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# ADVICETALK

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AdviceScene Legal Monthly Newsletter



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## ADVICESCENE GROWING IN CANADA AND THE US

AdviceScene has been growing rapidly over the last few months, with many new users joining as members to ask questions on a variety of legal topics. In fact we've become so popular that even the forum spammers have found us. We apologize for any inappropriate content you may have viewed on the forum in October. We have a better handle on this problem now; and are requiring all new memberships to first be approved by us. It was a good learning experience. Did you know

that by pasting in someone's email address into the google search bar, you can find out if someone is a spammer? Well we found that out. There are several spam scout websites out there that keep track of this kind of thing for us—isn't that nice? ►



## ADVICESCENE GROWING IN CANADA AND THE US *(cont.)*

For the non-spamming new members over the past month, one of the fastest growing areas on the site is the growth of lawyers joining our American legal forum. The American legal forum was built with the same intentions as the Canadian forum: as a place for the public to ask questions and lawyers, law students, police officers and even judges to answer these legal questions without the prohibitive costs often involved in seeking legal advice. The legal advice categories in both the American and Canadian legal forums are currently being revised to make the forum more user-friendly to post questions in the appropriate legal category.

Please feel free to browse both of the AdviceScene forums as they continue to grow and become more active!

### What to expect by next month:

As we mentioned last month, AdviceScene is going through some huge changes. You will be pleasantly surprised we're sure, when you see the new look. We're going for different everything: different logo, different colours, and different functions. But the premise will never change: **democratizing the law by connecting lawyers and the public to offer free insight into our legal system.**

The new site will be much easier to navigate; and we're sure you will get a lot more out of it. Please feel free to send in any comments or suggestions you might have once the new site is launched. We don't want a facebook-like rebellion on our hands with the new look. So please feel free to tell us what you think. ☺



# AdviceScene



## RECENT LAWYERS TO JOIN THE LEGAL FORUM



### **Cyndee Todgham Cherniak** (Lang Michener, Toronto, ON)

Cyndee Todgham Cherniak is counsel in the International Trade, Business, Tax, and Environment, Energy & Emissions Trading groups in the Toronto office of Lang Michener. Her practice includes WTO and RTA analysis, interpretations, and opinions, government relations strategies and NAFTA verifications. She is the co-founder of the Trade Lawyers Blog, Women Lawyers Blog and Canada Law Blog. She is the director of the Canada-China Lawyers' Foundation, a director and board member of the Canada-China Business Council and vice-chair of the American Bar Association, International Law Section customs and membership committees and the Diversity Task Force.



### **Sébastien St-Clair** (St-Clair & Associates, Montreal, QC)

Sebastien joined AdviceScene in August 2009. He is the founder of St-Clair & Associates in Montreal Quebec. His vision in starting the firm was to create a law firm not only with technical know-how, but with exceedingly high client-service standards as well. Guided by the core values of integrity, simplicity and support, he assembled his core group of lawyers, who shared the same vision, from a number of larger firms. St-Clair & Associates sets itself apart from thousands of other firms with a dynamic team of lawyers and associated professionals under its Lex Network that work together cohesively to deliver results — with a supportive approach. Sebastien is ready to answer questions about family law & divorce.



### **Bernie Olanski, BCom, JD** (Lexcor Business Lawyers LLP, London, ON) Strictly Business®

Bernie Olanski is a partner at Lexcor Business Lawyers LLP, where, as their trade-mark suggests, the work is exclusively in the area of corporate commercial issues and transactions. Although the scope and calibre of the work is Strictly Business®, Bernie and the lawyers at Lexcor have a refreshing, small-town attitude and a friendly approach to the practice of law. Bernie works primarily with small to mid-sized, owner-operated businesses and professional corporations by providing advice and assisting with all of their business law needs - from initial start-up to winding-down - and most everything between - including transactions of purchase and sale, estate freezes, rollovers, family trusts and other corporate reorganizations and manoeuvres. He also assists with the design, negotiation and drafting of all types of business contracts, such as licensing agreements, joint ventures, partnership agreements, shareholder agreements, franchising arrangements, employment agreements, commercial leases and hosting agreements. In his spare time, Bernie plays squash and golf and acts as the family photographer - his wife runs marathons and his daughters compete nationally in springboard and tower diving.



## B.C. LEGAL AID CUTS

On November 3rd, we heard that the B.C. Legal Services Society, the body that administers legal aid in B.C., will be closing five regional offices and laying off up to 54 staff as a result of funding shortages. Attorney General Mike de Jong says that the closings and layoffs are the result of the economic downturn. The Legal Services Society is funded in part by a tax on lawyers' trust accounts, which may have dried up to a large extent as a result of the recession and low interest rates.

But the NDP, the official opposition party, argues otherwise. Opposition party members claim that the Liberal government has cut the legal-aid budget from \$96 million in 2001 and 2002 to \$74 million today. And of course they question the reasoning in doing so when our province is obviously able to afford hosting the 2010 Winter Olympics and the billions of dollars that are required for that.

Regardless of whether the layoffs and closings come about as the result of the recession or government funding cuts, there is a bigger issue here which needs to be addressed by the governments of all provinces: access to justice for all Canadians. While de Jong has stated that the changes are an attempt to try and reduce administrative costs and try and channel as much resource as possible into front-line services, it's hard to imagine how "front-line services" will end up looking without offices in which to provide these services?

If we live and work within a legal system that is based on the rule of law, where invariably lawyers are needed

to help citizens navigate through their legal problems, is it not a necessary requirement that governments help their citizens access legal counsel? People who do not see the importance of having a robust legal aid system have likely never had their back against the wall facing a legal problem for which they may be sent to jail or lose custody of their children.

So what do you think? Is this just another example of government decreasing its responsibility for providing an essential social service? Or is it, as some argue, an example of the government moving towards privatizing an institution which should be kept public? Running penitentiaries may be potential profit generators which private companies are eager to get their hands on. Are we headed down that slippery slope? As one commenter on the CBC news article aptly put it, "shut the schools... make everyone stupid, shut the hospitals ...everyone dies....shut the legal system down....violate everyone's rights." ☹



## MORALITY METER

It's a question that has been highlighted in many blockbuster movies over the past decade including Star Wars, Godsend and Multiplicity: the trouble with cloning. The MoralityMeter question this month is **"How morally bad is it to clone human beings?"** So far after a total of 17 votes the results have been fairly strongly opposed, with an average response of 7 on a scale of 0-10, with 10 being "Really Bad."

How morally bad is it to clone human beings? **7** out of 10

So does this mean that Canadians are opposed to the concept of humans "playing God" and creating new humans or toying with human genes? Or are we just worried about where the slippery slope in scientific research might lead us? Make sure that you visit the MoralityMeter page in November to get your vote in on this debate: <http://legal.advisescene.com/morality-meter.php>.

▼ Analysis by Site Administrator: Bayani

<http://legal.advisescene.com/canadian-legal-forum/index.php?action=profile;u=822>

November's question on the MoralityMeter was: **How morally bad is it to clone human beings?**

Notwithstanding the advantages brought forward for human reproductive cloning, namely: beneficence, that is, human cloning opens the gate for new treatment option for infertile couples such that human cloning would allow the selection of desirable traits and bestow advantages on the would-be child, and autonomy, that is, people should be free in their choice of reproductive method, and that the state or government does not have the right to interfere with reproductive autonomy, because just what John Stuart Mill states "On Liberty" that the only instance by which the state could interfere with someone's action is to prevent harm to others, and there is no harm to others that could be prevented in human cloning, our voters (7 out of 10) still think that human cloning is not ethically acceptable, and that people should stick with natural procreation in preserving the human race.



## JOIN THE ADVICESCENE COMMUNITY

To Register on our Forum (free):

<http://legal.advicescene.com/canadian-legal-forum>

To Register on our Directory (free):

<http://legal.advicescene.com/lawyers>

Advertise with us (almost free):

<http://legal.advicescene.com/advertise.php>

Email us:

[info@advicescene.com](mailto:info@advicescene.com)



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