

2006 MONCTON Trio Carte Blanche René Basque, K.C.

Nhat-Viet Phi & Angela Mosher Phi Gerry Dee

2007 FREDERICTON

Jade Spalding

Stephen Peacock Mike Doherty Murder at Mayhem Manor

2008 SAINT JOHN Pete Zedlacher

Edward Keyes, K.C.

Snakeshamer Robert Patzelt, K.C. 2009 CARAQUET

Léonard Larocque, K.C.

Jean-François Breau Hon. Justice Michel Bastarache

Hon. Denise LeBlanc

Trio Carte Blanche Chantal Blanchais

Kimberly Poffenroth

Jens Jeppesen Rob Pue

2012 SAINT JOHN Kindred Brothers **David O'Brien, K.C.** 

2013 FREDERICTON Alex Bailey & Crew

Kevin Haché

2014 MONCTON Deloras O'Neill, K.C.

2015 FREDERICTON Joel Ann Whiteway-Brown,

2018 MONCT Justin Robichaud, K. Izabelle Ouel

sabel Lavoie Daigl



# HOTEL RESERVATIONS

DELTA
HOTELS
MARRIOTT
BEAUSÉJOUR

Reserve before January 6, 2026 Please identify yourself as a CBA delegate **Delta Marriott Beauséjour** 750 Main St., Moncton, NB

Delta Standard Room \$199.00 + tax For reservation call: 1-506-854-4344

Make your reservation online <u>HERE</u>

## MIDWINTER 2026 COMMITTEE



Matthew Pearn
Whitehead, Miles & Allen LLP
& MW26 Chairperson



Shawn R. Dempsey, K.C. Actus Law Droit



**Céline Robichaud Fournier, K.C.**Céline Robichaud Fournier, **K.C.**Family Law



**Leanne Murray, K.C.** Énergie NB Power



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Jason Larose Fidelis Law Droit



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Lauren A. Cicin UNB Law



Stephanie Stapleford Stewart McKelvey

### **MEETINGS**

#### THURSDAY February 5

1:00 pm CBA-NB Branch Council Meeting Delta Beauséjour, Ballroom C

2:00 pm Registration Delta Beauséjour, Foyer

## SOCIAL PROGRAM

Please indicate your attendance on the registration form.

The Annual MidWinter Meeting is a great opportunity to network while enjoying a wide variety of educational and social activities. A few of the scheduled events include:

#### THURSDAY February 5

3:30 pm Some sections will be hosting business meetings. These meetings will provide an opportunity for section members to come together, share ideas and collaborate for the upcoming year.

**Meeting** The particulars will be made available once details are confirmed.

Sponsored by: FIDELIS LAW DROIT

6:00 pm

Join us for the highly anticipated opening event of MidWinter 2026!

Opening Reception

This is your chance to connect with colleagues and partake in a unique session featuring the chief judges of New Brunswick's highest courts.

Don't miss this exceptional opportunity.

- Honourable Chief Justice J.C. Marc Richard, Court of Appeal of New Brunswick
- Honourable Chief Justice Tracey DeWare, Court of King's Bench of New Brunswick
- Honourable Chief Judge Brian McLean, Provincial Court of New Brunswick

Each Chief Judge will share inspiring insights into the challenges and responsibilities that shape our legal system today. Their discussions will tackle crucial topics that resonate with our attendees, reflecting the transformative dynamics within each level of the judiciary.

Following their thought-provoking addresses, engage in a Q & A session with each Chief Judge to foster an enriching dialogue on the vital issues facing our courts and the legal community. Embrace this opportunity to be inspired and informed! Refreshments will be served.

Admission by ticket.

Sponsored by: ATLANTIC DEFENCE LAW

#### FRIDAY February 6

6:30 pm

Meet with your colleagues over a drink and hors d'oeuvres in the upper foyer of the Delta Beauséjour

President's Reception

Admission by ticket.

Sponsored by: MCINNES COOPER

7:00 pm President's Dinner Join your host, CBA NB President, Daniel Jardine, for a special evening at the Delta Beauséjour. We are pleased to have Kelly Lamrock, K.C., Child, Youth, and Seniors Advocate, serve as our master of ceremonies. We will also be presenting CBA NB's annual awards. Entertainment will be provided by *Luc LeBlanc*.

After years performing in theater, Luc is making a strong comeback to stand-up with shows like Boosté and, more recently, Y'a des morceaux qui lâchent. There, he tackles the realities of life in your fifties, everyday aches and pains, and the passage of time.

Admission by ticket.

Sponsored by: COX & PALMER

9:30 pm

Don't want the night to end? Stay for the Late Night Party with *Tcheu Misère* 

**Late Night Party** 

Tcheu Misère is a six-piece Acadian blues band that reinvents traditional Acadian music with a modern, socially engaged twist. Their name aptly reflects their source of inspiration: poverty. Whether it's the cost of living, human relationships, or daily stress, the band explores universal themes to highlight the social realities faced by many people.

Since its formation in October 2023, Tcheu Misère has made it their mission to create meaningful music that resonates with both younger and older generations. With a bold approach and a refreshing style, the group offers a new voice and a unique perspective in Acadia.

Sponsored by: ACTUS LAW DROIT

PROGRAM AT A GLANCE		
	Y February 6	
7:30 am	BREAKFAST	Sponsored by: BINGHAM LAW
9:00 am	PROFESSIONAL DEVELOPMENT	
(FR) Mental Health in the Criminal Court		
(EN) Residential Tenancies in NB: Rights, Remedies, and Legislative Updates		
(EN) Update on Amendments to the Rules of Court		
*(SI) Anti I	Money Laundering Compliance in the Digital Age	
10:15 am	HEALTH BREAK	Sponsored by: McINTYRE FINN & MIKE MURPHY LAW GROUP
10:30 am	PROFESSIONAL DEVELOPMENT	
(FR) Lon	g-Term Disability: Legal Challenges and Potential Solutions	
(EN) Jordan 10 Years Later		
(EN) Getting HST Right: Practical Guidance for Business and Real Estate Transactions in New Brunswick		
(SI) The	Impact of Anderson v. Anderson (SCC 2023) on Setting Aside Do	mestic Agreements
12:00 pm	LUNCH	Sponsored by: CÉLINE ROBICHAUD FOURNIER - Family Law
1:00 pm	PROFESSIONAL DEVELOPMENT	
* (FR) Ethi	cs at the Table: The Lawyer's Role in the Boardroom	
(EN) Respectful Workplaces in Action: From Policy to Investigation		
(EN) Update on Binding Judicial Resolutions Conferences in Family Division		
* (SI) The Regulation of Professionals		
3:00 pm	HEALTH BREAK	Sponsored by: FORTÉ LAW DROIT & BOSSÉ VIOLA LEBLANC
3:15 pm	PROFESSIONAL DEVELOPMENT	
(FR) When Legal Worlds Collide: Corporate Law and Family Law After a Breakup		
* (EN) Professional Courtesy in Litigation: Managing Difficult Interactions		
(EN) Advanced Payments: Show me the Money!		
(SI) Esta	ablishing the Limit: Undue Hardship in Cases of Addiction and Me	ntal Health
6:30 pm	PRESIDENT'S RECEPTION	Sponsored by: McINNES COOPER
7:00 pm	PRESIDENT'S DINNER	Sponsored by: COX & PALMER
SATUR	RDAY February 7	
7:30 am	BREAKFAST	Sponsored by: LAWYERS FINANCIAL
8:30 am	AGM	
9:00 am	PROFESSIONAL DEVELOPMENT	
(FR) Artificial Intelligence and the Practice of Law		
(EN) Business Transactions in New Brunswick: M&A, Trends & Insights		
(EN) Mild Traumatic Brain Injuries in Personal Injury Cases		
	inking Private Practice and the Future of the Traditional Law Firm	
10:45 am		Sponsored by: STEWART TITLE & MURPHY COLLETTE MURPHY
11:00 am	PROFESSIONAL DEVELOPMENT	
(FR) Rely on Us: Convergences Between Family Law and the Financial Sector		
(EN) Dempsey v. Mountrakis: Do Conveyancing Solicitors Still Have to Check Plans?		
(EN) Enforcing Judgments: Locally, Nationally, and Internationally		
* (SI) Retiring from Practice: Timing, Risk, and Client Transition Strategies		
12:30 pm	END OF CONFERENCE	

\* Session may qualify for credits in the Professional Responsibility & Ethics category of mandatory Continuing Professional Development.

### FRIDAY February 6

#### 9:00 am PROFESSIONAL DEVELOPMENT (1.5 credits ea.)

(FR)

Mental Health in the Criminal Court

Judge Suzanne Bernard will discuss the significance of mental health in the criminal justice context and, more specifically in competency hearings. Minister Robert McKee, K.C. and Judge Anne Richard, will talk about the history of the Mental Health Court in New Brunswick and the expected format and function of the new Moncton Mental Health Court, respectively.

Chair: Isabel Lavoie Daigle, K.C., Office of the Attorney General of NB

**Speakers:** Hon. Judge Suzanne Bernard, Provincial Court of NB; Hon Judge Anne Richard, Provincial Court of NB; Minister Robert McKee, K.C., Minister of Justice & Attorney General of NB

(EN

An introduction to the Tenant and Landlord Relations Office and a look at tenant and landlord rights and responsibilities.

Residential Tenancies in NB: Rights, Remedies, and Legislative Updates

Chair: Shawn R. Dempsey, K.C., Actus Law Droit

**Speakers:** Lyndsay Gauthier, Information Agent, Tenant and Landlord Relations Office; Stephanie Basque, Residential Tenancies Officer, Tenant and Landlord Relations Office

(EN

Update on Amendments to the Rules of Court

Several recommendations for Rules amendments have been reported to Government. Be ready to hit the ground running when and if they are implemented.

Chair: Darren G. Blois, Murphy Collette Murphy

Speakers: Mathieu Picard, K.C., Fidelis Law Droit; Rachelle Standing, Court of King's Bench of NB; Philippe Eddie, K.C.

Anti Money Laundering
Compliance in the Digital
Age

Join senior representatives from the Law Society of British Columbia and the Law Society of Ontario for an engaging session on evolving anti-money laundering (AML) obligations. As the Law Society of New Brunswick launches new directives on virtual client identification—allowing lawyers to verify identity remotely using government-issued photo ID and secure technology—this presentation will offer practical guidance and national insights. The session will also highlight current trends in compliance, investigation, and discipline to help lawyers strengthen AML practices in an increasingly digital environment.

Chair: Michèle J. Morin, K.C., Law Society of New Brunswick

**Speakers:** Barbara Buchanan, K.C. – Practice Advisor – AML, client identification, source of funds, frauds, scams - The Law Society of British Columbia; Anthony Gonsalves, Financial Policy Advisor with the Law Society of Ontario

#### 10:15 am | HEALTH BREAK

#### 10:30 am PROFESSIONAL DEVELOPMENT (1.5 credits ea.)

(FR)

Long-Term Disability: Legal Challenges and Potential Solutions This presentation highlights the issues surrounding long-term disability benefit claims, through the lens of a lawyer representing plaintiffs and a lawyer representing defendants. This is a valuable opportunity to deepen your knowledge and enrich your professional approach, as participants will benefit from a rich exchange of legal perspectives, concrete strategies, practical experiences and best practices for effectively navigating this area.

Chair: Jason Larose, Fidelis Law Droit

Speakers: Marie-Josée Ouellette, Fidelis Law Droit; Katherine Toner, Stewart McKelvey

(EN

Jordan 10 Years Later

In 2016, the Supreme court set out a new framework in R. v. Jordan to determine whether an accused was tried within a reasonable time. This session will highlight how the legal system adapted to the framework as well as the initiatives that continue to be implemented to reduce delays 10 years later.

Chair: Catherine LeBlanc, Université de Moncton

Speakers: Hon. Chief Justice J.C. Marc Richard, Court of Appeal of New Brunswick

(EN)

Getting HST Right: Practical Guidance for Business and Real Estate Transactions in New Brunswick

HST issues in business and real estate transactions are often complex—and costly if misunderstood. This session will explore the HST implications of common transactions in New Brunswick, including real property deals, income tax-driven reorganizations and business acquisitions. The panel will explain what makes a supply taxable, exempt or zero-rated (and why the distinction matters); when input tax credits are available; and how certain elections can reduce or eliminate HST payable. Attendees will gain practical tools to better spot HST risks, structure transactions effectively and advise clients with confidence.

Chair: Dale T. Briggs, Cox & Palmer

**Speaker:** Stephanie Stapleford, Stewart McKelvey

(SI)

The Impact of Anderson v. Anderson (SCC 2023) on Setting Aside Domestic Agreements

Anderson v. Anderson 2023 SCC 13 recontextualized the principles which emerged from Miglin v. Miglin 2003 SCC 24, in relation to requests to uphold or set aside specific provisions of Domestic Agreements/ Contracts. The reframing of the Miglin principles and the use of Anderson within the framework of provincial legislation enabling the judiciary to disregard or set aside specific provisions of an Agreement has had, and will continue to have, a significant impact on the jurisprudence related to Domestic Contracts in New Brunswick. This session will explore the ways in which Anderson has already impacted decisions of this nature in New Brunswick and prospectively, how this seminal case will guide and govern Domestic Contracts within the context of the Marital Property Act.

Chair: Emily Wooder MacLeod, Carleton Law Group

Speaker: Hon. Justice Danys Delaquis, Court of King's Bench of NB; Hon. Justice Michelle Boudreau-Dumas, Court of King's Bench of NB

### FRIDAY February 6

#### 1:00 pm PROFESSIONAL DEVELOPMENT (2 credits ea.)

**\*** Ethics at the Table: The Lawyer's Role in the Boardroom

Join us for a dynamic session exploring the intersection of law, leadership, and ethics. From landing your first appointment to leading with integrity in complex situations. Gain practical insights into ethical decision-making and learn how to confidently navigate the unique challenges lawyers face in board service.

Chair: Céline Robichaud Fournier, K.C., Céline Robichaud Fournier, K.C. Droit de la Famille - Family Law

Speakers: Luc Elsliger, Stewart McKelvey; Geneviève Laforge, Associate Vice President, Legal Affairs & Employee Experience,

Assumption vie

Respectful Workplaces in Action: From Policy to

Investigation

Respectful workplace policies establish expectations, but their true value comes from how they are drafted, implemented, and enforced. This session goes beyond the text of a policy, offering practical steps for building effective frameworks, responding to complaints, and conducting fair investigations under both provincial and federal requirements. Using examples, case studies, and interactive discussion, participants will explore proactive strategies for prevention, best practices for complaint handling, and how to navigate privilege, terms of reference, and investigator selection to foster safe, respectful workplaces.

Chair: Leanne Murray, K.C., Énergie NB Power

Speaker: Leanne M. Walsh, West Coast Workplace Law

**Update on Binding Judicial Resolutions** Conferences in Family Division Binding Judicial Resolution Conferences became available to facilitate efficient and expeditious resolutions for litigious matters as of October 2024. Since that time, BJRCs have been used primarily in Family Division to reach stream-lined results in a binding manner. This session is an overview from Chief Justice Tracey DeWare, Justice Nathalie Godbout, and Rachelle Standing on the status of BJRCs since their introduction. This session will explore how BJRCs have been success, suggestions for solicitors using the BJRC model and what the future use of BJRCs might be.

Chair: Emily Wooder MacLeod, , Carleton Law Group

Speakers: Hon. Chief Justice Tracey DeWare, Court of King's Bench of NB; Hon. Justice Nathalie Godbout, Court of King's Bench of NB; Joseph Fitzpatrick, New Brunswick Legal Aid Services Commission

The Regulation of **Professionals** 

The regulatory environment affecting professionals is rapidly evolving. This session will explore emerging trends and challenges in governance, discipline, and key aspects of professional oversight. Participants will gain concise, practical insights from the perspectives of the professional, the regulator, and the administrative decision-maker. The discussion will also consider timely issues in publicinterest regulation, including interim measures, freedom of expression, and professional wellness.

Chair: Julie LeBlanc Hultberg, Stewart McKelvey

Speakers: Guy Dumas, K.C., Cabinet Juridique Guy Dumas; Christine Bernard, College of Physicians and Surgeons of NB; Dominic Caron, Partner, Pink Larkin

#### 3:00 pm | HEALTH BREAK

### 3:15 pm PROFESSIONAL DEVELOPMENT (1.5 credits ea.)

When Legal Worlds Collide: Corporate Law and Family Law After a **Breakup**  This session will explore the grey area between corporate law and family law when one spouse holds an interest in a company. How can one reconcile disclosure requirements, the valuation of a spouse's financial rights, and the protection of the children's interests? Does the corporate veil withstand the imperatives of family law, or is it inevitably lifted in the name of fairness?

Chair: Céline Robichaud Fournier, K.C., Céline Robichaud Fournier, K.C. Droit de la Famille - Family Law

Speakers: Hon. Justice Marie-Claude Bélanger-Richard, Cour du banc du Roi du N.-B.; Alexandre Vigneault, Doane Grant Thornton LLP

\* Professional Courtesy in Litigation: **Managing Difficult** Interactions

Join Eugene Meehan, K.C., for an insightful session on maintaining professionalism and civility in the practice of law. Drawing from his paper Civility as a Strategy in Litigation, he will discuss how courtesy can serve as both an ethical obligation and an effective strategy. Participants will gain practical guidance on managing difficult interactions while upholding professional standards.

Chair: Jason T. Dempsey, Phillips Dempsey

Speaker: Eugene Meehan, K.C., Supreme Advocacy LLP

**Advanced Payments:** Show me the Money! Kendra Correia and Jon O'Kane will discuss how to obtain advance payments, when to bring motions, and how to get paid. They will also talk about strategy relating to such motions and give an overview of the relevant case law and some best practices for both plaintiff and defence counsel.

Chair: Lauren Cicin, UNB Law

Speakers: Kendra Correia, Correia & Collins; Jonathan O'Kane, Stewart McKelvey

**Establishing the Limit:** Undue Hardship in Cases of Addiction and **Mental Health**  The human rights obligation not to discriminate includes a duty to accommodate up to the point of undue hardship. The challenge often lies in determining where to draw that line. What are the principles that apply to the duty to accommodate? What are the key factors in determining whether undue hardship exists? How do these concepts apply in cases involving addiction and mental health? Dominique Fontaine, an employment and labour lawyer with McInnes Cooper, will discuss these topics in her presentation.

Chair: Leanne Murray, K.C., Énergie NB Power Speaker: Dominique Fontaine, McInnes Cooper

### SATURDAY February 7

#### 9:00 am PROFESSIONAL DEVELOPMENT (2 credits ea.)

Artificial Intelligence and the Practice of Law

This session will provide an overview of how artificial intelligence is shaping the legal profession. Participants will explore the potential applications, benefits, and challenges of AI in legal practice, and consider its impact on the future of the profession

Chair: Alexandre Robichaud, McInnes Cooper

Speakers: Christian Clavette, Université de Moncton; Nicolette Belliveau, McInnes Cooper; Mohamed Anis Benallal, Vitalité Health

Network

Business Transactions in New Brunswick: M&A, Trends & Insights

This session brings together experienced practitioners to explore the latest developments in business transactions in New Brunswick, with a focus on mergers and acquisitions. The session will explore current deal trends, legal and regulatory considerations, and emerging challenges in structuring transactions. Panelists will also examine how economic shifts and sector-specific developments are shaping M&A activity across the province. Attendees will gain practical insights into common transaction types, best practices, and the future of business transactions in New Brunswick.

Chair: Stephanie Stapleford, Stewart McKelvey

Speakers: Emily Russell, Stewart McKelvey; Natalie M. Stewart, McAllister & Donovan Law Group

(EN)

Mild Traumatic Brain **Injuries in Personal Injury Cases**  Join us for an insightful panel discussion focused on mild traumatic brain injuries (mTBI) within the context of personal injury litigation. This session brings together experienced practitioners who regularly work with individuals affected by an mTBI. Topics will include mechanisms of injury, updated diagnostic criteria and assessment tools, post-concussion syndrome and long-term symptoms, cognitive, emotional, and physical impacts, treatment approaches and rehabilitation strategies, medications and management options, practical considerations for legal professionals, and more.

Chair: Jason Larose, Fidelis Law Droit

Speakers: Dr. Sarah Pakzad, Neuropsychologist and Professor, Université de Moncton; Pierre LeGresley, Physiotherapist, Nexus

Physio

Rethinking Private

Practice and the Future of the Traditional Law

Is the traditional model of the private law firm in jeopardy? In the wake of the COVID-19 pandemic, the rise of hybrid/ remote work, and the generational shift prioritizing work life balance and self care, the nature of the law firm may have to adapt to these trends. This session invites a critical conversation about the future of private practice and a creative reimagining of how we as a professional, deliver legal services.

Chair: Emily Wooder MacLeod, Carleton Law Group

Speakers: Mary-Eileen O'Brien, Carleton Law Group; Jessica Chapman, Chapman Family Law; Vanja Mitrovic, Chapman Family Law

#### 10:45 am | HEALTH BREAK

### 11:00 am PROFESSIONAL DEVELOPMENT (1.5 credits ea.)

(FRENCH)

Rely on Us:

Family law issues frequently intersect with other fields, from financial planning to intimate partner violence. This session will explore opportunities for collaboration between the family law and financial sectors, aiming to to better support clients while minimizing risks. Chair: Catherine LeBlanc, Université de Moncton

**Convergences Between** Family Law and the **Financial Sector** 

Speakers: Annik M. Ouellette, Université de Moncton; Marie-Christine Pierre, Actus Law Droit; Venessa Comeau Gerrard, VCG Law

Dempsey v. Mountrakis: Do Conveyancing Solicitors Still Have to **Check Plans?** 

NBKB said purchasers could rely on the register to ensure no easements. NBCA threw the profession for a loop in granting leave to appeal. With the case still in the balance, exactly what DO conveyancing solicitors have to search?

Chair: Darren G. Blois, Murphy Collette Murphy

Speaker: Lizon Chiasson-Foulem, Lizon Chiasson-Foulem C.P. Inc.

A high-level overview of the law concerning judgment enforcement. This presentation will cover (or at least introduce) the following topics:

**Enforcing Judgments:** Locally, Nationally, and Internationally

enforcing provincial (New Brunswick) judgments in New Brunswick;

enforcing provincial (New Brunswick) judgments outside of New Brunswick; and

enforcing extra-provincial judgments in New Brunswick.

Chair: Shawn R. Dempsey, K.C., Actus Law Droit

Chair: Dale T. Briggs, Cox & Palmer

Speakers: Micheline A. Gleixner, Université de Moncton; Nicholas C. L. O'Toole, Actus Law Droit

Retiring from Practice: Timing, Risk, and Client Transition **Strategies** 

This program is intended to emphasis the need for planning for retirement from practice. It will look at valuation issues and other financial considerations. It will explore transition strategies within firms and for sole practitioners. It will also provide insight into the consequences of not planning for retirement and of staying in practice beyond ones best-before date.

Speakers: Paul Bradley, CPA, CBV., Deloitte LLP; Robert B. Jackson, Law Society of New Brunswick

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