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# Northwest Territories Law Foundation

Fifteenth Annual Report  
for Fiscal Year Ending June 30, 1997

## NORTHWEST TERRITORIES LAW FOUNDATION

1996-97 Board of Directors

Chair	Reg Tolton
First Vice Chair	John U. Bayly
Director	Ed Gullberg
Director	Sue Cooper
Director	Dennis Patterson
Executive Manager	Wendy Carter



In January 1979 at Rankin Inlet, Ted Richard, (now Justice J.E. Richard) and Kathy Peterson defended Barrington Clive Campaugh on charges including attempted murder before Mr. Justice Calvin F. Tallis sitting with a jury. Here is Ted Richard with his expert witness psychiatrist Dr. Arboleda-Florez of Calgary. For a variety of reasons, Dr. Arboleda-Florez could not be called to give evidence at the trial. You can see he was underdressed for the  $-60^{\circ}\text{C}$  temperatures and brisk winds which prevailed throughout the 10 day trial.

## Chairman's Report

To: The Legislative Assembly of the Northwest Territories; and

To: The Executive, Law Society of the Northwest Territories.

As required by the Legal Profession Act, I submit for your consideration the 1997 Annual Report for the Law Foundation.

The Foundation is experiencing reduced income due to the general decline in interest rates, with a concomitant reduction in trust account earnings. The Foundation has significant investments the income of which has enabled it to continue the grant and Bursary program without reduction. However, the Board is cognizant of the need to be mindful of the reduction in revenues, therefore grants and bursaries may well have to be reduced accordingly in order for there not to be a significant encroachment on the Foundation's capital.


The manner in which the capital of the Foundation should be invested has been the subject of some discussion by members of the Society as well as the Board. It was determined by resolution of the Board that the advice and assistance of Wood Gundy (Canadian Imperial Bank of Commerce) would continue to be sought, but the investments should be conservative in nature. In other words, restricted to government guaranteed securities.

The Division of the Territories in 1999 is a matter of interest and concern for the Board, as it will in all likelihood entail the eventual division of the assets of the Foundation. What ultimately occurs will of course primarily depend upon the form the legislation takes, which is the decision of others. The Board intends to make known its views to the law makers.

The Northwest Territories Law Foundation/Graeme Garson Bursary Fund awarded scholarships in the amount of \$2500.00 each to : Naomi Nind, Yellowknife, Sarah McDermott, Iqaluit and Mark Himmelman of Iqaluit.

The Board is pleased and honored that Dennis Patterson, former Government Leader and long time Member of the Legislative Assembly for Iqaluit, accepted the appointment as the lay member of the Board. I am grateful for the contribution not only of Mr. Patterson but Sue Cooper, Ed Gullberg and John U. Bayly, the other members of the Board.

Respectfully submitted,



Reg Tolton  
Chairman

The Northwest Territories Law Foundation was established pursuant to Part VII of the *Legal Profession Act* for the purpose of receiving the interest which banks must pay on client's funds held by lawyers in mixed trust accounts. It is similar in form to Law Foundations established in most provinces.

### Objectives

The objectives of the Law Foundation are to use the funds collected in this manner to provide funding in the following areas:

- (a) conducting research into and recommending reform of the law and the administration of justice;
- (b) establishing, maintaining and operating law libraries;
- (c) contribution to the legal education and knowledge of members and the people of the Northwest Territories and providing programmes and facilities therefore;
- (d) providing assistance to legal aid programmes and programmes of like nature;
- (e) contributing to the Assurance Fund; and
- (f) doing all other things that, in the opinion of the Directors, are incidental or conducive to the attainment of these objects.

### Administration

The Foundation is administered by a Board of Directors consisting of five members; four being members of the Law Society and appointed by the Executive of the Law Society and one who is not a member of the Law Society and who is appointed by the Commissioner. The Directors serve for a term of two years.

The Directors meet as required to decide on policy matters and to deal with the general administration of the Foundation including policy as to the collection and investment of funds. A "grant meeting" is held once per year to consider all requests for funding for that fiscal year.

Administration and management services are provided through an Executive Manager who is engaged on a contract basis.

### Scholarship

The Northwest Territories Law Foundation/Graeme Garson Bursary Fund has funds available to assist law students in pursuing legal studies at either the graduate or undergraduate levels.

Application deadline is March 15th.

For information about the Northwest Territories Law Foundation and to request financial assistance forms, write or telephone:

Wendy Carter  
Executive Manager  
The Northwest Territories Law Foundation  
Box 2594  
Yellowknife, NT X1A 2P9  
Telephone (867) 873-8275 Fax (867) 873-6383

## Grants Awarded 1996-97

### *NWT Court Library \$48,000.00*

For the acquisition of books, materials and electronic legal resources with the stipulation that \$12,000 of this be used for the improvement of the collections of the satellite libraries.

### *NWT Court Library \$15,000.00*

For the acquisition of a computer to act as an "information server" to improve access to electronic legal resources for all users.

### *Canadian Bar Association, NWT Branch \$16,500.00*

To assist in administrative costs and to fund projects to analyze legislative initiatives and co-ordination of submissions to appropriate bodies.

### *Family Mediation Canada \$3,000.00*

For the development and implementation of a Family Mediator Certification Program.

### *NWT Law Society \$12,000.00*

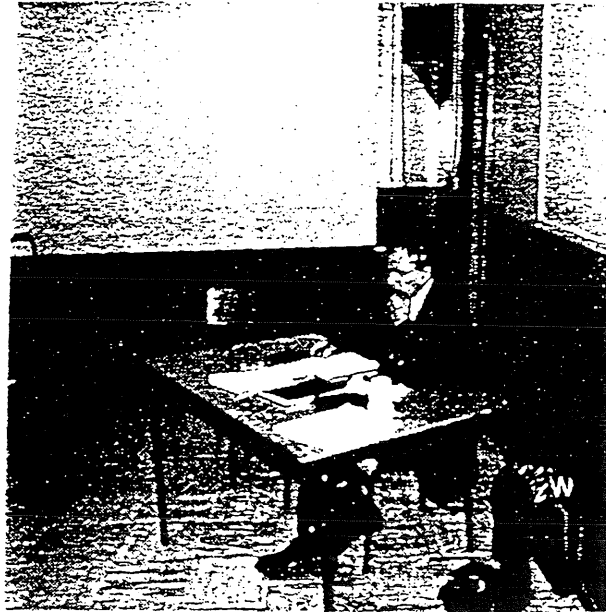
1997 Law Reports

### *NWT Law Society \$5,355.00*

To subsidize the cost of the Bar Admissions Courses for NWT articling students.

### *Law Courts of British Columbia \$500.00*

To assist in the development of a 50 minutes ASL video with closed captions on the justice system for the deaf community.



At the Rankin Inlet jury trial of Barrington Clive Campaugh in Rankin Inlet January 1979, the late George Mitchell was the Court Reporter. One of the last of the Puttman shorthand reporters to work in the Northwest Territories, George began his career as a Court Reporter in Ontario in October 1929. He took a shorthand record of proceedings at the Nuremberg war crimes trials after World War II. He came to live and work in the Northwest Territories as a Court Reporter after his retirement in Ontario.



# Northwest Territories Law Foundation

## Financial Statements

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Year ended June 30, 1997

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Auditor's Report

Statement of Revenue and Expenditure

Statement of Members' Equity

Balance Sheet

Notes to Financial Statements





**Auditor's Report**

**To the Board of Directors of  
Northwest Territories Law Foundation**

I have examined the balance sheet of the Northwest Territories Law Foundation as at June 30, 1997 and the statements of revenue and expenditure and members' equity for the year then ended. These financial statements are the responsibility of the Law Foundation's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used in significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, financial statements present fairly, in all material respects, the financial position of the Law Foundation operations as at June 30, 1997 and the results of its operations for the year then ended in accordance with generally accepted accounting principles.

Yellowknife, Northwest Territories  
August 21, 1997



Chartered Accountant

# Northwest Territories Law Foundation

## Statement of Revenue and Expenditure

For the year ended June 30,	1997	1996
	\$	\$
Revenue		
Interest- Trust accounts	36,533	135,334
- Investment income (note 1)	76,023	40,294
	<u>112,556</u>	<u>175,628</u>
Expenditure		
Administration fees	12,304	12,305
Executive	190	730
Grants	100,355	139,117
Office and miscellaneous	764	548
Printing	857	915
Professional fees	1,498	1,548
	<u>115,968</u>	<u>155,163</u>
Excess revenue (expenditure)	<u>(3,412)</u>	<u>20,465</u>

## Northwest Territories Law Foundation

### Statement of Members' Equity

For the year ended June 30,	1997	1996
	\$	\$
Surplus		
Balance, Opening	575,841	555,376
Excess revenue (expenditure)	(3,412)	20,465
Balance, Closing	572,429	575,841

### Northwest Territories Law Foundation/Graeme Garson Bursary Fund ( note 2)


Balance, Opening	110,565	62,303
Less: Administration fees	(482)	(481)
Student scholarship	(5,000)	(5,000)
Add: Interest income	13,522	3,743
Contribution from the Law Foundation	-	50,000
Balance, Closing	118,605	110,565

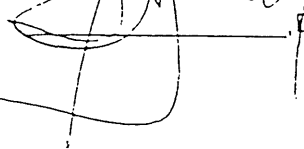
# Northwest Territories Law Foundation

## Balance Sheet

As at June 30,	1997	1996
	\$	\$
<b>Assets</b>		
Current		
Cash	15,829	60,858
Trust interest receivable	-	8,075
Investment (note 1)	717,147	668,409
	<u>732,976</u>	<u>737,342</u>
<b>Liabilities</b>		
Current		
Accounts payable and accrued liabilities	1,882	1,400
Grants payable (note 1)	40,060	49,536
Scholarships payable (note 3)	-	-
	<u>41,942</u>	<u>50,936</u>
<b>Members' Equity</b>		
Surplus	572,429	575,841
Bursary Fund	118,605	110,565
	<u>732,976</u>	<u>737,342</u>

Approved:

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

# Northwest Territories Law Foundation

## Notes to Financial Statements

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Year ended June 30, 1997

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### 1. Significant Accounting Policies

The foundation is incorporated under the statutes of the Northwest Territories, and carries on the activity of conducting research, establishing law libraries and contributing to the legal education and knowledge of members and the people of the Northwest Territories.

- (a) The foundation records revenue from interest on members trust accounts as received and deposited from members of the Law Society of the Northwest Territories.
- (b) The foundation records all unpaid approved grants as payables.
- (c) The cost method is used in accounting for the portfolio investments. In the case of fixed term securities, the foundation is amortizing the discount over the period to maturity. The carrying value of the investment is adjusted systematically, during the period it is held, towards the amount expected to be realized at maturity or an earlier call date.

### 2. Bursary Fund

A bursary fund of \$100,000 was established to generate interest income to finance a scholarship program for law studies.

The funds have been combined into the investment account and the interest portion relating to the bursary fund is calculated at year-end.

### 3. Committed Funds

The foundation has committed an amount of \$7,500 for Scholarships to assist law students in pursuing legal studies, the amount that is actually payable is not determinable at this time.

### 4. Statement of Changes in Financial Position

A statement of changes in Financial Position has not been prepared as it would not provided any additional meaningful information.

