



**Community Legal
Education Association**



**Newsletter
Winter 2015**

Public Legal Education Award 2016

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
Jennifer Dunik, Law Phone-In Lawyer
Sean Young, Law Phone-In Lawyer

Board of Directors

Geof Langen, President
Kyle Giesbrecht, Treasurer
Randeane Kopytko
Megan Bowman
Frank Reeves
Terence Tsoi
Sandi Wagner
Lia Baksina
Dean Szikinger

Our 3rd Annual Public Legal Education Awards will be presented at a reception on Tuesday, February 9th in Room 200 of the Manitoba Legislative Building. Nominations end on January 4, 2016. The Public Legal Education award will be presented to an individual or organization that has demonstrated outstanding achievement in providing public legal education to Manitobans. The achievement or work may be over an extended period of time or over a shorter period, but of exceptional impact. Examples of public legal education include presentations, publications, videos, workshops and websites. Past recipients: Roland Penner, Q.C., Reeh Taylor, Q.C., Darren Klapak, Gerald McDowell, Debbie Wake.

If you would like to support our work, you have several options:

- **Cheque or money order payable to Community Legal Education Association**
- **You can donate online at www.communitylegal.mb.ca**
- **If you are a current or past government of Manitoba employee you can donate through the All Charities Campaign (catalogue #C226)**

CLEA is a registered charity: Charity Registration # 118870732RR0001

90% of our revenue is used for programming.

Tax Receipts will be issued for all donations.

Don't Forget to Renew your Membership!

New Board Members

Lia Baksina

Lia is a Staff Officer for the Manitoba Teachers' Society. Prior to that, Lia was a teacher in Louis Riel School Division and at St. Maurice Catholic School. Lia received her Masters of Education Degree from the University of Manitoba in 2010.

Lia has worked as a volunteer for Folklorama, at Siloam Mission, LUPA di Roma, as a Dragon Boat racer and was a member of the Victor Wyatt Board of Directors.

Dean Szikinger

Dean earned his law degree from the University of Manitoba in 2012. Since then he has practiced in the areas of criminal defence and immigration and now focuses exclusively on Canadian immigration and citizenship law.

Dean's desire to play a part in helping CLEA carry out its role in providing legal information to Manitobans and support a more equitable and accessible justice system stems from his own experience as an immigrant to Canada and his work with disadvantaged communities. As such, he is delighted to have the opportunity to be a member of CLEA's Board of Directors.

CLEA UPDATES

Since April 1st of this year:

- We arranged 32 presentations, including 20 for Law in the Library, 2 to Court staff about our programs and a French presentation on Immigration Law. Over 500 people attended these presentations.
- We displayed at Law Day, SAGE Conference, Fort Garry Seniors Resource Council's Wellness Expo
- Distributed over 5,000 publications
- The Community Legal Intermediary Course #37 will be completed on December 16th.
- We have had 105,251 visitors to our website.

Since January 1st to the end of November:

- 5,893 people have called Law Phone-In
- Of those 1,157 were referred to a lawyer
- 1,114 were e-mail requests
- 56% were female
- 77% were from Winnipeg
- 159 were from other parts of Canada, 25 were from the U.S.
- 13 were from all around the world: Afghanistan, Scotland, England, Greece, Albania
- 35% dealt with family law

1,104 people have viewed our videos since they were posted in November of 2014.

Family Case Management Rule Changes

Jennifer Dunik

On November 1, 2015, changes to *The Court of Queen's Bench Rules* came into effect. Some of these *Rule* changes deal with case management in the Family Division. Judges now have the power to make a number of additional orders at case conferences. They were always able to make court orders on substantive matters with the consent of both parties, or certain procedural orders without consent. With the changes to the legislation, Judges can now make a number of orders on substantial issues without the consent of the parties. These include:

- ordering a paternity test,
- referring the parties to a mediator or family evaluator,
- imputing income to a parent,
- ordering child support,
- suspending enforcement of support or arrears, and
- ordering recalculation of child support.

The *Rule* changes also set out additional requirements before you can schedule a case conference. If there are no issues of support, custody, access, or guardianship, you can file a Requisition (Form 70D.2) for a case conference confirming that the initial Petition (or other pleading) has been filed and served, and marking whether the conference is with or without the consent of the parties.

If there are issues of support, custody, access, or guardianship, then there are two ways to proceed with setting a case conference date by Requisition (Form 70D.2):

- 1) With Consent of the Parties if:
 - a) all required financial information has been provided by each party,
 - b) the parties have attended, or are enrolled in, the "For The Sake of the Children" program if the matter involves custody, access, or guardianship,
 - c) the Petition (or other pleading) has been filed and served, and
 - d) each party indicates that they have consented to the case conference.

- 2) No Consent or Financial Information has not been Provided and:
 - a) the Petition (or other pleading) has been filed and served,
 - b) the party requesting the conference has attended, or is enrolled to attend, the "For the Sake of the Children" program if the matter involves custody, access, or guardianship,
 - c) the party requesting the case conference has given all required financial information to the other party,
 - d) the party has served a Demand for Financial Information (Form 70D.1) on the other party and has received the information, gotten an order for disclosure, or will make a motion within two weeks of filing the Requisition. This motion must be heard before the date of the case conference.

Once you get a case conference date from the Registrar, you must serve the Requisition (Form 70D.2) on the other party at least 14 days before the case conference. You must also file and serve a Case Management Information Statement (Form 70S) by 2:00 p.m. at least seven days before the case conference date.

Volunteers 2015

CLEA would like to thank the following volunteers who have helped us in our various programs since April 1, 2015:

Speakers Bureau:

Robert Arthur
Kara Bashutski
Susan Benning
Karen Burwash
Alastair Clarke
Adeline Degner
Heather Dixon
Catherine Dunn
Jeff Gindin
Lesley Heinrichs
Cynthia Hiebert-Simkin
Cynthia Lau
Corrine Lavallee
Victoria Lehman
Chantal Lovatt
Scott Newman
Benjamin Nkana Bassi
Victor Olson

Dan Orlikow
Edward Rice
Gary Robinson
Inderjit Singh
Garrit Theule
John Thullner
Tyler David Warren

Pro Bono Law Students:

Adriel Agpalza
Zita De Sousa
Nicole Deniset
Sharyne Hamm
Rebecca Heller
Sharu Ratnajothy
Jean-Marc Schultz
Victoria Weir
Patricia West
Rachel Wolfe

Community Legal

Intermediary Training:

Silvana Buccini
Len Fishman
Teresa Johnson
Michael Lazar
Wendy Martin White
Peter Mueller
Lynn Ranville
Wayne Rose
Jasmine Schulz
Sean Young

Publication Review:

Teresa Johnson
Norm Yusim

CLEA would also like to thank the lawyers on the Lawyer Referral panel:

A. Akin-Akinbulumo	Len Fishman	Jeremy Kostiuik	Dan Orlikow	Norman Sims, Q.C.
Ayodele Akenroye	Robert Fleischaker	Timothy Lach	Anu Osborne	Sukvinder Singh
Lyndsey Amott	Ellen Fleishman	Alicia Laufer	Jeff Palamar	Rachel Smith
Crystal Antila	Kristen Fogg	Michael Lazar	Ken Pass	Lyle Smordin
Alex Arenson	Wayne Forbes	Victoria Lehman	D.A.S. Paterson, Q.C.	Kimberly Soul
Robert Arthur	Chris Fulmyk	Israel Ludwig	Brian Pauls	Alex Steigerwald
Gerald Ashcroft	Christopher Fultz	Lillian MacKenzie	William Percy	Karen Stern
Alison Bennet	George Funk	Sam Malamud	Anand Persad	Neil Sullivan
Nestor Bodnarchuk	Martin Glazer	Theodore Mariash	Arthur Platt	Dean Szikinger
Norman Boudreau	Kendra Goertzen	Wendy Martin White	Michelle Pollock-Kohn	Sarah Thurmeier
Kathy Bueti	Douglas Grantham	Philip McDonald	William Pooley	Lesley Tough
Leandre Buisse	Kenneth Greenhalgh	Brad McTaggart	Clay Purves	G. Van Den Bosch
Karen Burwash	Danny Gunn	Mark Mercier	Steven Raber	Lori Van Dongen
Roberta Campbell	Antoine Hacault	John Michaels	Gerhard Randel	Sheree Walder
Majinder Chinna	Maria Halkewycz	Linda Minuk	Tom Rees	Tyler David Warren
Alastair Clarke	Melanie Hawkes	Sofia Mirza	Joelle Robinson	Mark Wasyliv
David Davis	Lesley Heinrichs	Peter Moss	Laura Robinson	R. Grenville Waugh
Adeline Degner	Esther Hirsch	Sarah Murdoch	Evan Roitenberg	Len Weinberg
Terri Deller	Sarah Inness	Ed Murphy	Wayne Rose	Josh Weinstein
Kelsey Desjardine	Douglas E. Johnston	Marcelin Murray	Sheldon Rosenstock	Joseph Wilder, Q.C.
Andrea Dodgson	Douglas J. Johnston	William Murray	Monica Ross	Karen Wittman
Lawrence Donald	Robert Johnston	Alyssa Mymko	Nadia Rumore	James Wood
Catherine Dunn	Nikki Kagan	Scott Newman	Lynn Ryzniczuk	Norman Yusim
Allan Dyker	Anthony Kavanagh	Robyn Olesky	Carlyn Sarna	Saheel Zaman
Scott Entz	Michael Kay	Victor Olson	Ali Shaikh	Robin Zeiss
Kendra Farnel	Tanya Keller	Odaro Omonuwa	Saul Simmonds	Marc Zurbuchen

Public Legal Education Association of Canada and Innovation and Access to Justice Conference

Mary Troszko

The Public Legal Education Association of Canada (PLEAC) is an association of individuals and organizations dedicated to promoting public legal education in Canada. CLEA has been a member of PLEAC since PLEAC began in 1987. Every year PLEAC holds a conference at which the members highlight their work. This year's conference took place on September 30th in Montreal. Immediately after, the Innovation Conference was held, billed as the first of its kind in Canada.

Space does not allow me to do justice to all the incredible work that is being done across the country, so I will just provide highlights. A fuller report is available on our website.

Taking into account our aging population, Public Legal Information Association of Newfoundland and Labrador (PLIAN) has produced a kit to help people make their own wills, powers of attorney and healthcare directives. Legal Information Society of Nova Scotia (LISNS) is engaged in a three-year pro bono project providing free wills clinics for disadvantaged seniors.

In May, Community Legal Education Ontario (CLEO) launched a three year longitudinal study that will look at when public legal education and information is effective, for what types of clients and for what topics. User satisfaction as well as professional assessment of effectiveness will be measured.

PovNet has an on-line course for advocates and community workers dealing with poverty law issues. They have recently partnered with the B.C. Courthouse Libraries Society to do webinars on EI and CPP disability.

People's Law School's has made legal information available in libraries across British Columbia through the use of wiki books. B.C. Courthouse Libraries Society has also been working with libraries. Librarians have a great sense of what is needed in their communities.

Public Legal Education Association of Saskatchewan recently launched its website for Self-Represented litigants in family law. The screening questionnaire generates step-by-step process for each user. The form wizard tells them which forms they need and how to fill them out. Users can start an action, vary an order, apply for divorce, custody, access, spousal support, property division and can respond as well. New Brunswick's PLEIS also has annotated fillable forms for family law matters on their website.

Alberta Legal Information Society (ALIS), B.C. Legal Services Society (LSS) and CLEO highlighted their portal sites while Educaloi provided hot tech tips and how to write for the web.

The Innovation Conference highlighted some of the projects law students are involved in, helping in the areas of small claims court, by-law and parking tickets and housing. Speakers at the conference discussed different roles for judges and lawyers to promote access to justice. ODR (on-line dispute resolution) is being used in several jurisdictions to deal with small claims court matters and traffic tickets. According to the presenters ODR could be used much more extensively to handle various disputes.

Many agencies used law lines/hot lines to provide information and summary advice – Legal Aid Ontario, our own Law Phone-In & Lawyer Referral Program or supplemented information on their websites with a legal information line – PLEA Saskatchewan.

The conference presenters encouraged all of us to get involved and not wait to be invited to the table. They made the point that a solution does not have to help everyone. If we wait for the perfect solution that will help everyone, nothing will ever get done.

Annual Law Conference

**Community Legal Education Association
Presents:**

Issues in Criminal Law

**Friday, February 26, 2016
Union Centre
206 – 275 Broadway**

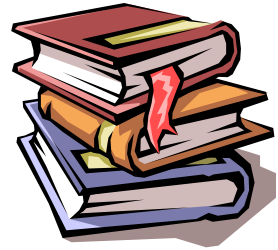
**Registration 9:00 am
Conference 9:30 a.m. to 3:30 p.m.**

**Early Bird Rate (until January 29th) \$75
After January 29th \$100
Students \$50**

Includes hot lunch and refreshment breaks

Registration Form available on our website

Publications



**Divorce Guide (Revised) - \$25
Legal Services Directory - \$20
(limited quantities available)
Welfare Guide (Revised)**

A Special Thank You to the Following:

Core Funders:

- **Department of Justice Canada**
- **The Manitoba Law Foundation**
- **The Law Society of Manitoba**

Project Funders:

Justice Canada – Supporting Families Fund



We are currently working on the following projects:

Expansion of our website – we have 100 new FAQ's dealing with Family Law Procedure. We will also have 7 new Family Law Fact Sheets (French and English) and a Family Law Enforcement Guide.

Families Change – we are working with Justice Education Society of B.C. to adapt Families Change to Manitoba. The Manitoba version will be launched in the new year. The current Families Change website can be viewed at:

<http://www.familieschange.ca/>

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