitoba Legal Services Directory – \$15.00 (Reg.\$30.00)**

Uncontested Divorce Guide for Manitoba - \$28.00

Non – Profit Organizations in Manitoba - Beginning and Incorporating - \$18.00

Non – Profit Organizations in Manitoba – Directors Liabilities - \$13.00

A Guide to Small Claims - \$18.00

Jack and the Beanstalk – A mock trial kit for grade 5 - \$45.00

Young vs Elder – A mock trial kit for Senior 4 - \$45.00

Youth Criminal Justice Act – Teaching kit - \$45.00

**(Prices Include Postage and Handling)**

To order copies of the above publications please contact us at 943-2382 or send in a cheque or money order to Community Legal Education Association, 205 – 414 Graham Avenue Winnipeg, Manitoba R3C 0L8

## *DONATIONS*

CLEA is a registered charity and is also listed with the All Charities Campaign

Charity Registration #  
118870732RR0001

(catalogue #C226).

Receipts will be issued for  
tax purposes

For more information contact Executive  
Director, Mary Troszko at 943-2382

## *New Immigration Factsheets*

CLEA would like to thank Mr. R. Reis Pagtakhan of Aikins, Macaulay & Thorvaldson LLP for writing these factsheets.

The following factsheets are available for download on our website at: [www.communitylegal.mb.ca](http://www.communitylegal.mb.ca) or hard copies can be obtained by calling 943-2382.

- *Who is a Parent or Grandparent for Immigration Purposes?*
- *Qualifying to Sponsor your Parents and Grandparents to Canada*
- *Can Parents and Grandparents Visit Canada?*
- *What to do if the Immigration Application for your Parents or Grandparents is Refused.*

**A Special Thank You to our Core Funders:**

- ❖ Department of Justice Canada, ❖ The Manitoba Law Foundation,
- ❖ The Law Society of Manitoba,

*and to our project funders The Winnipeg Foundation and Family Services and Consumer Affairs. We are also grateful for the volunteer efforts of members of the legal profession of Manitoba, and for member fees, subscriptions and donations.*