



2019-2020
ANNUAL REPORT





Our Vision

Just and Effective Laws

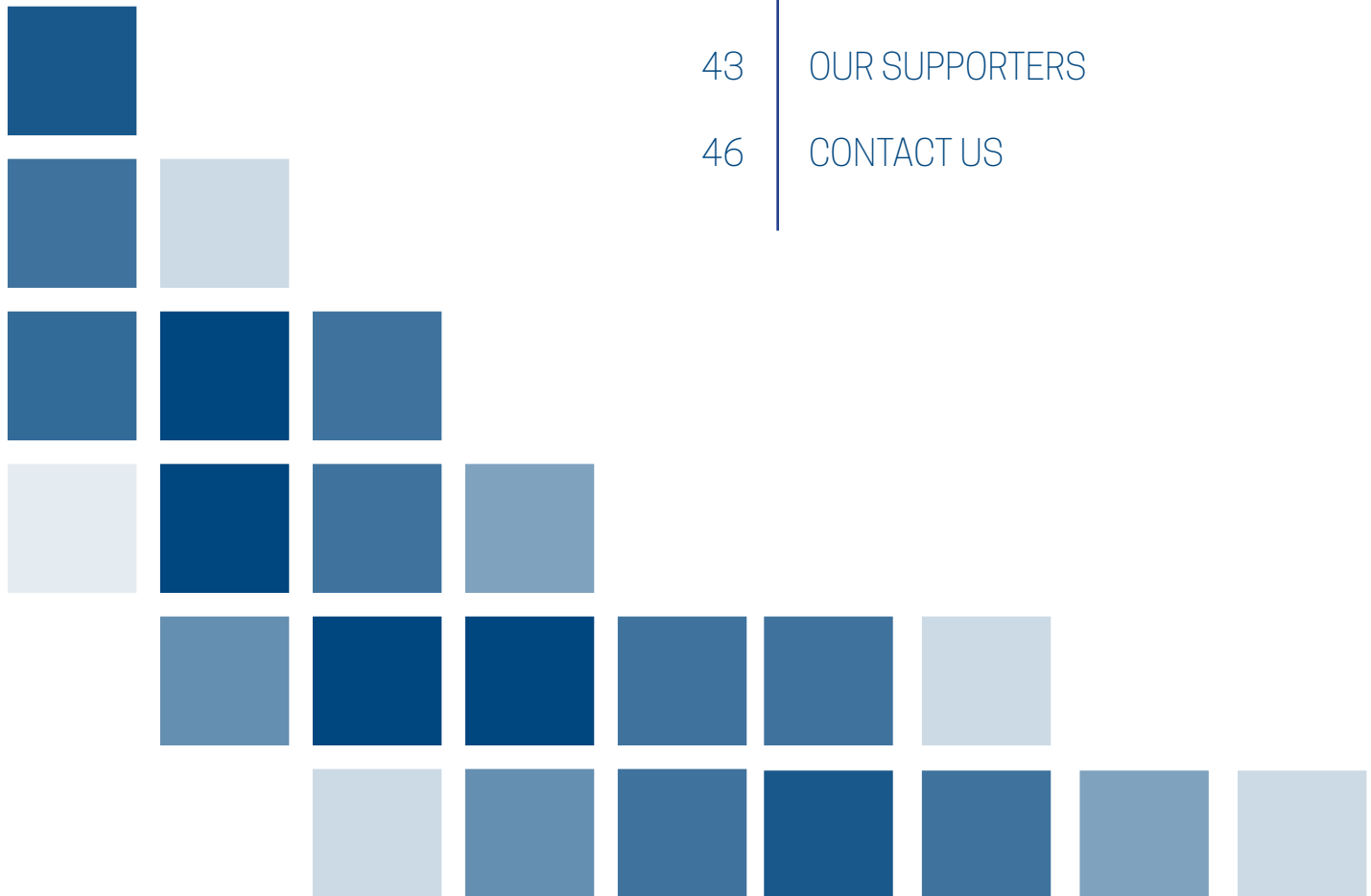
Our Mission

Improve the Laws of Alberta



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DONALD R CRANSTON QC, CHAIRMAN

ALRI turned in a productive year with progress on several law reform projects while continuing to develop relationships with stakeholders, partners and the Government of Alberta.

In February 2020 the Board welcomed University of Alberta Law Professor, and incoming Dean of Law, Barbara Billingsley. She will serve as the representative of the University of Alberta and replaces outgoing Dean, Professor Paul Paton. ALRI thanks Professor Paton for his service to the Board.

The Institute maintained consistent contact with the Government of Alberta throughout 2019-2020. Notably, ALRI met with the Minister of Justice, Honourable Doug Schweitzer QC. We had a constructive conversation about the issue of adverse possession and the need for independent law reform in Alberta. ALRI also held numerous presentations with the Canadian Bar Association and reached out to several organizations to build collaborative relationships.

While I am happy to report that funding remained stable for 2019-2020, the Institute recognizes that developments in the provincial budget and the unprecedented effects of the COVID-19 pandemic will undoubtedly present challenges extending into the near future. The Institute has always run a tight ship and has robust strategic financial planning. We are actively assessing our options into the future.

If recent events have illustrated anything, it is that there is a clear need for innovation in the practice of law. The Alberta Law Reform Institute continues to demonstrate that it can persevere while establishing the necessary foundations for meaningful and effective change.

I extend my thanks and appreciation to the members of the Board and to ALRI's staff for their dedicated service.



SANDRA PETERSSON, EXECUTIVE DIRECTOR

ALRI was very active throughout this year as it concluded several projects, evaluated what law reform could look like in the future and embarked on a new initiative to help train the next generation of lawyers while also celebrating a staff milestones.

For the first time in its history, ALRI provided composite articling opportunities for new students-at-law. Chris Ryan, Dana Shamlawi and Amanda Venner joined ALRI as students-at-law for the 2019-2020 year. They were provided with unique opportunities to explore the practice of law from a perspective other than traditional public and private practice. We wish all three the best and look forward to welcoming them to the Bar.

In April 2019, ALRI's Finance and Operations Manager, Carol Burgess, celebrated her 25th anniversary with the Institute. She has been integral to ALRI's continued success. The Institute is grateful for her many years of dedicated service.

ALRI completed the bulk of its work on Adverse Possession in 2019. In the span of one year, the Institute conducted widespread public and stakeholder consultation and published its Report for Discussion. ALRI received substantial engagement from the media and from members of the public, further illustrating the need and desire for reform. Backed by significant feedback, ALRI published its Final Report (delayed until May of 2020 due to the COVID-19 pandemic) and submitted its recommendations to Alberta Justice. ALRI stays ready to facilitate implementation of new legislation as there is a clear appetite for change.

ALRI also made progress on its project on child support from estates of persons who stood in the place of a parent. Institute counsel conducted several presentations with the Canadian Bar Association and ALRI anticipates publishing preliminary recommendations in mid 2020 with consultations to follow. There was also progress on ALRI's project on the *Personal Property Security Act* with a Report for Discussion planned for 2020.

Other publications released this year include ALRI's Final Report on Uniform International Commercial Arbitration and its research paper on Police Record Checks. While ALRI does not anticipate a full scale law reform project on police record checks, ALRI appreciates working with the Alberta Association of Chiefs of Police [AACP] on the topic and remains interested in how the AACP's new guidelines on police record checks unfold in practice.

It would be remiss to not address the effect that the pandemic had in early 2020. ALRI had already begun work on exploring what law reform could look like in the future but as Albertans and all Canadians grapple with the consequences of the COVID-19 pandemic, the Institute will be using this year as an opportunity to explore how we can innovate to conduct and deliver our work in a dynamic economic and political environment while remaining financially sustainable. It is both an exciting and challenging prospect but one that ALRI is prepared to tackle head on.





WHO WE ARE



The Alberta Law Reform Institute was established in November 1967 by the Attorney General of Alberta, the Governors of the University of Alberta and the Law Society of Alberta.

The Alberta Law Reform Institute [ALRI] was established in November 1967 by the Attorney General of Alberta, the Governors of the University of Alberta and the Law Society of Alberta. In 2019, the Alberta Law Reform Institute was incorporated as a non-profit. ALRI continues to operate to this day under a tripartite agreement between its founding partners and is funded by the Alberta Law Foundation, Alberta Justice and Solicitor General and the University of Alberta. Funding in kind is provided by the University of Alberta and University of Calgary.

The ALRI Board consists of members appointed by its founding partners:

- one elected Bencher appointed by the Law Society of Alberta
- two persons appointed by the Minister of Justice and Solicitor General
- the Provost of the University of Alberta or an academic staff member appointed by the Provost

Other Board members are appointed as follows:

- one person appointed by the Faculty of Law at the University of Alberta
- one person appointed by the Faculty of Law at the University of Calgary
- four to seven additional members chosen by the other members of the Board

BOARD MEMBERS

Alice Barnsley-Kamal
Barbara Billingsley (from Feb 2020)
Donald Cranston, QC, Chair
Mona Duckett QC, Vice Chair
The Hon. Judge David Hancock
Jennifer Koshan
Deirdre McKenna
Donna Molzan, QC
Paul Paton (to June 2019)
Karen Platten, QC
The Hon. Justice June Ross
Kathleen Ryan, QC
Roderick Wood
Lisa Weber

Alberta Justice and Solicitor General
Faculty of Law, University of Alberta

Dawson Duckett Garcia & Johnson
Provincial Court of Alberta
Faculty of Law, University of Calgary
Davidson & William LLP
Alberta Justice and Solicitor General
Faculty of Law, University of Alberta
McLennan Ross LLP
Court of Queen's Bench
Law Society of Alberta
Faculty of Law, University of Alberta
Weber Law

STAFF MEMBERS

Laura Buckingham
Carol Burgess
Barry Chung
Ilze Hobin
Jenny Koziar
Katherine MacKenzie
Matthew Mazurek
Sandra Petersson
Chris Ryan
Dana Shamlawi
Jennifer Taylor
Stella Varvis
Amanda Venner

Counsel
Finance and Operations Manager
Communications Associate
Administrative Assistant
Executive Assistant
Counsel
Counsel
Executive Director
Student-at-law
Student-at-law
Counsel
Counsel
Student-at-law

OUR BOARD

ALRI's Board of Directors has consistently benefitted from having highly regarded experts from the Alberta legal community. Lawyers and judges on the Board contributed over 245 hours to ALRI Board and committee meetings.

The sole change in Board membership came by the appointment of the incoming Dean of the UofA Faculty of Law, Professor Barbara Billingsley. She was appointed as the representative of the UofA Provost and comes to the Institute as a distinguished educator. She is the 2018 recipient of the Law Society of Alberta Distinguished Service Award for Legal Scholarship and is an expert in Canadian insurance law.

She replaces outgoing Faculty of Law Dean, Professor Paul Paton as the representative of the Provost. ALRI gives its thanks to Professor Paton for his contributions to its work.

OUR STAFF AND STUDENTS

There were no changes in counsel throughout the 2019-2020, allowing for continued progress on Institute projects.

In 2019, ALRI set out to provide opportunities for potential articling students to explore legal careers outside of the traditional law firm. The student-at-laws would work directly with ALRI Counsel in developing new legal policies while receiving immediate feedback and valuable experience for their practice in the future. ALRI hired Amanda Venner, Chris Ryan and Dana Shamlawi as Students-at-Law.

Amanda Venner joined ALRI in June of 2019. Her background was in public law, property, and human rights in the administrative law context. While with ALRI, Amanda worked on ALRI's projects on Non-profits, Adverse Possession, and Child Support. Amanda went on to the Ministry of Municipal Affairs to complete the remainder of her articling.

Chris Ryan also joined in June of 2019. Chris is a regular volunteer at the Edmonton Community Legal Centre and will focus his career in litigation. While with ALRI, Chris worked on the Informal Public Appeals and *Legal Profession Act* law reform projects. Chris finished the remainder of his articling with Field Law and the Edmonton Community Legal Centre.

Dana Shamlawi joined ALRI in October of 2019. Dana's background is in criminal justice reform and legal education reform. Dana worked on law reform projects for English Law Statutes in Alberta, the *Legal Profession Act* and ALRI's Police Records Checks Research Paper. Dana completed the remainder of her articles with criminal defence firm, Davidson Gregory Tralenberg.



ALRI also recruited three summer students to provide research support on its law reform projects. University of Calgary Law students Sirisha Valupadas and Ellen Forsyth were stationed in ALRI's Calgary office while University of Alberta Law student Joanne Cave was assigned to ALRI's Edmonton office.

ALRI ALUMNI

The work of law reform has a natural tendency to attract individuals with an intrinsic desire to improve their community. Individuals that have worked with ALRI are no exception and are consistently among those who are recognized for their dedication.

ALRI Board Member, Professor Jennifer Koshan, was recognized with multiple awards this year. Professor Koshan received the Distinguished Service Award Legal Scholarship as well as the Ramon John Hnatyshyn Award for her outstanding contribution in law reform, legal scholarship and legal research from the Canadian Bar Association. She was also recognized with the GREATSupervisor Award from the University of Calgary's Faculty of Graduate Studies.

Former Board member, the Honourable Justice Sheilah Martin of the Supreme Court of Canada, received an honorary Doctor of Laws from University of Calgary. Former Board member Nigel Bankes received the annual Killam Annual Professorship for excellence in research and teaching. Former Board member Paul Paton was awarded the 2019 R.V.A. Jones Award presented by the Canadian Corporate Counsel Association.

Director Emeritus Peter Lown continued work with Uniform Law Conference of Canada and assisted the UofA moot team in their 1st place finish at the 2019 Commonwealth Law Moot.

Former ALRI summer student, Nathan Whiting QC, was appointed to the Court of Queen's Bench.

Joanne Cave was offered a clerkship at the Supreme Court of Canada for 2022-23 by Chief Justice Wagner. Joanne was ALRI's summer 2019 student in Edmonton.

ALRI has at least 7 other summer students who have gone on to clerk at the SCC including Douglas Stollery QC (1974 & 1975), Professor Mitchell McInnes (1987), Claire Klassen (1989), Professor Kerry Rittich (1991), Justice Nathan Whiting (1997), Justice Bonnie Bokenfohr (2000), and Dr. Ryan Krushelnitzsky (2008).



JOIN OUR BOARD

The ALRI Board consists of a maximum of 13 members, including six members at large. A further seven representative members are appointed by the Minister of Justice, the Law Society of Alberta, the University of Alberta and the University of Calgary.

The ALRI Board meets for one full day per month to discuss proposals for law reform and provide governance. Most meetings are by video conference from Edmonton or Calgary but some are held in person. The anticipated time commitment is 50-80 hours per year. Board members may also serve on a variety of sub-committees. The initial appointment is for a three year term that is renewable based on good performance.

The attributes of Board member service and contribution include:

- demonstrated interest in the improvement of the law and its administration;
- demonstrated interpersonal, communications, problem solving and decision-making skills;
- willingness to commit the time and effort that is needed to prepare for and regularly attend Board meetings;
- willingness to participate in additional committee work;



- willingness to consider respectfully many points of view;
- willingness to contribute to civil and open debate with a view to reaching consensual outcomes;

All applicants must have a law degree.

In order to achieve balanced and comprehensive proposals for law reform, the Board aims to represent a broad spectrum of the legal community. In making appointments the Board will take into account factors such as experience, gender, geographical location and practice subject matter. Two Board members may not be appointed from the same firm.

If you are interested in serving on the Board, please communicate your interest by cover letter and CV to the address set out below.

Sandra Petersson, Executive Director at lawreform@ualberta.ca.

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A. Criminal Appeals are Complex

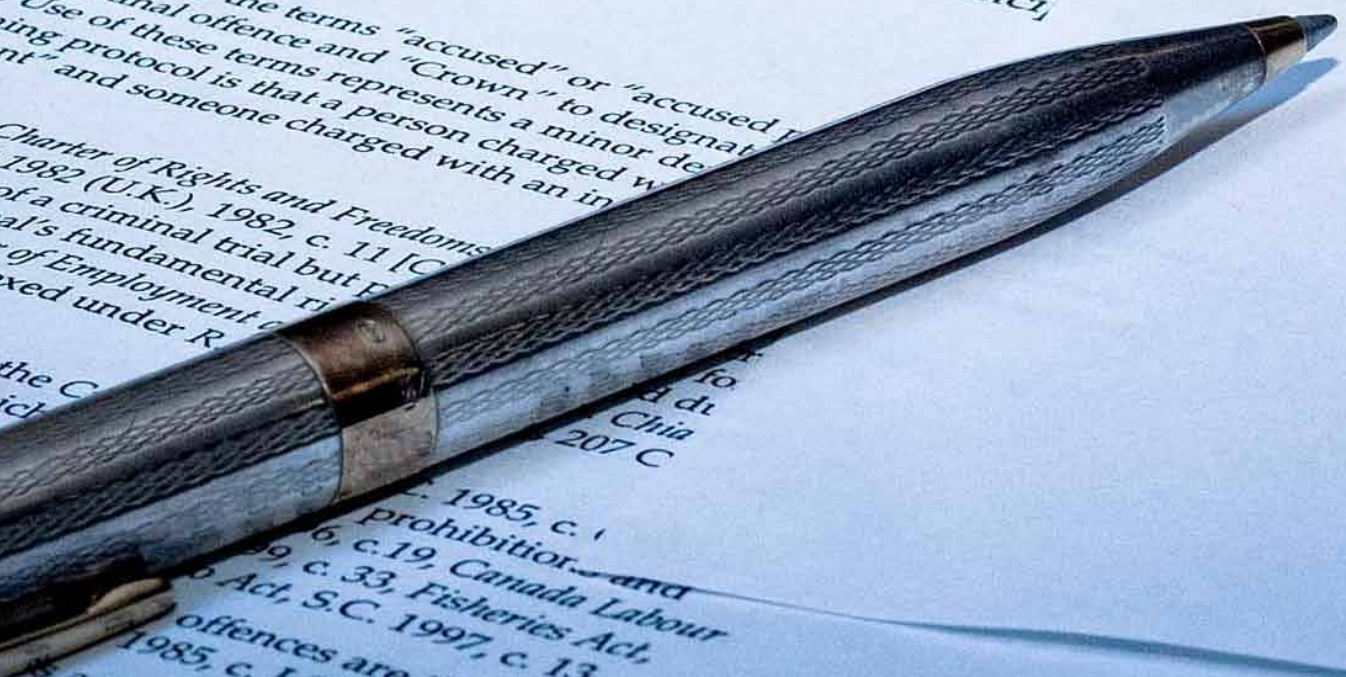
1. **RIGHT TO APPEAL - WHICH CRIMINAL DECISIONS MAY**
The first stage in any criminal appeal is that a tri-
[5] either the accused or Crown,¹ must determine if there is
unsatisfactory trial outcome. The right to appeal must
and whether a particular decision is appealable or not
on.⁴ Criminal appeal rights and procedural principles
primarily in the federal *Criminal Code*.⁵

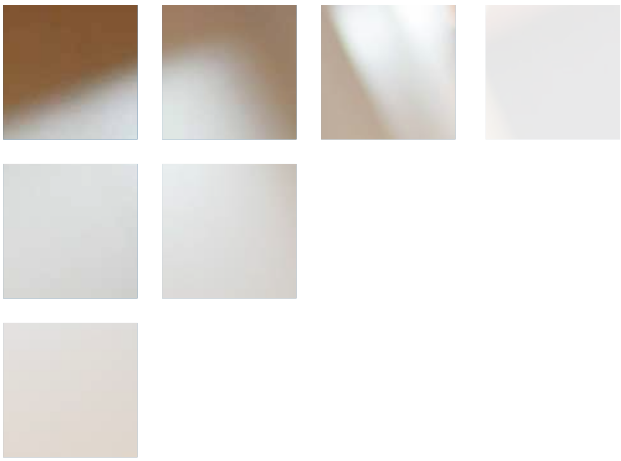
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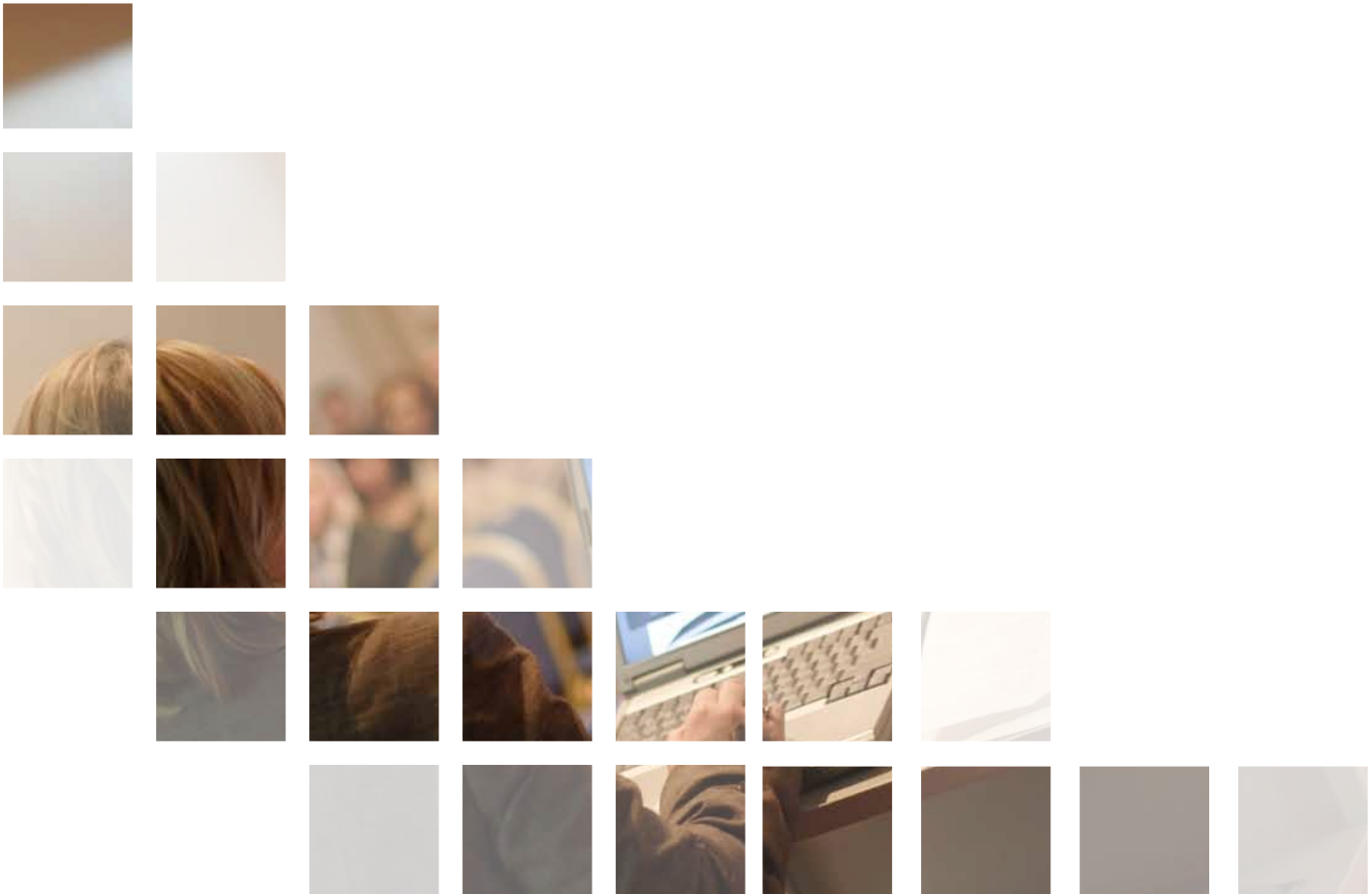
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6, c. 19, Canada Labour
9, c. 33, Fisheries Act,
b Act, S.C. 1997, c. 13.
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WHAT WE DO





2019-2020 HIGHLIGHTS

After the widespread media engagement ALRI received for Report for Discussion: Adverse Possession & Lasting Improvements on Wrong Land, ALRI received hundreds of responses to its online consultations. Feedback from these surveys came from across Alberta and was overwhelmingly in favour of ALRI's preliminary recommendations. Final Report: Adverse Possession & Lasting Improvements to Wrong Land was scheduled to be published in March 2020, but was delayed due to the shutdown and events related to COVID-19. ALRI's final report was published in May 2020 and submitted to the Government of Alberta for consideration in their next session in Legislature.



There have been several calls for legislation to regulate what information is disclosed in a police record check. ALRI worked with the Alberta Association of Chiefs of Police [AACP] and conducted preliminary research into the matter. Ultimately, ALRI elected not to proceed with an official law reform project as police services in Alberta only recently adopted formal guidelines established by the AACP. ALRI released its preliminary research to promote discussion on the topic.

ALRI was active throughout the year with many consultation and presentation sessions on various topics. ALRI counsel engaged with the Alberta branch of the Canadian Bar Association and various other stakeholders in discussing a wide range of topics including adverse possession, police record checks, child support from estates of persons standing in the place of a parent and the *Legal Profession Act*.



Our Vision
Just and effective laws

Our Mission
Improve the laws of Alberta

ALRI's mission is to improve the laws in Alberta. We provide independent, comprehensive advice to the Government of Alberta and other agencies to ensure that the law and the administration of justice are kept up-to-date and serve Albertans to the best extent possible.

Our mandate for law reform is set out in the objectives in the 2017 Continuation Agreement:

- the consideration of matters of law reform with a view to proposing to the appropriate authority the means by which laws of Alberta may be made more useful and effective; and
- the preparation of proposals for law reform in Alberta, with respect to both the substantive law and the administration of justice.

PROJECTS

Adverse Possession

ALRI has been reviewing whether adverse possession continues to serve a valid purpose in Alberta. The review includes a consideration of whether claims to recover land warrant an exemption from the *Limitations Act* which governs most civil claims in Alberta. ALRI Counsel Stella Varvis conducted two presentations with CBA Alberta Real Property and Commercial Property & Leasing sections. She also spoke with individuals involved in past adverse possession claims in Alberta.

Report for Discussion 33, Adverse Possession and Lasting Improvements to Wrong Land was published July 2019. ALRI made six recommendations to reform adverse possession law and conducted an online survey that garnered over 500 responses. The report received widespread attention from the media, public, and legal profession. Ms Varvis was interviewed on CTV's Alberta Primetime and was tapped for interview by several major and specialty news outlets including the CBC and Lawyer's Daily.

Standing in the Place of a Parent

ALRI is reviewing the *Wills and Succession Act* to determine if the statute's family maintenance and support provisions address the best interests of some minor children. In particular, ALRI is reviewing the Act to see if the estates of persons who stood in the place of a parent ought to have an obligation to provide support for children that they treated as their own in specific circumstances. ALRI Counsel Matthew Mazurek facilitated three presentations with the CBA Alberta Wills & Estates and Child & Youth sections. ALRI expects to publish its Report for Discussion in 2020.

Police Records Checks

There have been several calls for legislation to govern the use of police record checks. Calls for legislation have focused on the disclosure of non-conviction information in police record check results. ALRI Counsel Jennifer Taylor led two presentations with the CBA Small, Solo, & General Practice and Labour & Employment Law sections.



PRESENTATIONS AND CONSULTATIONS

May 1, 2019

Canadian Bar Association - Residential Real Property Section
and Commercial Real Property Section South
The End of Adverse Possession?

May 10, 2019

Canadian Bar Association - Real Property Section North
The End of Adverse Possession?

May 14, 2019

Canadian Bar Association - Wills, Estates & Trusts Section North
Standing in the place of a parent: Support from an estate

October 1, 2019

Canadian Bar Association - Child & Youth Law South
Maintenance and support from the estate of a person standing in the place of a parent

October 8, 2019

Canadian Bar Association - Wills and Trusts Section South
Support from the estate of a person standing in the place of a parent

October 17, 2019

Canadian Bar Association - Solo, Small & General Practice North
An update from the Alberta Law Reform Institute on its Non-Profit Corporations project and its potential Police Record Checks project

November 7, 2019

Canadian Bar Association - Charities Law Section - Alberta
An update from the Alberta Law Reform Institute on its Non-Profit Corporations project: Does Alberta need new non-profit incorporation legislation?

November 19, 2019

Canadian Bar Association - Civil Litigation North
The Legal Profession Act: Revise, Reform, or Reconsider?

February 24, 2020

Canadian Bar Association - Labour and Employment Law North
ALRI reviews Police Record Checks in Alberta

March 3, 2020

Canadian Bar Association - Law Firm Management and Leadership South
The Legal Profession Act: Is it Time to Revise, Reform, or Reconsider?

March 20, 2020

Canadian Bar Association
Legal Profession Act: Revise, Reform or Reconsider?

Ms Taylor's work focused on preliminary research to determine whether to formally conduct a law reform project on police record checks. Ultimately, ALRI decided not to pursue police record checks as a formal project. Instead, ALRI elected to share its preliminary research to promote discussion of police record checks in Alberta. Police Record Checks was scheduled to be published in March but was delayed until April 2020 due to the events of the COVID-19 pandemic.

Regulating Legal Services

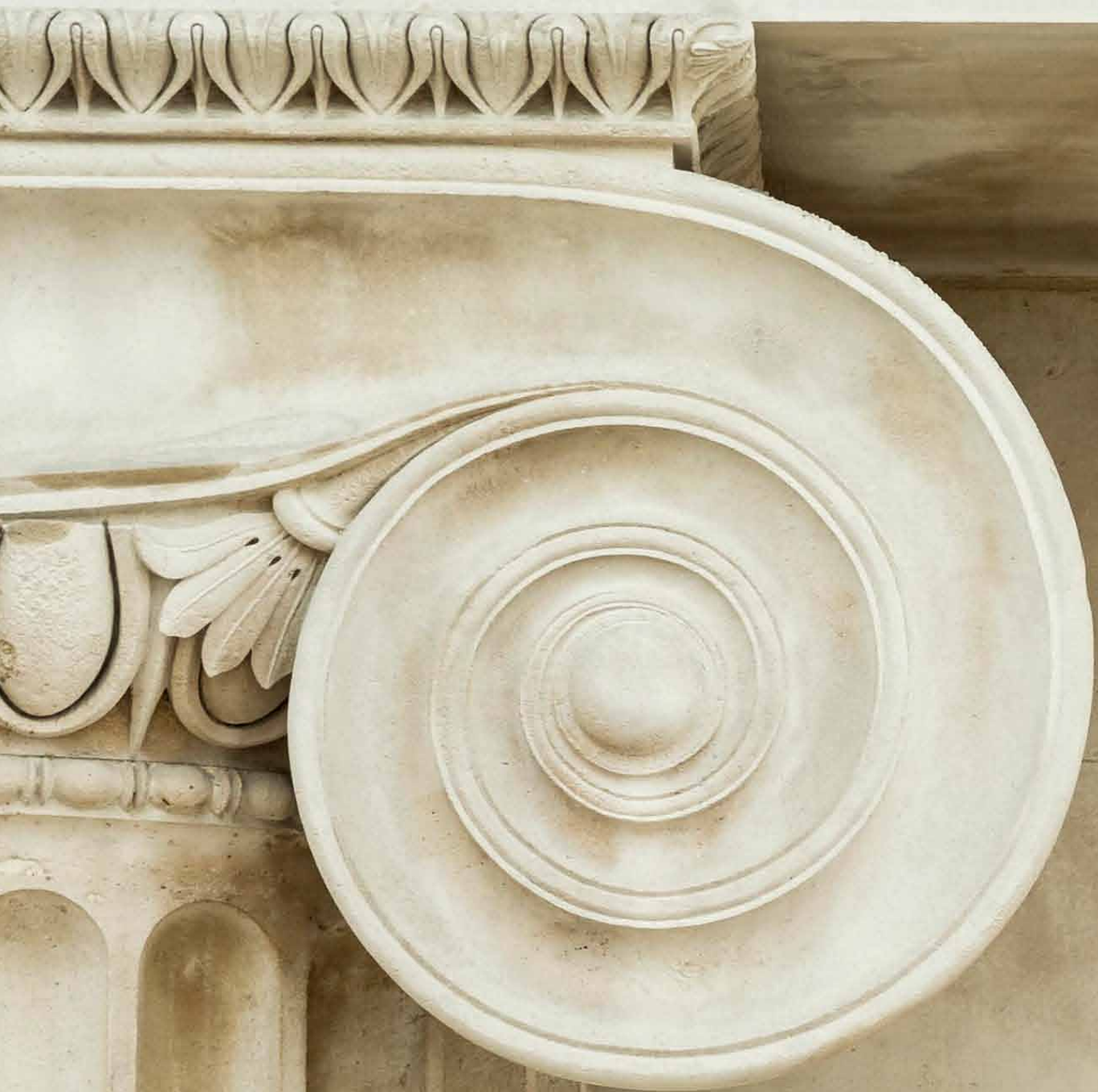
The Law Society of Alberta proposed that ALRI develop a new act to replace the current *Legal Profession Act* which, while being amended intermittently throughout its existence, dates back to 1907. The Institute is in the early stages of reviewing current legislation with ALRI Counsel Laura Buckingham leading discussions in early 2020 with the CBA Civil Litigation, Law Firm Management & Leadership, and Small, Solo, and General Practice sections in Calgary. Stella Varvis also presented on the topic at Edmonton's CBA Small, Solo, and General Practice section. However, due to COVID-19, both ALRI and the Law Society have determined that a full review of the Act is not appropriate at this time.

The Dower Act

ALRI plans to consider whether the *Dower Act* continues to serve a useful purpose and how it might be reformed to bring it up to date. ALRI also identified several technical issues with the Forms Regulation that was adopted under the *Dower Act*.

Personal Property Security Act

ALRI continued its work on the *Personal Property Security Act* throughout 2019. ALRI Board member Professor Roderick Wood and UofA Law Professor Tamara Buckwold led a group of student interns through a rigorous review of the Act with a view to update the law to reflect current commercial practices and address technical and policy issues. Professor Wood and Professor Buckwold will be working on a Report for Discussion for mid-2020 with a consultation coming later in the year.



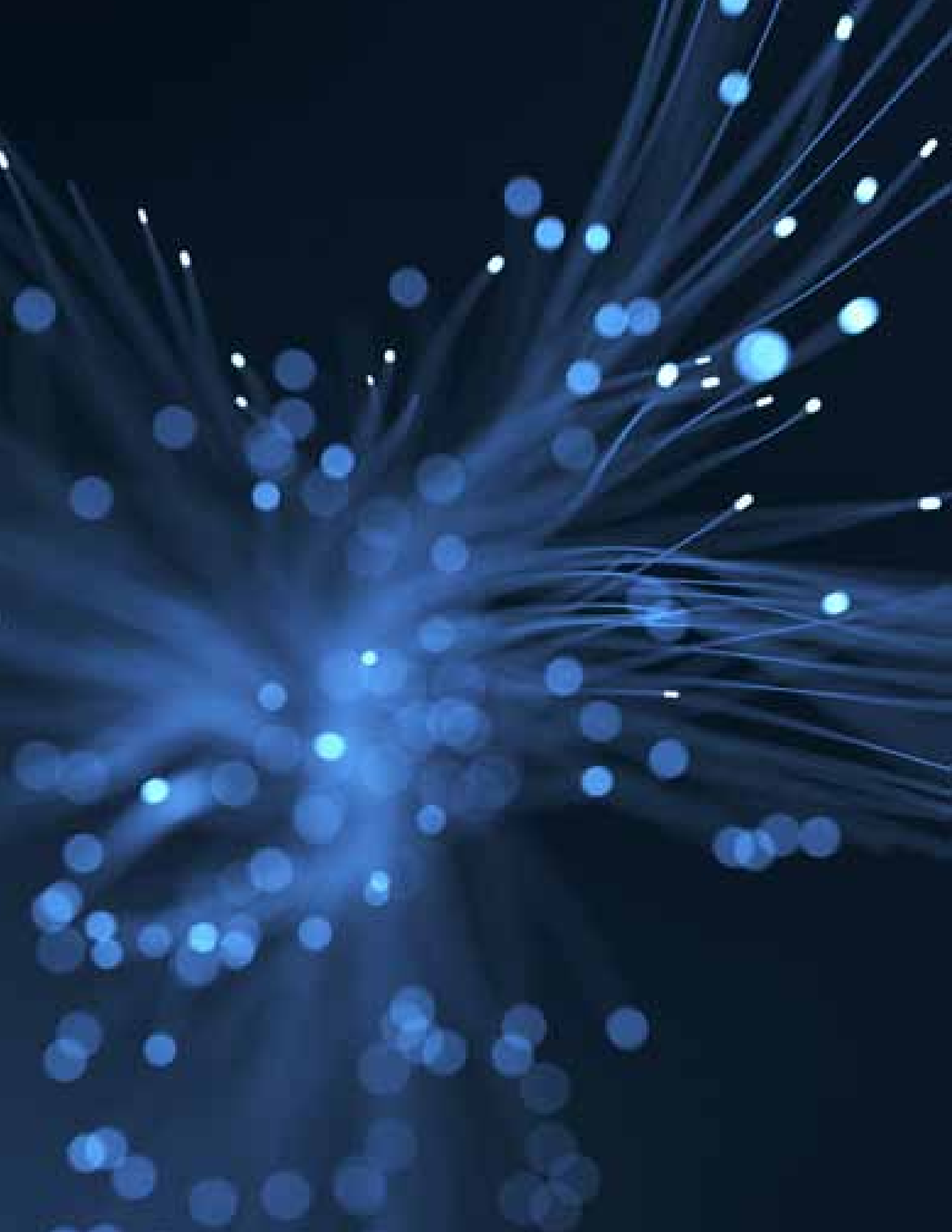
Informal Public Appeals

ALRI's project on informal public appeals remains on hold pending the Uniform Law Conference of Canada's [ULCC] review on the matter. ALRI remains active on the topic with ALRI Counsel Laura Buckingham as a member of the ULCC's working group.

Implementation

Alberta's new *Family Property Act* came into force January 1, 2020. The new Act implements recommendations from ALRI's report, Property Division: Common-law Couples and Adult Interdependent Partners by extending formal property division laws to common-law couples whose relationship has broken down.





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PROJECT PAGE
VIEWS

Much of ALRI's engagement with the media over the last year revolved around its project on Adverse Possession. ALRI Counsel Stella Varvis appeared on Alberta Primetime and CBC Radio and also provided interviews for several major print news outlets.

1,282
TWEETS
SHARES
LIKES
CLICKS

In keeping with ALRI's strategic goal to expand outreach, ALRI publications were made available on CanLii in ALRI's previous reporting year. From January to December 2019, ALRI publications were accessed a total of 12,119 times on CanLii. ALRI publications were also cited in 23 cases.

Inter-Provincial Recognition of Substitute Decision-Making Documents:
Personal Directives
Katherine MacKenzie
ABlawg
April 24, 2019
<https://ablawg.ca/2019/04/24/inter-provincial-recognition-of-substitute-decision-making-documents-personal-directives/>

45
ARTICLES
CASE CITATIONS

Time to update Alberta's international commercial arbitration rules: law reform institute
Ian Burns
The Lawyer's Daily
June 6, 2019
<https://www.thelawyersdaily.ca/articles/12707/time-to-update-alberta-s-international-commercial-arbitration-rules-law-reform-institute>

2
TELEVISION
AND RADIO
INTERVIEWS

Time to Abolish Adverse Possession in Alberta: Institute
Ian Burns
The Lawyer's Daily
August 13, 2019
<https://www.thelawyersdaily.ca/articles/14360/time-to-abolish-adverse-possession-in-alberta-institute>

Report recommends Alberta scrap 'squatters' rights' legislation
Adrienne Lamb
CBC News
August 13, 2019
<https://www.cbc.ca/news/canada/edmonton/adverse-possession-alberta-law-reform-institute-land-property-owners-1.5244670>

Squatter's rights take new hit
Barbara Glen
The Western Producer
August 29, 2019
<https://www.producer.com/2019/08/squatters-rights-take-new-hit/>

Mandatory Dispute Resolution Coming Back to Alberta, But What About Domestic Violence Cases?

Jennifer Koshan, Janet Mosher and Wanda Wiegers

ABLawg.ca

August 30, 2019

<https://ablawg.ca/2019/08/30/mandatory-dispute-resolution-coming-back-to-alberta-but-what-about-domestic-violence-cases/>

The End of Adverse Possession?

Stella Varvis

ABLawg.ca

September 10, 2019

<https://ablawg.ca/2019/09/10/the-end-of-adverse-possession/>

The End of Adverse Possession?

Stella Varvis

CBA Law Matters

Fall 2019

<https://cba-alberta.org/Publications-Resources/CBA-Magazines/Law-Matters/Law-Matters-Fall-2019>

Police Information Check, Vulnerable Sector Check and Privacy Rights

Myrna El Fahkry Tuttle

ABLawg.ca

September 12, 2019

<https://ablawg.ca/2019/09/12/police-information-check-vulnerable-sector-check-and-privacy-rights/>

Alberta Law Reform Institute Requests Public Input to Proposed Changes in Provincial Property Law – Agency based at UAlberta Law recommends scrapping law of adverse possession

Helen Metella

Faculty of Law

September 18, 2019

<https://www.ualberta.ca/law/about/news/celebrating-research/2019/september/provincial-property-law>

The 2018/2019 Year in Access to Justice Issues on ABLawg

Drew Yewchuk

ABLawg.ca

September 30, 2019

<https://ablawg.ca/2019/09/30/the-2018-2019-year-in-access-to-justice-issues-on-ablawg/>

CanLII: 2019 in Review

Xavier Beauchamp-Tremblay

SLAW

December 12, 2019

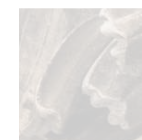
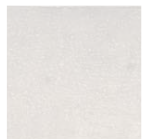
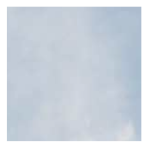
<http://www.slw.ca/2019/12/12/canlii-2019-in-review/>

A black and silver calculator and a black pen are resting on a spreadsheet. The calculator is positioned in the center, and the pen is on the left side. The spreadsheet contains numerical data in a grid format.

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452	454	7785696						36527	1254788	
252	4	55222						7459	689325	
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FUNDING



OUR FUNDERS

ALBERTA JUSTICE &
SOLICITOR GENERAL

\$500,000

ALBERTA LAW FOUNDATION

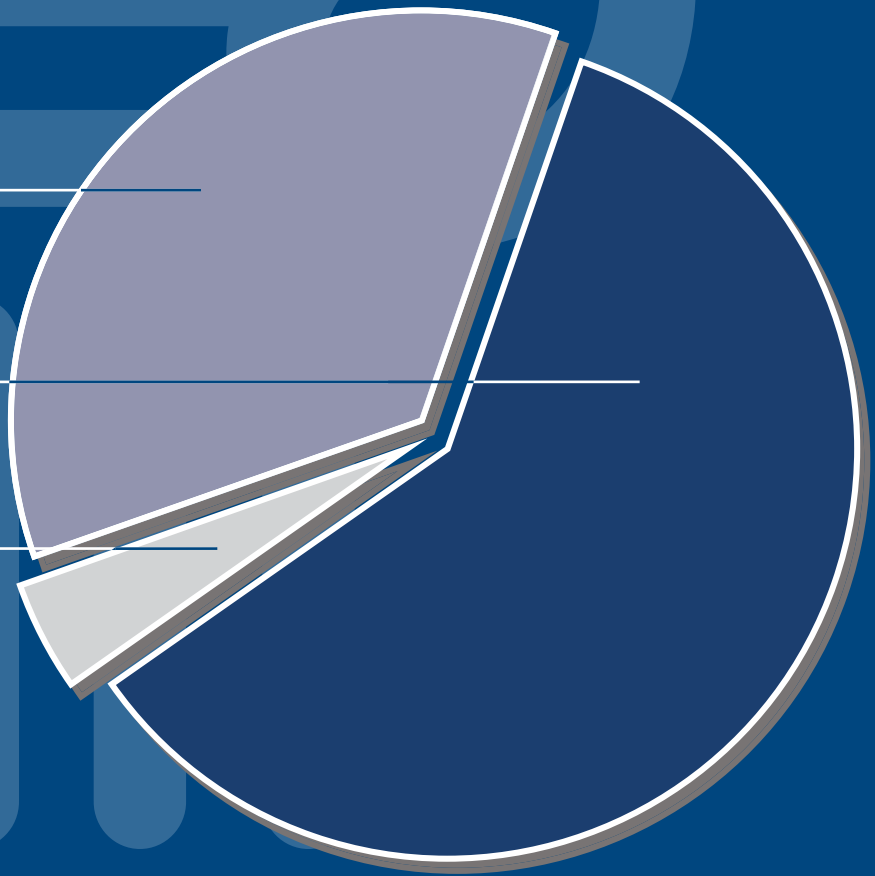
\$815,000

UNIVERSITY OF ALBERTA

\$60,000

TOTAL FUNDING

\$1,375,000



In 2019-2020, Institute funding was received from the following sources:

Alberta Law Foundation	\$815,000
Alberta Justice & Solicitor General	\$500,000
University of Alberta	\$60,000

Traditionally, the majority of ALRI's funding has come from the Alberta Law Foundation with another substantial portion coming from Alberta Justice & Solicitor General. Office space and services in kind are provided by the University of Alberta and University of Calgary.

Further information on our funding, additional revenue, expenses and assets is set out in the financial statements.

ALBERTA LAW REFORM INSTITUTE

Financial Statements

Year Ended March 31, 2020

**original statements have been signed



INDEPENDENT AUDITOR'S REPORT

To the Members of Alberta Law Reform Institute

Opinion

We have audited the financial statements of Alberta Law Reform Institute (the Institute), which comprise the statement of financial position as at March 31, 2020, and the statements of operations, changes in net assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Institute as at March 31, 2020, and its results of operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Institute in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other Information

Management is responsible for the other information. The other information comprises the information, other than the financial statements and our auditor's report thereon, in the Annual Report. The Annual Report is expected to be made available to us after the date of this auditor's report.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information identified above when it becomes available and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated.

When we read the Annual Report, if we conclude that there is a material misstatement therein, we are required to communicate the matter to those charged with governance.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

(continues)

In preparing the financial statements, management is responsible for assessing the Institute's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless management either intends to liquidate the Institute or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Institute's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements. As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Institute's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Institute's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Institute to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

ALBERTA LAW REFORM INSTITUTE

Statement of Financial Position

March 31, 2020

	2020	2019
ASSETS		
CURRENT		
Cash	\$ 343,460	\$ 619,551
Restricted cash (Note 4)	<u>6,889</u>	<u>3,950</u>
	350,349	623,501
EQUIPMENT (Note 5)	11,571	7,754
INVESTMENTS (Note 6)	<u>1,258,906</u>	<u>1,059,356</u>
	<u>\$ 1,620,826</u>	<u>\$ 1,690,611</u>
 LIABILITIES		
CURRENT		
Accounts payable and accrued liabilities	\$ 124,289	\$ 112,695
Grant funding repayable	53,847	162,166
Deferred contributions (Note 4)	<u>6,889</u>	<u>3,950</u>
	<u>185,025</u>	<u>278,811</u>
 NET ASSETS		
Invested in Equipment	11,571	7,754
Restricted - Special Reserve (Orderly Wind Down) Fund (Note 7)	1,038,400	1,059,356
Reserve Fund (Board Discretion) (Note 8)	320,834	285,284
Unrestricted	<u>64,996</u>	<u>59,406</u>
	<u>1,435,801</u>	<u>1,411,800</u>
	<u>\$ 1,620,826</u>	<u>\$ 1,690,611</u>

ON BEHALF OF THE BOARD

_____ Director

_____ Director

ALBERTA LAW REFORM INSTITUTE

Statement of Operations

Year Ended March 31, 2020

	2020	2019
REVENUE		
Grants <i>(Note 9)</i>	\$ 1,324,832	\$ 1,234,558
Investment income (loss) <i>(Note 10)</i>	(17,713)	10,943
Other income	422	1,607
	1,307,541	1,247,108
EXPENSES		
Amortization	4,112	2,965
Audit	15,235	13,625
Bank charges	56	939
Board	8,247	10,210
Communication	11,956	749
Consultants and professional services	-	2,000
Equipment rental	2,839	2,603
Information technology support	9,352	8,874
Insurance	3,816	3,212
Library	1,195	1,247
Meetings and seminars	-	876
Memberships, dues and subscriptions	18,087	17,413
Postage	520	1,076
Printing and copying	3,633	2,193
Professional development	7,526	11,148
Salaries and benefits	1,158,608	997,537
Supplies and materials	12,257	8,479
Telephone and fax	7,374	6,346
Travel (staff)	12,109	14,756
50th anniversary	-	11,896
	1,276,922	1,118,144
EXCESS OF REVENUE OVER EXPENSES	\$ 30,619	\$ 128,964

ALBERTA LAW REFORM INSTITUTE

Statement of Changes in Net Assets

Year Ended March 31, 2020

	2019 Balance	Excess of revenue over (under) expenses	Interfund transfers	Transfer to deferred contributions (Note 4)	2020 Balance
Invested in equipment	\$ 7,754	\$ (4,112)	\$ 7,929	\$ -	\$ 11,571
Restricted - special reserve (orderly wind down) fund	1,059,356	(20,956)	-	-	1,038,400
Reserve fund (board discretion)	285,284	2,515	33,035	-	320,834
Unrestricted	59,406	53,172	(40,964)	(6,618)	64,996
	\$ 1,411,800	\$ 30,619	\$ -	\$ (6,618)	\$ 1,435,801

ALBERTA LAW REFORM INSTITUTE

Statement of Cash Flows
Year Ended March 31, 2020

	2020	2019
OPERATING ACTIVITIES		
Excess of revenue over expenses	\$ 30,619	\$ 128,964
Items not affecting cash:		
Amortization	4,112	2,965
Unrealized loss on investments	46,450	-
	81,181	131,929
Changes in non-cash working capital:		
Accounts payable and accrued liabilities	11,594	1,985
Grant funding repayable	(108,319)	61,211
Deferred contributions <i>(Note 4)</i>	(3,679)	(8,713)
	(100,404)	54,483
Cash flow from (used by) operating activities	(19,223)	186,412
INVESTING ACTIVITIES		
Purchase of equipment	(7,930)	(3,125)
Proceeds on disposal of guaranteed investment certificates	806,800	-
Purchase of investments	(1,305,355)	-
Interest invested in short term investment	-	(6,800)
Cash flow used by investing activities	(506,485)	(9,925)
INCREASE (DECREASE) IN CASH FLOW	(525,708)	176,487
Cash - beginning of year	876,057	699,570
CASH - END OF YEAR	\$ 350,349	\$ 876,057
CASH CONSISTS OF:		
Cash	\$ 343,460	\$ 619,551
Restricted cash	6,889	3,950
Cash held in special reserve (orderly wind down) fund <i>(Note 6)</i>	-	252,556
	\$ 350,349	\$ 876,057

ALBERTA LAW REFORM INSTITUTE

Notes to Financial Statements

Year Ended March 31, 2020

1. PURPOSE OF ORGANIZATION

The Alberta Law Reform Institute was established in 1968 by the Attorney General of Alberta, the Governors of the University of Alberta and the Law Society of Alberta.

The objectives of the Institute are:

- (a) the consideration of matters of law reform with a view to proposing to the appropriate authority the means by which laws of Alberta may be made more useful and effective; and
- (b) the preparation of proposals for law reform in Alberta, with respect to both the substantive law and the administration of justice.

As a not-for-profit organization, the Institute is not subject to taxation.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of presentation

The financial statements were prepared in accordance with Canadian accounting standards for not-for-profit organizations (ASNFPPO).

Measurement uncertainty

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amount of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the period. Such estimates are periodically reviewed and any adjustments necessary are reported in earnings in the period in which they become known. Actual results could differ from these estimates.

Financial instruments

Measurement

The Institute initially measures its financial assets and liabilities at fair value, except for certain non-arm's length transactions. The entity subsequently measures all its financial assets and financial liabilities at amortized cost, except for investments in equity instruments that are quoted in an active market, which are measured at fair value. Changes in fair value are recognized in excess of revenue over expenses.

Financial assets measured at amortized cost include cash and restricted cash. Financial liabilities measured at amortized cost include the accounts payable and accrued liabilities and grant funding repayable.

Financial assets measured at fair market value include pooled investment funds.

Impairment

Financial assets measured at cost are tested for impairment when there are indicators of impairment. The amount of the write-down is recognized in excess of revenue over expenses. The previously recognized impairment loss may be reversed to the extent of the improvement, directly or by adjusting the allowance account, provided it is no greater than the amount that would have been reported at the date of the reversal had the impairment not been recognized previously. The amount of the reversal is recognized in excess of revenue over expenses.

(continues)

ALBERTA LAW REFORM INSTITUTE

Notes to Financial Statements

Year Ended March 31, 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES *(continued)*

Transaction costs

The Institute recognizes its transaction costs in excess of revenue over expenses in the period incurred. However, financial instruments that will not be subsequently measured at fair value are adjusted by the transaction costs that are directly attributable to their origination, issuance or assumption.

Cash

Cash includes cash held with banks. Cash subject to restrictions that prevent its use for current purposes is included in restricted cash (see note 4).

Equipment

Equipment is stated at cost less accumulated amortization and amortized over their estimated useful lives at the following rates and methods:

Computer	30%	declining balance method
Office furniture and equipment	20%	declining balance method

Collections

The Institute maintains a library of research material and publications. Collections are expensed on acquisition.

Revenue recognition

The Institute follows the deferral method of accounting for contributions.

Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured. Endowment contributions are recognized as direct increases in net assets.

Restricted investment income is recognized as revenue in the year in which the related expenses are incurred. Unrestricted investment income is recognized as revenue when earned.

Contributed services

Volunteers contribute a significant amount of their time each year. Because of the difficulty in determining fair value, contributed services are not recognized in the financial statements.

ALBERTA LAW REFORM INSTITUTE

Notes to Financial Statements

Year Ended March 31, 2020

3. FINANCIAL INSTRUMENTS

The Institute is exposed to various risks through its financial instruments. The following analysis provides information about the entity's risk exposure and concentration as at March 31, 2020.

Liquidity risk

Liquidity risk is the risk that an entity will encounter difficulty in meeting obligations associated with financial liabilities. The Institute is exposed to this risk mainly in respect of its receipt of funds from its grant providers and from obligations associated with its accounts payable and accrued liabilities.

Market risk

Market risk refers to the risk that the fair value of financial instruments or future cash flows associated with the instruments will fluctuate because of changes in market prices (other than those arising from currency risk or interest rate risk), whether those changes are caused by factors specific to the individual instrument or its issuer or factors affecting all similar instruments traded in the market.

The institute is exposed to market risk because from its investment in pooled investment funds. The pooled investment funds are recorded at market value at March 31, 2020. These investments are subject to volatility in the financial markets. As a result of the global response to the COVID-19 pandemic there is more volatility in the financial markets worldwide. The impact of this global event, the related impact on financial markets and the fair value of the marketable securities held by the Institute can not be practically estimated and a loss may have been suffered since March 31, 2020. Risk and volatility of investment returns are mitigated through diversification of investments.

Currency risk

Currency risk is the risk to the Institute's earnings that arise from fluctuations of foreign exchange rates and the degree of volatility of these rates. The Institute is exposed to foreign currency exchange risk on investments held in U.S. dollars. The Institute does not use derivative instruments to reduce its exposure to foreign currency risk.

4. RESTRICTED CASH AND DEFERRED CONTRIBUTIONS

	<u>2020</u>	<u>2019</u>
Continuity of deferred contributions		
Opening balance	\$ 3,950	\$ 6,095
Expenses	(3,679)	(8,713)
Transfers from unrestricted fund	<u>6,618</u>	<u>6,568</u>
	<u>\$ 6,889</u>	<u>\$ 3,950</u>

Deferred contributions are comprised of funds restricted for staff professional education.

ALBERTA LAW REFORM INSTITUTE

Notes to Financial Statements

Year Ended March 31, 2020

5. EQUIPMENT

	Cost	Accumulated amortization	2020 Net book value
Computer	\$ 162,296	\$ 155,465	\$ 6,831
Office furniture and equipment	43,113	38,373	4,740
	\$ 205,409	\$ 193,838	\$ 11,571

	Cost	Accumulated amortization	2019 Net book value
Computer	\$ 158,289	\$ 152,538	\$ 5,751
Office furniture and equipment	39,191	37,188	2,003
	\$ 197,480	\$ 189,726	\$ 7,754

6. INVESTMENTS

	2020	2019
Cash	\$ -	\$ 252,556
Guaranteed investment certificate	-	806,800
Pooled investment funds	1,258,906	-
	\$ 1,258,906	\$ 1,059,356

Included in investments are amounts restricted for special reserve (orderly wind down) of \$1,038,400 (2019 - \$1,059,356).

7. NET ASSETS - RESTRICTED - SPECIAL RESERVE (ORDERLY WIND DOWN) FUND

The special reserve (orderly wind down) fund receives revenue from sources other than operating grants or project grants. These funds are restricted to provide for an orderly wind down and to meet contractual obligations to staff should the need arise.

8. NET ASSETS - RESERVE FUND (BOARD DISCRETION)

The Institute has set aside unrestricted surpluses as a contingency fund for future expenditures.

ALBERTA LAW REFORM INSTITUTE

Notes to Financial Statements

Year Ended March 31, 2020

9. GRANTS

	<u>2020</u>	<u>2019</u>
Alberta Law Foundation - current year grant	\$ 815,000	\$ 828,010
Alberta Law Foundation - refundable portion of current grant	(53,847)	(162,166)
Alberta Justice and Solicitor General	500,000	500,000
University of Alberta	60,000	60,000
Revenue from restricted contributions	3,679	8,714
	<u>\$ 1,324,832</u>	<u>\$ 1,234,558</u>

The Institute has beneficial relationships with the above noted organizations.

10. INVESTMENT INCOME (LOSS)

	<u>2020</u>	<u>2019</u>
Interest income - unrestricted fund	\$ 916	\$ -
Interest income - reserve fund (board discretion)	6,514	-
Interest - restricted - special reserve (orderly wind down) fund	21,307	10,943
Unrealized capital losses in reserve fund (board discretion)	(3,998)	-
Unrealized capital losses in restricted - special reserve (orderly wind down) fund	(42,452)	-
	<u>\$ (17,713)</u>	<u>\$ 10,943</u>

11. RELATED PARTY TRANSACTIONS

The University of Alberta provides office facilities and services at a cost of \$1 to the Institute.

These transactions are in the normal course of operations and are measured at the exchange amount, which is the amount of consideration established and agreed to by the related parties.

12. ECONOMIC DEPENDENCE

Alberta Law Reform Institute receives 59% (2019 - 60%) of its revenue from Alberta Law Foundation, 37% (2019 - 36%) from Alberta Justice and Solicitor General, and 4% (2019 - 4%) from the University of Alberta.

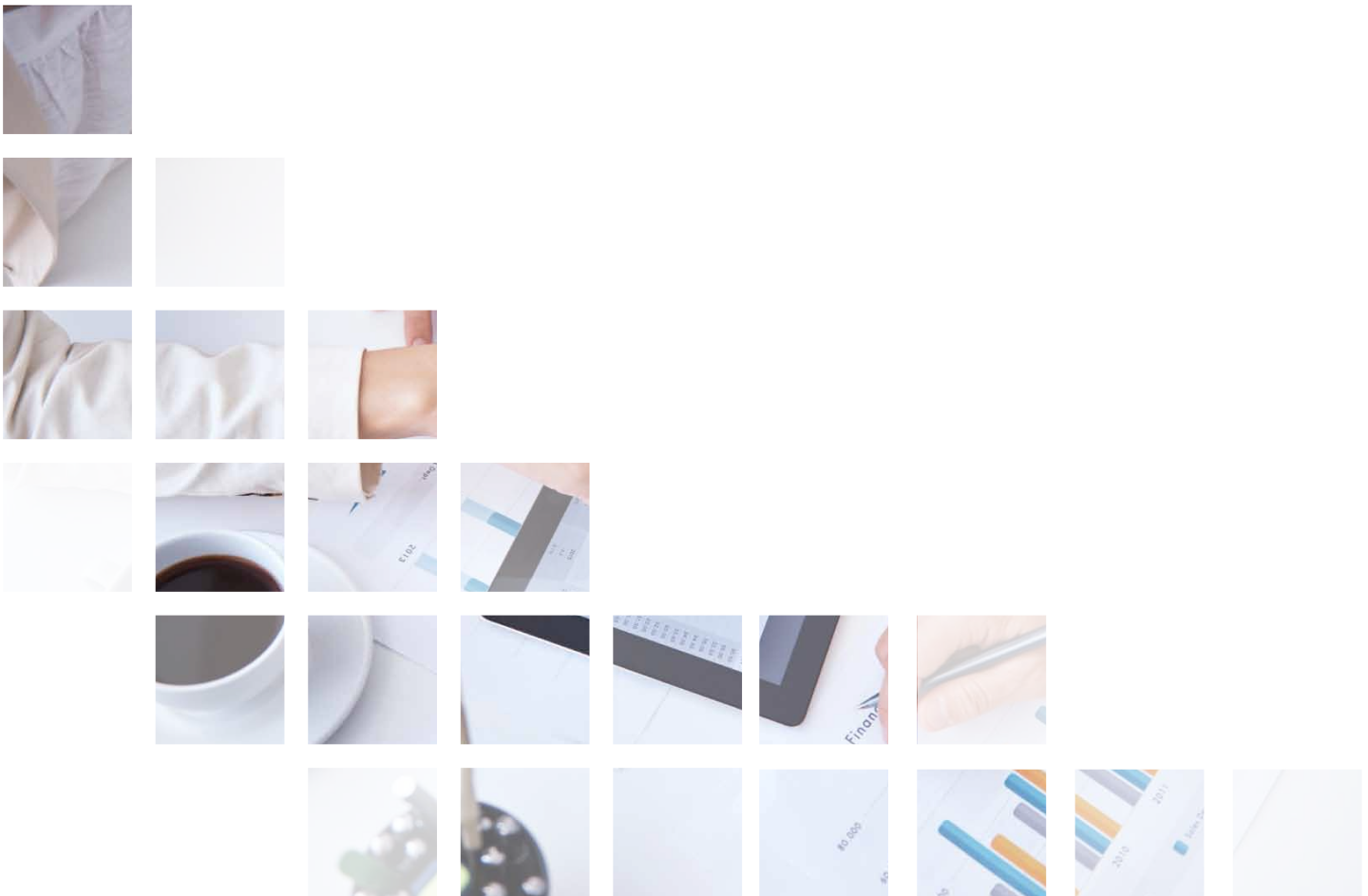
13. COMPARATIVE FIGURES

Some of the comparative figures have been reclassified to conform to the current year's presentation.





OUR SUPPORTERS





The work of law reform would not be possible without the ongoing financial support of our key funders:

**The Alberta Law Foundation
Alberta Justice and Solicitor General
The University of Alberta**

Support in kind is also provided by:

**The University of Alberta
The University of Calgary**

We have always contended that law reform is an interactive process. Our work would not be possible without the commitment of subject matter experts who volunteered their time to consultation and advisory groups. The contributions of the following organisations in keeping their members and stakeholders up-to-date on our work are much appreciated:

**Law Society of Alberta
Canadian Bar Association, Alberta Branch
Legal Education Society of Alberta**

Finally, we would like to thank the judges, authors and social media users who refer to our reports in the course of their work.



CONTACT US

All of our reports are freely available electronically on our website. A limited number of hard copies are available on request.

We encourage you to contact us. The Your Views section on our website was designed to let you choose to be added to our electronic mailing list or provide comments on the current projects we are working on. You can also use this option to suggest an area for review that we are not currently addressing.

You can also follow us on Twitter at [@ablawreform](https://twitter.com/ablawreform) for the latest on our projects and developments in Alberta Law.

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