

## **Call for Contributors - 2014/2015 – Vol. 39**

### **1. Family Law**

There are some new challenges in family law. When deciding child and spousal support, there are issues about imputing income and assessing the income of the self-employed. Self-represented litigants are preventing a challenge to the court system. Is a family court set aside especially for self-represented litigants the answer? When parents are separated, one will often need a letter of permission to take a child out of the country from the other parent. When are these letters necessary, what should the wording be, and what should be in them? Grandparents' rights continue to generate questions. What are the laws across the country?

### **2. Vulnerable Youth**

Changes to the *Youth Criminal Justice Act* came into effect last year. What are the implications of these changes for young offenders? At CPLEA we often get the question: how old do I have to be...? An article about common age-related legal issues that affect youth would be very helpful. Young people may be particularly apt to use services such as payday loan companies or enter into expensive contracts for cell phones. Should they receive some protection? Canada is looking at new prostitution laws. What could it be the implications for vulnerable youth? Are there legal issues that particularly affect immigrant youth? What are the laws across Canada to help youth who have been in the government care to transition to independence when they turn 18? What are some of the good news stories to do with helping of vulnerable youth? For example, what are some agencies doing to help vulnerable youth and what are some young people do we themselves? Lying

### **3. New issues in Criminal Law**

The federal government has a focus on criminal law and new legislation is frequently proclaimed. An article could look at some of these new laws and how the courts are interpreting them. Many new *Criminal Code* offences contain mandatory minimum sentences and mandatory fines but some judges are rejecting the use of these provisions. It would be interesting to look at the status of these cases. The Supreme Court of Canada has told the federal government to revisit laws on prostitution, wiretapping, and medical marijuana to name just a few. What can we expect in these areas of the law going forward? What are the rules for traveling abroad when you have a criminal conviction? What about employers - what must a prospective employee tell employers about their past?

#### **4. The Law and Luck**

This could be an interesting Special Report. We could look at the laws surrounding gambling in all its forms. There was the case of the Québec man who sued Reader's Digest after he thought he had won the big prize. The courts had lots to say about that. What are the tax laws around lotteries, raffles, dream houses and so on? Lots of charities depend on these activities to generate money but do they realize what they are getting into? Sometimes courts have been asked to look into who actually gets the money when there is a group involved in a big lottery win. A look at some of these cases would be fun.

#### **5. Aboriginal law**

The Truth and Reconciliation Commission has come to the end of its cross-Canada hearings. An article about the work of the Commission would be timely. We could also look at the history of the residential schools and the legal issues that have arisen from this tragedy. Another article could look at what the final report of the Commission might say and what steps are likely in the future. The Commission and the federal government has been locked in a battle over the release of many thousands of pages of documents. What is the status of these court cases and what are the implications for the commission's report?

#### **6. The Judiciary**

The Supreme Court of Canada is the ultimate judicial authority in Canada. It would be very interesting to have an article about the origins and history of the Court and its development over time. An article could look at the appointment process and how well it is working. It would be timely to have an article about the Supreme Court of Canada's decision on Justice Nadon. A profile of a "day-in-the-life" of a Supreme Court judge would be fascinating. An article could examine judicial activism: is it real or is it a phantom of people who are disgruntled with the justice system in general? Canada's judges are well-regarded around the world and often volunteer to help to train judges in emerging democracies. An article could describe one of these volunteer projects. People encountering the court system for the first time often have very practical questions such as: what do I call a judge, how do I behave in court and how do I complain about the judge if I am unhappy?

#### **7. Senate Reform**

The Senate will continue to make news in the coming year, culminating in the Supreme Court of Canada's decision on the government's reference question on Senate reform. LawNow would like to have a Theme section timed to come out around the same time as the Supreme Court of Canada's decision. It would be informative to have one article about abolishing the Senate and another that argues for its retention and the possibilities for reform. Another article could look at how an elected Senate might impact the balance of power and responsibilities between the House of Commons and the

Senate. The Senate has three official languages: English, French and Inuktitut. How did this come about and how is it used in the Senate? A “day-in-the-life” of a Senator might be interesting. Another article could look at Senate committees: how they are constituted and what sort of work do they do?

## **8. The Law and Romance**

Lots of people involved in a romantic relationship might be surprised to learn that there are legal implications to it. An article could look at online dating and privacy, contractual issues and liability. Another article could look at the legal implications of getting engaged, moving in together and pre-nuptial agreements. Should you make a new will if you get engaged or should you wait until you are married? There have been some cases lately about court fights over expensive engagement rings. What have the courts decided about this? What laws govern marriage ceremonies and who can perform marriages? Many couples are opting for destination weddings. What are the legal requirements if you wish to get married in an exotic location outside Canada? Couples have discovered that if they wish to immigrate to Canada there may be stringent requirements to prove their marriage. What are some of these requirements?

## **9. Tough Decisions**

LawNow would like to look at cases where the courts have had to make some really tough decisions. In the last several years there have been cases where families and doctors have disagreed about discontinuing life support for the very ill. Last year an Edmonton judge had to make a tough decision about taking a baby off life support. The Latimer case caused judges at several different levels of court to examine a tragic situation and make decisions. Judges who have to decide Not Criminally Responsible cases often grapple with difficult fact situations. Recently, a judge in Halifax wrote a decision that discussed some of these difficulties. We would like to hear ideas from our contributors about other tough decisions.

## **10. Insurance Law**

Insurance law may seem boring, but often the cases reveal intriguing human stories. A case from Québec last year examined the definition of automobile accident after a tree fell on a car and killed the driver. Life insurance cases have also provided some interesting definitions of accident. Some insurance companies are now looking at genetic testing to help determine eligibility for insurance coverage; what are the legal implications of that? What are the potential legal problems when kids driving the family car or someone else's car, or a car is loaned to a friend? Climate change could soon affect our ability to obtain home insurance. What are the implications of this?

## **11. Employment Law**

A very hot topic right now is unpaid internships. Lots of young people are working for nothing just to get work experience on their resumes. Is this legal/fair? Are there laws that apply or should there be some? Labour unions seem under attack, both in Alberta and Ottawa. What new laws have come into effect and what new laws are pending? The Supreme Court of Canada recently ruled on Alberta's *Privacy and Information Protection Act*, writing about the need for organized labour to be protected under the *Charter*. What were the issues in this case? What is the state of the law with regard to WCB benefits and accident benefits? Employment can end in different ways such as quitting, being fired, being laid-off and being unjustly dismissed. What are the legal implications in each case? For employees lucky enough to have a pension, what are the differences between defined contribution and defined benefit pensions? There always seemed to be issues about temporary foreign workers and the government is saying it will bring in some tough new regulations; what might these be? Some particularly vulnerable employee groups seem to be live-in caregivers and agricultural workers. What are the issues for these two groups? What happens when an employee gets sick? What can an employer ask of the employee and what accommodations if any must be made?

## **12. Disaster Law**

With last year's flood in Southern Alberta and the previous year's fire in Slave Lake, it would be interesting to explore the laws and legal issues around disasters. What exists in the way of disaster preparedness at the federal, provincial and municipal levels? What are the insurance issues facing people who have experienced a natural disaster? What about contracts that are frustrated because of a natural disaster such as tenancy agreements and employment arrangements? We could look at some agencies such as the Red Cross that assist when disaster happens. We could examine liability issues for first responders, volunteers and other good Samaritans.

## **13. Neighbours and the Law/Municipal Law**

Sometimes it seems like municipal law is the poor cousin to federal and provincial law, but in fact, it probably has a more direct day-to-day influence on our lives. LawNow could look at how neighbourhood disputes might be settled using mediation and ADR. An article could look at problems between neighbors such as overhanging tree branches, fence disputes and annoying pets. An article could look at the bylaws most likely to affect the use of a home, such as renting out a room or starting a small business. Some neighbourhoods have land use plans that regulate the colours that owners can paint their house, roof materials, fences and placement of garages. How enforceable are these restrictions and who enforces them? There are some interesting questions about the sorts of things owners can do at home such as keeping chickens or rabbits in the backyard, small plot intensive gardening or farming in the yard. How do different cities deal with these issues? Different cities have different laws for food trucks and outdoor patios. What are the different approaches?

#### **14. Public Interest/Public Standing and Accessing the Justice System**

The prostitution laws case raised some interesting issues about public standing: who has it, how to determine if it exists, how does it work? How do people go about arranging to attend and give their opinions at public hearings into environmental matters, pipelines, utility rights of way and all levels of government hearings?

#### **15. The Law and Alcohol**

Home brewing and craft beer are getting to be very common. What are the laws that govern these activities from province to province? Can you have a still at home? Host liability continues to raise issues that could be explored, for example, what are the liabilities for staff in bars, employers, and for individuals who host parties in their homes? Several provinces have recently changed the laws with regard to blood alcohol content. What are the new rules? There always seem to be cases about people who sleep in their cars after having too much to drink and whether or not they are in control of the vehicle. An article about these cases would be interesting. Recently, Parliament passed a law about taking wine across provincial borders. How will this new law work? It would be fascinating to have a look at the history of laws that have tried to control the production and consumption of alcohol. BC recently overhauled its liquor laws. Ontario is now proposing to allow the sale of liquor in grocery stores. What are the laws about this in other provinces and how will the new processes work in BC and Ontario?

#### **16. Self- represented Litigants**

The number of self-represented litigants in Canadian courts is soaring and is causing significant difficulties for the court system. What are the issues facing Canadian courts as a result of this phenomenon? What supports are available for self represented litigants? What do judges have to say about this development? Should there be special courts set aside just to hear matters involving self-represented litigants. Why are more and more people choosing this option?

#### **17. The Law and Travel**

LawNow could look at passenger rights. For example, what rights do airline passengers have if they are bumped off a flight or their luggage is lost? What about passengers in cars or boats that get into an accident? Recently a major car manufacturer has faced serious questions about its recall policy. What happens when a car owner misses a recall notice? Are there time limits? What about class actions for serious malfunctions? If someone travels and is charged with a criminal offence, can they expect help from the government? What will happen if they are convicted of an offence in another country? It would be interesting and timely to have an article about the law and bicycles and perhaps look at how different cities handle bicycle issues. More and more Canadians are going abroad for medical and dental procedures. What are the legal issues when these procedures go wrong?

## **18. Working with Your Lawyer**

For many individuals working with a lawyer for the first time can be intimidating. An article could explore how the lawyer client relationship could and should work. Another article could explain the work that duty counsel do in court. LawNow could look at ways that disputes between the lawyer and client could be handled such as taxing accounts, mediation, and lodging a complaint if problems can't be resolved. What about legal aid lawyers; do people have a choice in the lawyer they receive and what are the criteria for qualifying for legal aid.

## **19. Gender and the Law**

It would be quite informative to have an article that describes different forms of gender and the legal issues that are arising. For example, the mother of a transgendered child's in Saskatchewan would like to have sex removed from birth certificate. Are there other legal issues like this? What about employment and discrimination on gender issues? What do *Charter* cases say about gender and equality? There is a proposed law before the Senate of Canada about transgender people. What is this law trying to accomplish and what obstacles stand in its way?