



NISHNAWBE ASKI LEGAL SERVICES CORPORATION

MISSION: To deliver the programs and services in a culturally appropriate manner sensitive to the unique values, customs and traditions of NAN communities

HOW TO ACCESS NALSC COURT INFORMATION DOCUMENTS

Visit our Website -> homepage: www.nanlegal.on.ca

- Click the ORANGE links provided labelled:
- >> NALSC Advance Court - Virtual Zoom Connection
- >> NALSC Northern Duty Council Calendar

**updated frequently*

NALSC Court Information

NALSC Advance Court Virtual Zoom Connection – AUGUST 2024

NALSC Northern Duty Council Calendar August 2024

updated August 1st, 2023



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and Victim Witness
Liaison Worker;
Sheila Corston



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Notary Publics and Commissioners for Taking Affidavits/Oaths

OVERVIEW

In the general sense, a Notary Public, and a Commissioner appear to do the same thing, which is to create legal documents.

However, in law, there are many different types of legal documents, and they all range in complexity and purpose. It all comes down to who has the legal power to create which type of legal document. Essentially, Notary Publics can create all the legal documents that a Commissioner can create, but a Commissioner cannot create all of the legal documents that a Notary Public can create. If you require your document(s) to be “Notarized”, you will need to see a Notary Public. If you require your document(s) to be “Commissioned”, you will need to see a Commissioner for Taking Affidavits/Oaths. Determining whether you need your legal document Notarized or Commissioned all depends on the legal document’s purpose. If you are in doubt on whether you need a legal document either Notarized or Commissioned, it is best to check with the office that will be receiving your documents to determine what is required and/or what will be accepted.

(Part 1 – The
Basics)

BY STAFF LAWYER
ARTURO ACOSTA

Further, the documents required for either process, can vary depending on the situation. So, the documents required for one Notarization process may be different from another Notarization process, despite it being a similar legal situation. Likewise, the documents required for one Commissioning may be different from another Commissioning, again despite it being a similar legal situation.

To ensure your legal document is created accurately and efficiently, you may want to check with the receiving office what documents they feel are specifically required for your legal matter and bring them to your meeting with the Notary Public/Commissioner. If you are still in doubt, take all the documents you view as being related to your legal matter to the meeting.

WHO CAN BE A NOTARY PUBLIC

FOR THE MAJORITY, YOU WILL ONLY FIND LAWYERS AND PARALEGALS ACTING AS A NOTARY PUBLIC. HOWEVER, UNDER CERTAIN CIRCUMSTANCES, OTHER INDIVIDUALS ASIDE FROM LAWYERS AND PARALEGALS CAN BE APPOINTED. THIS OCCURS WHEN THE LEGAL POWERS OF A NOTARY PUBLIC ARE REQUIRED BY THEIR EMPLOYMENT POSITION. FOR ALL INDIVIDUALS WANTING TO BECOME A NOTARY PUBLIC, AN APPLICATION IS REQUIRED.

WHAT CAN COMMISSIONER DO?

A Commissioner can create affidavits, which is a written statement stating the truth.

MAIN POINT

In the end, if your legal matter requires more than just your written statement, you're very likely going to need to meet with a Notary Public, as the role of a Commissioner or their legal power is more limited.

WHAT CAN A NOTARY PUBLIC DO?

A Notary Public can create affidavits, which is a written statement stating the truth. They can also certify a true copy or real copy of another document, such as when you are required to provide a copy of your original birth certificate or original government issued identification. Further, in other circumstances, they can certify, by witnessing, the execution of a legal document. The execution of a legal document is essentially the formal commencement of a legal arrangement, such as the beginnings of a contract, a Power of Attorney, or a Will.

Disclaimer: The above legal information is not legal advice. If you have a question, you can contact one of our CLW workers, who are Commissioners, or Staff Lawyer privately.

THE ROLE OF A SURETY

BY NALSC STAFF LAWYER: ARTURO ACOSTA

From my experience, the role of a Surety is often underestimated by the person making themselves available for such position. In bail court, I have heard the description of being “a Jailer in the community” used often to describe a Surety’s role. Being a Jailer in the community means you are to provide supervision over a person, part-time to full-time, by one means or another.

Providing supervision over another individual is real work, which takes real effort, so before someone agrees to be a Surety they should assess whether they would be able to physically carry out that kind of a role, for an undetermined amount of time, in addition to their current day-to-day responsibilities, and any other additional future anticipated commitments.

In bail court, when determining whether an individual can be released from custody, a Justice of the Peace considers three grounds or reasons, which are commonly referred to as the Primary, Secondary, and the Tertiary Ground. The “plan of release” or “bail plan” is essentially the Defendants anticipated living arrangement, while in the community. Such plan should be tailored to address the three grounds in varying degrees, depending on the circumstances. If granted bail, it will be the Surety’s job to ensure the Defendant abides by the bail release conditions, which will be based on the court’s level of concern in relation to either of the three grounds

The Primary, Secondary, and Tertiary Ground, are also known as the “Grounds for Detention”. When a Justice of the Peace determines that a Defendant’s “Detention” is warranted, for any one of the three grounds or reasons, it essentially means they will not be released from custody until their charges are fully processed within the criminal justice system. However, there are other procedural avenues to have the Defendant who has been detained released from custody, but the matter for certain becomes more complicated and difficult.

Specifically, the Grounds of Detention are generally related to the following:

Primary Ground: The Defendant’s attendance in court – Are they going to appear in court to address the allegations?

Secondary Ground: The protection and safety of the public – Is there a real potential that they could commit another offence?

Tertiary Ground: Maintaining confidence in the administration of justice – Will a reasonable member of the community lose faith in the court system if this person is released from custody?

THE ROLE OF A SURETY

BY NALSC STAFF LAWYER: ARTURO ACOSTA

The strength of the bail plan or the specifics of the Defendant's living arrangement, while out of custody, will have an impact on the Justice of the Peace's level of concern in relation to each of the three grounds. Further, the court will also want to be rest assured the Surety, despite personal views, emotions, or hardship, will immediately inform the appropriate authorities, should they believe the Defendant is about to breach or has breached any one of the court-ordered bail conditions. This is pivotal for a variety of reasons.

When a Surety informs the appropriate authorities that a Defendant has or is about to breach one of the bail conditions, they are merely carrying out what is expected of them by the court and what they previously agreed to do; showing they can be trusted. It is imperative that someone who is acting as a Surety carry out their duties to the best of their ability for the short and long-term and for the benefit of the current matter and, potentially, other unrelated future matters.

When a Surety does not carry out their duties it generally suggests that they are not suitable for the role, and it may

disqualify them from being a Surety in the future, for the current Defendant and, potentially, any other defendant. Someone being asked if they have been a Surety in the past and the outcome of such experience is common when an individual is being assessed for the role. The outcome of such past Surety experience, if any, will play a heavy role in whether they are approved to be the Surety for the matter at hand.

Thus, being a Surety is not a task to be taken lightly, but the role is vital to the proper functioning of the criminal justice system. Someone considering being a Surety should appreciate that the court ordered bail conditions are criminal laws specific to that Defendant. Lastly, and more controversial, in relation to no-contact or no-communication conditions, the alleged Victim or Complainant can reach out and contact the Defendant as much as they wish, but if the Defendant responds once it is still considered a breach and they would then be arrestable.

More on the role of a Surety to come.

Kasibonika Community Visit

NALSC Team L-R:

- CLW Don Sainnawap
- LAO Assessment Officer Jocelyn Rae
- Lawyer Kevin Romyn
- Release & Reintegration Worker Keith Mckay
- PLE Cheryl Suggashie

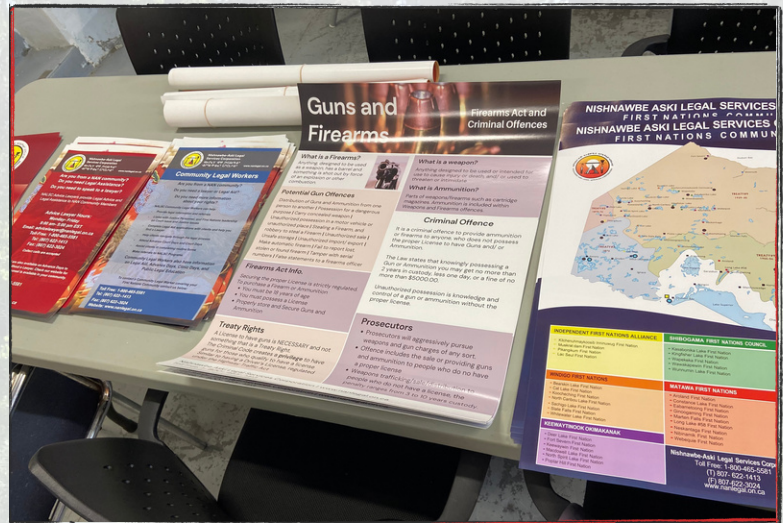
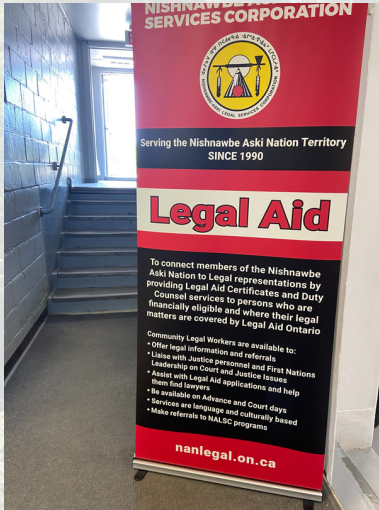


On June 7th a team of NALSC workers travelled up to Kasibonika First Nation. Keith McKay assisted with coordinating and facilitating in the community. We did NALSC Programs Presentation. Our Staff Lawyer did some commissioning and notarizing. We served lunch and also had draw prizes for participation.



Public Legal Education in Mattawa Communities

By PLECC Cheryl Suggashie



On June 12th Community Legal Worker Roberta Wesley and I travelled to Kapuskasing and Mattawa drive-in communities. We delivered NALSC Presentations and information on our Programs and Services that we offer. Our first stop was in Kapuskasing, at the Indian Friendship Centre. Lunch was served and we also held participation draws with tons of prizes.

On June 14th we visited in Ginoogaming First Nation. We set up at the Training Centre, and served Lunch. Our Program Presentations and Information Session was held all afternoon.



Public Legal Education in Mattawa Communities



On June 15th CLW Roberta Wesley and I travelled to Constance Lake First Nation. We continued to deliver NALSC Program Presentations and information. We were set up at the "Community Centre." We had pizza and drinks for supper, and did participation prize draws.

Our last community visit was on June 16th, in the Aroland First Nation. Our host made us good soup and bannock. It was a good week to engage directly with Community members.

If your First Nations Community would like Public Legal Education to visit your community and do presentations, contact us:
Email: ple@nanlegal.on.ca
Work Cell: 1-807-620-9253



GLADUE UPDATES:

RED DRESS DAY IN RED LAKE – MAY 5, 2023

SUBMISSION BY GLADUE CASE WORKER LESLIE KING

There was still ice on the lake on May 5, 2023, when the Red Lake Indian Friendship Centre (RLIFC) hosted its annual walk in Red Lake to honour, remember and raise awareness about Missing and Murdered Indigenous Women and Girls (MMIWG) (& 2SLGBTQ+ community members).



Participants gathered in front of the Red Lake Library. RLIFC staffer, Pat McKenzie, addressing the walkers.

Red Lake-based, Nishnawbe-Aski Legal Services Corporation (NALSC) Gladue Writer, Leslie King, was among the many community members who took part in the walk. Leslie was also the MC (Master of Ceremonies) for the event and was grateful and humbled by the request to do so.



Leslie King performing MC duties and introducing the Mayor of Red Lake, His Worship, Fred Mota. As with the previous year, the walk began in downtown Red Lake and the procession route was approximately 1.1 kilometers in distance, with some of that route being uphill, so participants also got a bit of a workout. Some passing motorists honked and waved to show their support.



Leslie and other walkers arriving at "Phillip Thomas Vinet Centennial Park."



Red Lake District High School students joined the gathering at the skate park in Phillip Thomas Vinet Centennial Park. A sacred fire was also lit for the event and participants offered tobacco ties to the fire.

GLADUE UPDATES:

Participants and a view of the sacred fire. Speeches, hand drum songs, poems and powerful personal testimonials were also shared at the event. We were also fortunate to have some out-of-town visitors, including the Chief of Lac Seul First Nation, Clifford Bull, and the Chief of Wabauskang First Nation, Wiliam (Bill) Petiquan. Both Clifford and Bill shared inspiring words about MMIWG and part of their speeches were shared in the Anishinaabe language (Anishinaabemowin).



Closest to the camera, and to the right, are Chiefs Bill Petiquan [blue jacket] and Clifford Bull [black jacket] It was great to see Red Lake community members once again gather together to honour, remember and raise awareness about Missing and Murdered Indigenous Women and Girls (MMIWG) (& 2SLGBTQ+).

Until next time,
Leslie King
Red Lake-based Gladue Writer



Indigenous Peoples Day Event
June 21st 2023 in Timmins, ON.
Gladue Program Booth
Gladue Wrtier: Feather Metatawabin
Gladue Case Worker Jerry Rodrique

Gladue Manager

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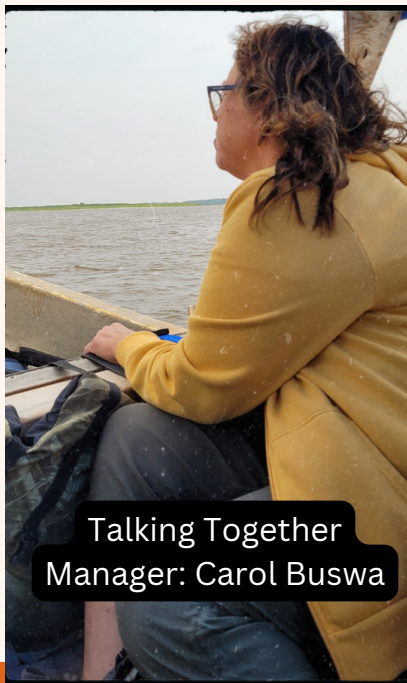
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TALKING TOGETHER PROGRAM

Submission By Melissa Sutherland

Talking Together Program- Facilitators Melissa Sutherland and Heather Napash- Talking Together program presentation at Taykwa Tagamou Nation May 1, 2023. Here are a couple of pictures with facilitator Melissa gifting draw prizes to Chief Bruce Archibald and Pauling Hunter-Taykwa Tagamou Nation Community Health representative.



Talking Together
Manager: Carol Buswa



Talking Together
Program Facilitator:
Heather Napash

TALKING TOGETHER PROGRAM

The Talking Together Program would like to share pictures and the wonderful experience of attending the Gathering Of Our People/ Cree Fest 2023 event in Moose Factory, ON.

It was very nice to meet and greet everyone. Our Information booth went very well.



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VICTIM WITNESS LIAISON PROGRAM

Submission by VWL Manager Anne Hiller

From April 1st to June 30, 2023

VWLP attended Timmins Northern College Powwow. Victim Witness Liaison Program worked with a Client Inquest from April 11 to May 12, 2023. This was truly a team effort, workers took the trauma informed care approach and supported one another during the weeks that followed. Family members were supported and Elders were available along with counsellors. The said family also received support from Nishnawbe Aski Nation, who were present at times to listen to evidence that was presented. The family themselves did an excellent job giving testimony.

It was truly an experience of learning and supporting during the Inquest. There were 63 recommendations from the jury in this inquest.



As that was going on, support was also provided to the Child & Youth Death Review and Analysis, May 9 & 10, 2023. (Held at the Delta) Elders and Mental Health Counsellor was provided to support families as they discussed the loss of their children. Teddy Bears were provided by VWLP Manager. On May 11, 2023 Award ceremony was held at Marriott Towne Place Suites for Ann Hiller who received the Victim Services Award of Distinction for 2023. She was recognized for her role in Broken Trust and leading one of the Client Inquests. And has put a lot of hours in Broken Trust and has formed a trusting relationship with the families involved.





With that being said, The systemic review draft was completed and meetings were held with families who participated. A trip to Keewaywin also took place to see one parent who shared her stories of an eagle, and I sat their smiling and I shared with her that it was her son that was watching over her and gave her a pouch of tobacco to feast him. It was a touching story and the smile on her face filled me with hope that she has some closure or peace.

May 29 to 31st, Training was held in Timmins, ON. Victim Witness Assistance Program (VWAP) and Survivor Assistance Support Program (SASP) were invited to attend. Cultural training and presentation of our service was held. SASP did a presentation and VWAP also did a PowerPoint presentation. On the 3rd day, it was VWLP discussing everyone's coverage and any discussions or concerns of the previous day.

June the Systemic Review with writers continued and feedback were given by families.

Victim Witness Liaison Program workers continue to work closely with their clients and they provide support in courts. Workers are more comfortable working in the courts and have built relationships with the Crown Attorneys.

Program Manager has been sitting in the Provincial anti-racism committee and participating in feedback.

Training in this quarter consisted of Trauma Informed Care and the Therapeutic Process for indigenous Communities, In house Training May 29-31st in Timmins, ON. Trauma, Train the Trainer in June



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Neskantanga, Whitesand, Gull Bay,
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urban community members*

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Discharge Planning Program

UPDATE:

Discharge Planning Program Update
We are working with 100 clients a month. We are recruiting for a Driver in Kenora, and a Discharge Planner. As usual it is busy on weekends with late releases and bail hearings that come up. The team consists of; Karen Oliver, Patrick (Joe Nett) and Sanderea Morriseau. Our workers are Francesca Mainville, and finally our own Lenard Comber. They are all working very hard to ensure our clients are transported home safely.

Providing safe release and transportation home

Available to provide assistance 24/7 including weekends and holidays.

THE SERVICE:

NALSC Discharge Planning Team provides safe release and transportation home for NAN community members. These Post Release requests from Correctional facilities occur whether the member is released on bail or if his/her sentence is completed.

THE SERVICE INCLUDES:

- Transportation & travel arrangements
- Planes
- Trains
- Bus
- Vehicle
- Meals
- Accommodations
- Other expenses on a case-by-case basis
- Consulting home communities

Discharge Workers

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Biographies



Hello NALSC Team,
My name is Chantel Nowegijick and I started in May 2023 as the Travel Assistant for NAN legal. I was so excited when I found out NAN was hiring a travel assistant because I have a Travel, Tourism & Eco-Adventure Diploma from Confederation College. I am from Kiashke Zaaging Anishinaabek or Gull Bay First Nation. My top 3 things to do in my time off are: visit with family, go to the movies, or go to my camp. I have loved working for NAN thus far and I cannot wait to see what the rest of the year has in store. Miigwetch to everyone and I look forward to the future!

Chantelle Nowegijick
Travel Assistant
Thunder Bay



Wacheya! My name is April Scott. I am the new Service Referral Worker with NALSC in Timmins. I am a member of Fort Albany First Nation and I have a 15-year-old son named Lucas.

I recently joined NAN legal in June 2023. I assist clients, families, and communities with support, direction, and program information as well as make appropriate referrals to NALSC program services. I also assist personnel with general administrative duties. I am happy and grateful to be doing work I enjoy and looking forward to the experience my new role brings! 😊
Meegwetch!

April Scott
Service Referral Worker
Timmins

Board of Directors

The Board of Directors is made up of 8 voting members representing all Tribal Councils within NAN Territory

The Board is also made up of Special Advisors, Elder Representatives East/ Central/ West, Ex- Officio from Nishnawbe Aski Nation Corporation, whom holds the portfolio of “Justice” and a Youth Representative from Nishnawbe Aski Nation Oshkaatisak Council

Chair: Independent First Nation Alliance Jim Beardy	Ex-Officio Nishnawbe Aski- Nation Corporation Deputy Grand Chief Anna Betty Achneepineskum
Vice Chair: Windigo First Nations Council Frank McKay	Nishnawbe Aski- Nation Youth Council Representative Ashley Bach
Secretary/Treasurer: Wabun Tribal Council Jason Batise	Elder East Barney Batise
Director: Shibogama Tribal Council Simon Winnepetonga	Elder West Vacant
Director: Unaffiliated Member of Mishkeegogamang First Nation Tom Wassaykeesic	Elder Central Sarah Waboose
Director: Keewaytinook Okimakanak Cory J Meekis	
Director: Mushkegowuk Council DGC Rebecca Friday	
Director: Matawa Lisa Echum	

Notice of Annual General Meeting

September 12, 13, 14, 2023

at the Victoria Inn

Thunder Bay, ON

