

# 2023 2024 Annual Report



New Brunswick  
Law Foundation  
Fondation pour le droit  
au Nouveau-Brunswick



# Message from the Chair

As Chair of the New Brunswick Law Foundation, I am pleased to present the Annual Report for the fiscal year ended April 30, 2024.

The Foundation's central focus is to receive and distribute funding to support initiatives that will advance justice to benefit the people of New Brunswick. Revenues are primarily derived from interest earned on lawyers' mixed trust accounts maintained in financial institutions. The Board meets twice during the year to review grant requests and to determine investment and general administrative policies.

This year presented an exceptional combination of opportunities and challenges as post-pandemic ripples continued to affect our income in unprecedented ways. The prime rate remained high throughout the year and trust account balances were steady from brisk business and real estate activity. As a result, the Foundation received an historic influx of \$9M in interest revenues during the fiscal year.

With income reaching historic highs over the past couple years, the Foundation continued to focus on strengthening our support for the work our grantees do while preparing for the future. Through hard work, expertise and collaboration, our Board successfully implemented measures to pursue opportunities to expand the impact of our work.

The Foundation reviewed nineteen grant applications during the 2023-24 fiscal year, of which eighteen were approved, for a total of \$1,494,518 in grants. Details of these programs and projects are included in this report. I encourage those who have innovative projects that are in keeping with the Foundation's mandate to contact the Foundation office to obtain more information about our grants program. Application forms and guidelines are available on the New Brunswick Law Foundation's website at [www.nblf-fdnb.ca](http://www.nblf-fdnb.ca)

Finally, I would like to thank the Foundation's Directors for their time, expertise, and collaborative spirit throughout a very busy year. I also acknowledge the ongoing support provided by the Law Society of New Brunswick and its staff. I am especially grateful for the essential and professional support provided by our Executive Director, Christa Greer.

Sincerely,



**Heather A. Black**  
*Chairperson*





# New Brunswick Law Foundation 2023-2024 Annual Report

The New Brunswick Law Foundation is dedicated to making a difference in the legal landscape of our province. Our annual report reflects the impact of our efforts to support justice-related projects and initiatives, as well as the financial health that allows us to continue fulfilling our mandate.

## **Our Mission: Supporting Justice and Legal Education**

Since our establishment in 1975, the Foundation's purpose has been to fund initiatives that enhance the administration of justice and contribute to the public good. We do this by supporting a diverse range of law-related activities, including legal aid, law reform, and legal education (through teaching, research, libraries, scholarships, and bursaries).

## **Strengthening Our Leadership**

The Foundation is governed by a seven-member Board of Directors appointed by the Law Society of New Brunswick. This year, we were pleased to welcome Christian Whalen as our newest Director, succeeding the Honourable François M. Angers, K.C., who retired in 2023. We also thank Art Gallant, one of our valued public representatives, for his many years of dedicated service as he stepped down from the Board in April 2024. The Law Society is currently considering candidates to fill this vacancy.

## **2023-2024 Board of Directors**

- Heather Black (Chair)
- Luc Marcoux, K.C. (Treasurer)
- Michel Carrier, K.C.
- Julie LeBlanc Hultberg
- Holly Young Public Representative
- Christian Whalen
- Vacant Position

Our Board meets at least twice a year to review grant applications and to oversee the Foundation's strategic direction. Our day-to-day operations are managed by our Executive Director, Christa Greer, whose dedication and leadership continue to keep us on course.

## **Financial Overview: Record-Breaking Revenue and Stability**

The Foundation's primary source of revenue is the interest earned on lawyers' mixed trust accounts held in financial institutions. This year, we achieved a historic milestone, with revenue from these accounts reaching \$9 million—up from \$6 million in the previous fiscal year. This increase was driven by a high prime rate and continued strength in business and real estate activities.

For comparison, the Foundation's revenue from interest on these accounts averaged \$997,000 over the past five years prior to this exceptional growth. With the prime rate reaching a high of 7.2% in July 2023 (up from a historic low of 2.45% in March 2022), we anticipate revenues to remain strong for the foreseeable future.

To mitigate the impact of potential downturns in interest rates, we've bolstered our reserve fund, which now stands at \$5.4 million as of April 30, 2024. These funds are invested in marketable securities managed by National Bank Financial, providing us with a solid financial cushion.

## **Grant Programs: Investing in Our Community**

We take great pride in our grant programs, which support a variety of projects across the province. This year, we approved \$1.49 million in funding for initiatives that align with our mandate and contribute to the legal landscape. Our grants support everything from pro bono legal services to public legal education programs, making a positive difference in our community.

Our funded projects this year include the continued support of pro bono legal services, family law programs, and scholarships for law students.

We endeavor to support projects that make a real difference in people's lives—helping ensure access to justice and providing educational opportunities for future legal professionals. Some highlights of the initiatives we funded include:

- **New Brunswick Refugee Clinic:** \$100,000 to provide legal aid and critical resources for newcomers starting a new chapter in our province.
- **UNB Legal Clinic:** \$260,600 to hire a coordinator and expand the clinic's reach, offering more support to those in need.
- **Madhu Verma Migrant Justice Centre:** \$85,000 to back essential legal aid services for migrant workers, ensuring their voices are heard and rights are protected.

These are just a few examples of the impactful projects that we are proud to support. A full list of grants is included in this report.

### **Supporting Future Legal Professionals: Scholarships and Bursaries**

Our Scholarship Trust, established in 1986, continues to be a key part of our mission by providing financial assistance to law students at the University of New Brunswick and the Université de Moncton. This year, we awarded \$208,000 in scholarships and \$95,000 in bursaries. We also allocated \$3,953 to the Dean's Emergency Fund to support students facing unexpected challenges.

### **Building for the Long Term: Endowment Funds**

Our endowment funds at New Brunswick's law schools continue to play a vital role in supporting legal education. Each fund reached its target of \$1 million by 2007 and continues to provide significant annual support for legal research, student bursaries, and other educational activities. This lasting legacy ensures that the Foundation's support for the legal community remains strong for years to come.

### **Collaborating Across Canada: National Partnerships**

The New Brunswick Law Foundation is proud to be an active member of the Association of Canadian Law Foundations (ACLF). The ACLF brings together law foundations from 13 jurisdictions across Canada to share knowledge, explore collaboration opportunities, and support each other's work. Our Chair, Heather Black, and Executive Director, Christa Greer, represented us at the ACLF annual conference in Toronto, where they exchanged insights and discussed new initiatives to further our shared goals.

### **A Heartfelt Thank You**

Our success this year wouldn't be possible without the continued support and dedication of our Board, the Law Society of New Brunswick, and our community partners. We're proud of the work we've accomplished together and are excited to see what we can achieve in the coming year.

For more information, please visit our website at [www.nblf-fdnb.ca](http://www.nblf-fdnb.ca). We look forward to continuing this journey together!

## Financial Highlights

REVENUE	Source	2023-2024	2022-2023
	Interest from Lawyers' mixed trust accounts	\$9,066,411	\$6,188,673
	Unclaimed trust funds	11,626	67,906
	Interest from bank accounts	191,758	149,518
	Interest from long-term note receivable	9,112	9,692
	Investment income (loss)	1,039,002	241,985
	<b>Total</b>	<b>\$10,317,909</b>	<b>\$6,657,774</b>
	<b>Expenses</b>	<b>\$171,870</b>	<b>\$156,825</b>
	<b>Excess of Revenues over Expenses</b>	<b>\$10,146,039</b>	<b>\$6,500,949</b>
<b>GRANTS</b>	Grants awarded	\$1,493,937	\$967,343
	Contributions to Scholarship Fund	823,500	1,024,700
	<b>Total Grants and Contributions</b>	<b>\$2,317,437</b>	<b>\$1,992,043</b>

*Receiving this award has allowed me the opportunity to have less of a financial burden while I pursue my law degree, which has been a passion of mine since I was little. The recognition this award brings gives me reassurance that this is where I am meant to be...Thank you so much for giving me this chance and being a stepping stone in my law degree and career!*

# Grants Approved 2023-2024

## Univ. de Moncton - Faculté de droit

Société d'aide juridique étudiante (SAJE / NBLASC)	\$21,386
Pro Bono Students Canada (EPBC/PBSC)	\$20,131

## NB Refugee Clinic (NBRC-CRNB)

Legal Aid & Resource Delivery	\$100,000
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## UNB Faculty of Law

Pro Bono Students Canada (PBSC)	\$24,643
Summer Student for NBLASC	\$21,102
UNB Legal Clinic	\$260,600

## Public Legal Education & Information Service NB

Core Funding	\$90,000
General Legal Information Line	\$76,000

## Law Society of NB

Real Estate Training Program	\$120,000
Translation of Discipline Comm. Decisions	\$15,000
Bar Admission Program Review & Translation	\$20,000
Truth & Reconciliation Educational Videos	\$215,000

## Inclusion NB

Adult Decision-making Law Reform	\$75,000
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## NB Legal Aid Services Commission

Family Law Program	\$200,000
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## Black Law Students' Association of Canada

BLSA Canada national conference	\$25,000
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## East Coast Environmental Law

Environmental Law Education & Capacity Sharing	\$24,657
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## Elizabeth Fry Society of NB

Volunteer Court Liaison Program - Year 4	\$101,000
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## Madhu Verma Migrant Justice Centre

Migrant Worker Legal Clinic	\$85,000
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<b>TOTAL</b>	<b>\$1,494,519</b>
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*I am very grateful to have been selected to receive a scholarship award for the 2023-2024 academic year. I appreciate your generosity and want you to know that this is a great help to me financially in my final year.*





*As a scholarship awarded by the New Brunswick Law Foundation, this recognition of my career and academic efforts is extremely gratifying. Your support reinforces my motivation and determination to pursue my legal studies with passion and dedication.*




*Your financial support comes at a crucial time, enabling me to continue on my path towards my law degree with serenity and determination. Thanks to this bursary, I am encouraged to redouble my efforts and achieve excellence in my studies.*





**Olivia Huynh**  
Executive Director



# *A Sanctuary of Hope:* **The New Brunswick Refugee Clinic**

## **Can you tell us about yourself and the New Brunswick Refugee Clinic?**

Olivia Huynh and their team are the heart and soul of the New Brunswick Refugee Clinic (NBRC), dedicating their time to overseeing operations, connecting with clients, and nurturing student involvement in the clinic's programs and community events. The NBRC, born in 2016, emerged from the urgent need for accessible legal support for refugees in New Brunswick—a need that had gone unmet, forcing many to seek help as far away as Halifax or Montreal.

At its core, the NBRC is not just a legal clinic; it's a place where futures are built. In partnership with the University of Moncton, the clinic offers a unique student program that allows aspiring lawyers to gain hands-on experience while contributing to a cause that matters deeply. These students, along with the NBRC team, bring a sense of hope to those who need it most. Each year, the clinic also welcomes summer students, who, like the refugees they assist, leave transformed by the experience. The NBRC is more than a service provider—it's a community. This was evident during a recent gathering in Moncton for LGBTQ2+ refugees, many of whom expressed that, for the first time, they felt the freedom to be themselves in public, without fear or shame.

## **How have the grants from the NB Law Foundation made a difference?**

The support from the New Brunswick Law Foundation has been a lifeline for the NBRC. As one of the clinic's most steadfast supporters, the Foundation's grants have made it possible not just to keep the doors open, but to welcome more people with open arms. This year has been unlike any other, with a dramatic increase in federal refugee transfers to Atlantic Canada. For the NBRC, this meant going from assisting 20-30 cases a year with just two staff members to confronting the reality of around 240 refugee transfers in a single year.

With the Foundation's help, the clinic has been able to grow its team to three full-time and two summer students. This expansion is more than just numbers—it's the difference between turning people away and telling them, "We're here for you." The grants have also allowed the NBRC to partner with a local college for an English course for refugee claimants this year, giving refugees not just the legal aid they need, but the tools to start their new lives with confidence.





*Refugees arrive in New Brunswick from all corners of the globe, from every walk of life, carrying the hope of a better future.*

**What has been the impact of these grants on the broader community?**

The impact of the NBRC's work ripples far beyond the individuals they help. Refugees arrive in New Brunswick from all corners of the globe, from every walk of life, carrying the hope of a better future. Many share that, for the first time, they feel safe and accepted—experiences that were painfully absent in their past. The NBRC gives them more than legal assistance; it gives them a chance to feel human again.

These grants have also brought families back together, reuniting loved ones who were torn apart by unimaginable circumstances. As these families settle and grow, so too does the community, enriched by the diverse cultures and experiences they bring. The Foundation's support is not just changing lives—it's nurturing a stronger, more vibrant New Brunswick, where everyone has the chance to belong.









**Ben McNamara**  
Director of Education  
and Policy



# *Building Inclusive Futures:* **Ben McNamara and the Vision of Inclusion NB**

## **Who are you and what is Inclusion NB?**

Ben McNamara is the Director of Education and Policy at Inclusion NB, an organization that has been advocating for the rights of individuals with an intellectual or developmental disability since 1957. Inclusion NB's mission is to create opportunities for individuals with an intellectual or developmental disability and their families to live full and valued lives in all aspects of society.

Inclusion NB's journey began over six decades ago, driven by a group of parents determined to ensure their children could enjoy full and vibrant lives outside of the walls of an institution. Today, the organization's work has grown substantially, with 70 staff members working across the province. Inclusion NB's advocacy work extends to shaping progressive public policy and they recently played a crucial role in the development of the Supported Decision-Making and Representation Act, a piece of legislation that was fully enacted in 2024.

## **How have the grants from the New Brunswick Law Foundation supported Inclusion NB?**

The grants from the New Brunswick Law Foundation have been pivotal in enhancing Inclusion NB's capacity to educate New Brunswickers and advocate for a shift

in mindset as a result of the new Supported Decision-Making and Representation Act. With this support, the organization has begun the essential work of informing lawyers, businesses, and the public about the new legislation. This outreach is more than just a task — it's a responsibility to ensure that individuals who need support to make decisions about their lives have access to supported decision-making in a way that respects their autonomy and dignity.

Inclusion NB has developed a bilingual course for legal professionals on the new legislation grounded in U.N. Convention on the Rights of Persons with Disabilities. This training, provided through the Inclusive Communities Institute — an initiative of Inclusion NB — is a significant step towards building a more inclusive legal system. Additionally, the grants have enabled Inclusion NB to expand its outreach through engaging, asynchronous training, graphic resources, presentations, and by strengthening its partnerships across the province. Looking ahead, they are poised to further extend their education and training initiatives regarding the new legislation in 2024 and 2025, continuing to build on the strong foundation these grants have helped to establish.



A person wearing a blue long-sleeved shirt is seated at a wooden desk. They are looking down at a laptop. On the desk, there are several colorful objects, including a pink and blue ring, a green ring, and a yellow ring. The background is a blurred office setting.

*Through education and advocacy, [Inclusion NB have] helped to dismantle harmful stereotypes, demonstrating that individuals with an intellectual or developmental disability can live full, independent lives with the proper support.*

**What impact have these grants had on the wider community?**

The ripple effect of these grants will be felt deeply in communities across New Brunswick. One of the most anticipated initiatives is the launch of courses on the Supported Decision-Making and Representation Act for parents and for medical professionals, which will both be launched in 2025. The training for parents, a partnership with the Department of Education and Early Childhood Development, will educate parents on the legal ramifications of this legislation and how they can best support their adult children with a disability to make decisions. The training for medical professionals, a partnership with the Department of Health, will focus on capacity assessments that are performed under the new legislation and how medical practitioners, nurse practitioners, and psychologists can effectively assess an individual's capacity to make decisions. The work of these educational resources is built on the foundation of the grant that was provided by the Law Foundation of New Brunswick.

Beyond specific projects, Inclusion NB's work has been instrumental in changing perceptions. Through education and advocacy, they've helped to dismantle harmful stereotypes, demonstrating that individuals with an intellectual or developmental disability can live full, independent lives with the proper support. Their focus on understanding and meeting the individual needs of those they serve has helped foster a more compassionate and informed community. The new legislation, supported by these grants, is just the beginning of a broader shift towards inclusivity and respect, a change that will benefit all New Brunswickers.







# New Brunswick Law Foundation 2023-24 Financial Statements

**Independent Auditor’s Report**

**Financial Statements**

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## Independent Auditor's Report

To: The directors of New Brunswick Law Foundation

### *Opinion*

We have audited the financial statements of New Brunswick Law Foundation, which comprise the statement of financial position as at April 30, 2024, and the statements of operations, changes in fund balances 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 organization as at April 30, 2024, and its results of operations and its cash flows for the year then ended in accordance with ASNPO.

### *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 organization 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.

### *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 ASNPO, 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.

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

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



## Independent Auditor's Report, continued

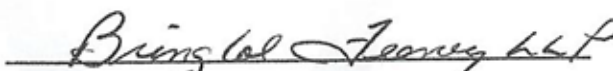
### *Auditor's Responsibilities for the Audit of the Financial Statements*

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 organization'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 organization'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 organization 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.

Fredericton, New Brunswick  
June 21, 2024

  
Chartered Professional Accountants



# New Brunswick Law Foundation

Statement of Financial Position

As at April 30, 2024

	2024	2023	2022
<b>ASSETS</b>			
Current			
Cash	\$ 1,934,902	\$ 2,001,690	\$ 1,890,629
Marketable securities (note 3)	13,252,768	6,056,923	2,993,310
Accounts receivable (note 4)	820,708	789,105	137,393
Current portion of note receivable	20,833	20,237	19,657
	<u>16,029,211</u>	<u>8,867,955</u>	<u>5,040,989</u>
Note receivable (note 5)	281,285	302,118	322,355
Capital assets (note 6)	1,576	2,251	-
Restricted investments - reserve fund (note 7)	<u>5,357,376</u>	<u>4,328,219</u>	<u>3,399,847</u>
	<u>\$ 21,669,448</u>	<u>\$ 13,500,543</u>	<u>\$ 8,763,191</u>
<b>LIABILITIES</b>			
Current			
Accounts payable and accrued liabilities (note 8)	\$ 11,268	\$ 3,269	\$ 4,419
Grants payable (note 12)	<u>856,391</u>	<u>524,087</u>	<u>294,491</u>
	<u>867,659</u>	<u>527,356</u>	<u>298,910</u>
<b>FUND BALANCES</b>			
Reserve fund	5,313,375	4,328,219	3,399,847
General fund	<u>15,488,414</u>	<u>8,644,968</u>	<u>5,064,434</u>
	<u>20,801,789</u>	<u>12,973,187</u>	<u>8,464,281</u>
	<u>\$ 21,669,448</u>	<u>\$ 13,500,543</u>	<u>\$ 8,763,191</u>

Approved

Chairman

Treasurer



**New Brunswick Law Foundation**  
Statement of Changes in fund balances  
Year ended April 30, 2024

	<u>Reserve fund</u>	<u>General fund</u>	<u>Total</u> 2024	<u>Total</u> 2023	<u>Total</u> 2022
Balance, opening	\$ 4,328,219	\$ 8,644,968	\$ 12,973,187	\$ 8,464,281	\$ 8,457,396
Excess of revenues over expenditures	385,156	7,443,446	7,828,602	4,508,906	6,885
Transfer to the reserve fund	<u>600,000</u>	<u>(600,000)</u>	<u>-</u>	<u>-</u>	<u>-</u>
Balance, closing	<u>\$ 5,313,375</u>	<u>\$ 15,488,414</u>	<u>\$ 20,801,789</u>	<u>\$ 12,973,187</u>	<u>\$ 8,464,281</u>

# New Brunswick Law Foundation

Statement of Operations  
Year ended April 30, 2024

	2024	2023	2022
<b>Revenues</b>			
Interest - trust accounts	\$ 9,066,411	\$ 6,188,673	\$ 712,584
Investment income (loss)	609,845	63,613	13,873
Interest - bank accounts	191,758	149,518	20,254
Unclaimed trust funds	11,626	67,906	15,553
Interest - note receivable	<u>9,112</u>	<u>9,692</u>	<u>10,912</u>
	<u>9,888,752</u>	<u>6,479,402</u>	<u>773,176</u>
<b>Expenditures</b>			
Wages and benefits	102,785	96,073	92,175
Rent	16,544	16,544	16,544
Travel	15,054	13,991	-
Professional fees	22,950	18,688	15,295
Office	12,558	9,971	8,082
Website	1,304	1,161	1,219
Amortization	<u>675</u>	<u>397</u>	<u>-</u>
	<u>171,870</u>	<u>156,825</u>	<u>133,315</u>
Excess of revenues over expenditures before grants, subsidies and contributions	<u>9,716,882</u>	<u>6,322,577</u>	<u>639,861</u>
<b>Grants, subsidies and contributions</b>			
Grants (note 12)	1,493,937	967,343	741,508
New Brunswick Law Foundation Scholarship Trust (note 10)	<u>823,500</u>	<u>1,024,700</u>	<u>26,000</u>
	<u>2,317,437</u>	<u>1,992,043</u>	<u>767,508</u>
Excess (deficiency) of revenues over expenditures before reserve fund	7,399,445	4,330,534	(127,647)
Reserve fund (Schedule 1)	<u>(429,157)</u>	<u>(178,372)</u>	<u>(134,532)</u>
Excess of revenues over expenditures (note 9)	<u><u>\$ 7,828,602</u></u>	<u><u>\$ 4,508,906</u></u>	<u><u>\$ 6,885</u></u>



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## New Brunswick Law Foundation

Statement of Cash Flows  
Year ended April 30, 2024

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	2024	2023	2022
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Operating activities			
Cash received from trust accounts	\$ 9,040,809	\$ 5,626,974	\$ 665,842
Cash received from interest on cash held	197,383	127,411	20,066
Cash paid to suppliers and employees	(163,196)	(157,578)	(132,269)
Cash paid for grants, subsidies and contributions	<u>(1,985,133)</u>	<u>(1,762,447)</u>	<u>(662,768)</u>
	<u>7,089,863</u>	<u>3,834,360</u>	<u>(109,129)</u>
Investing activities			
Payments received on note receivable	29,349	29,349	29,756
Transfer to reserve fund	(600,000)	(750,000)	-
Transfer to investments	(6,586,000)	(3,000,000)	-
Purchase of capital assets	<u>-</u>	<u>(2,648)</u>	<u>-</u>
	<u>(7,156,651)</u>	<u>(3,723,299)</u>	<u>29,756</u>
Change in cash position	(66,788)	111,061	(79,373)
Cash, opening	<u>2,001,690</u>	<u>1,890,629</u>	<u>1,970,002</u>
Cash, closing	<u>\$ 1,934,902</u>	<u>\$ 2,001,690</u>	<u>\$ 1,890,629</u>

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# New Brunswick Law Foundation

Notes to Financial Statements

April 30, 2024

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## 1. Nature of operations

New Brunswick Law Foundation ("the Foundation") has been established as a separate entity under section 97 of the Law Society Act of New Brunswick. The Foundation is a non-profit corporation and its principal purpose is to receive interest earned on lawyers' trust accounts which in turn is used to support legal aid, legal research, legal education, legal reform, and law libraries in New Brunswick. It is exempt from income tax under paragraph 149(1)(l) of the Income Tax Act of Canada.

The New Brunswick Law Foundation Scholarship Trust ("the Scholarship Trust") was created by the Foundation under a trust indenture with the trustees being all the directors of the Foundation. The Scholarship Trust was established by way of capital contributions totaling \$1,650,000 from the Foundation. The Foundation contributed an additional \$ 1,000,000 in 2023 and \$800,000 in 2024 for a total capital contribution of \$3,450,000.

The Foundation also created two endowment trusts - the University of New Brunswick Law Faculty Endowment Trust and the Fonds de dotation de la faculté de droit de l'Université de Moncton (the "Endowment Trusts"). The Endowment Trusts were established by initial contributions of \$300,000 each from the Foundation. In following years an additional \$700,000 in contributions was made, bringing the total capital contributions for each trust by the Foundation to \$1,000,000. In 2024, the decision was made to establish The New Brunswick Law Foundation UNB Legal Clinic Endowment Trust. The Board resolved to set aside \$2,500,000 in capital contributions. In 2025, the structure of the trust will be established.

The Foundation, the Scholarship Trust and the Endowment Trusts maintain separate books and records for which annual financial statements are prepared.

## 2. Significant accounting policies

These financial statements are prepared in accordance with Canadian accounting standards for not-for-profit organizations. The significant accounting policies are detailed as follows:

### (a) Cash and cash equivalents

Cash and cash equivalents consist of balances held in bank accounts, marketable securities and investment cash accounts with financial institutions.

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# New Brunswick Law Foundation

Notes to Financial Statements

April 30, 2024

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## 2. Significant accounting policies, continued

### (b) Revenue recognition

Investment income includes dividends, interest income, foreign exchange, and realized and unrealized investment gains and losses. Interest, dividend income and foreign exchange are recognized when the right to receive payment is established. Income from realized gains and losses is recognized in the period in which the sale of an investment has occurred. Unrealized investment gains and losses reflect the change in the fair market value of the investments at year-end.

Unclaimed trust funds are held by the Law Society of New Brunswick for ten years. Any funds which not been claimed at the end of this period are transferred to the Foundation. Unclaimed trust funds are recognized as revenue once the ten year hold period has expired.

### (c) Fund accounting

The Foundation follows the fund basis of accounting which provides for separate groups of accounts to ensure accountability for restricted assets. The funds established by the Foundation are as follows:

General Fund - reports general activities including grants, scholarships and other disbursements. The use of these funds is at the discretion of the Board of Directors which approves all activity on an annual basis.

Reserve Fund - report activities relating to establishing a reserve to support the granting formula in case of revenue shortfalls in future years. The use of these funds is at the discretion of the Board of Directors.

### (d) Investments

Investments are reported at fair value using quoted market prices. Changes in the fair value of investments are recognized as unrealized gains or losses.

### (e) Capital assets

Capital assets are recorded at cost. The organization provides for amortization using the straight-line method at rates designed to amortize the cost of the capital assets over their estimated useful lives. The annual amortization rates are as follows:

Equipment	20% straight-line
Computer equipment	30% straight-line



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# New Brunswick Law Foundation

Notes to Financial Statements

April 30, 2024

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## 2. Significant accounting policies, continued

### (f) Financial instruments

The Foundation initially measures its financial assets and liabilities at fair value, except for certain non-arm's length transactions. The Foundation subsequently measures its financial assets and financial liabilities at amortized cost, except for securities quoted in an active market, which are subsequently measured at fair value.

Financial assets measured at amortized cost include cash, accounts receivable and notes receivable. Financial liabilities measured at amortized cost include accounts payable and accrued liabilities and grants payable.

Financial assets measured at fair value include marketable securities and restricted investments.

### (g) Use of estimates

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 amounts of assets and liabilities and disclosure of contingent assets and liabilities at the balance sheet date and the reported amounts of revenues and expenses during the year. Actual results could differ from those estimates.

## 3. Marketable securities

	<u>2024</u>	<u>2023</u>	<u>2022</u>
Cash	\$ 18,091	\$ 6,508	\$ 7,241
Accrued income	51,053	25,628	19,186
Fixed income	6,374,473	3,524,811	1,231,800
Canadian equities	1,129,476	293,679	295,211
Foreign equities	2,928,116	999,809	691,040
Other investments	<u>2,751,559</u>	<u>1,206,488</u>	<u>748,832</u>
	<u>\$ 13,252,768</u>	<u>\$ 6,056,923</u>	<u>\$ 2,993,310</u>

# New Brunswick Law Foundation

Notes to Financial Statements

April 30, 2024

## 4. Accounts receivable

	<u>2024</u>	<u>2023</u>	<u>2022</u>
Trust account interest	\$ 800,925	\$ 720,712	\$ 129,063
General bank interest	18,371	23,996	1,889
Other accounts receivable	<u>1,412</u>	<u>44,397</u>	<u>6,441</u>
	<u>\$ 820,708</u>	<u>\$ 789,105</u>	<u>\$ 137,393</u>

## 5. Note receivable

	<u>2024</u>	<u>2023</u>	<u>2022</u>
2.91% promissory note receivable from the Law Society of New Brunswick; repayable at \$2,446 per month including interest; maturing August 1, 2026	\$ 302,118	\$ 322,355	\$ 342,012
Less current portion	<u>20,833</u>	<u>20,237</u>	<u>19,657</u>
	<u>\$ 281,285</u>	<u>\$ 302,118</u>	<u>\$ 322,355</u>

## 6. Capital assets

			<u>2024</u>	<u>2023</u>
	Cost	Accumulated amortization	<u>Net</u>	<u>Net</u>
Equipment	\$ 3,389	\$ 3,389	\$ -	\$ -
Computer equipment	<u>6,932</u>	<u>5,356</u>	<u>1,576</u>	<u>2,251</u>
	<u>\$ 10,321</u>	<u>\$ 8,745</u>	<u>\$ 1,576</u>	<u>\$ 2,251</u>

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## New Brunswick Law Foundation

Notes to Financial Statements

April 30, 2024

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7. Restricted investments - reserve fund

	<u>2024</u>	<u>2023</u>	<u>2022</u>
Cash	\$ 23,094	\$ 3,270	\$ 66,726
Accrued income	4,678	5,172	4,048
Fixed income	1,597,258	1,613,557	591,018
Canadian equities	1,246,201	999,424	1,155,763
Foreign equities	1,639,482	1,133,285	1,108,977
Other investments	<u>846,663</u>	<u>573,511</u>	<u>473,315</u>
	<u>\$ 5,357,376</u>	<u>\$ 4,328,219</u>	<u>\$ 3,399,847</u>

8. Accounts payable and accrued liabilities

	<u>2024</u>	<u>2023</u>	<u>2022</u>
Trade payables	\$ 8,198	\$ 366	\$ 431
Government remittances payable	<u>3,070</u>	<u>2,903</u>	<u>3,988</u>
	<u>\$ 11,268</u>	<u>\$ 3,269</u>	<u>\$ 4,419</u>

9. Excess of revenues over expenditures

Given the level of investments held, changes in the market can have a significant impact on the excess or deficiency of revenues over expenditures.

Revenue from trust account interest is also impacted by interest rates set federally and average daily account balances held in trust accounts. There have been significant fluctuations in both interest rates and average account balances held over the past number of years beginning with the pandemic and continuing with federal interest rate policy changes and the housing market.



**New Brunswick Law Foundation**  
Notes to Non-consolidated Financial Statements  
April 30, 2024

12. Summary of grants

The following list summarizes the grant activity of the Foundation for the fiscal year.

	<b>Outstanding grants, May 1, 2023</b>	<b>Grants approved</b>	<b>Grants paid (Returned)</b>	<b>Grants lapsed</b>	<b>Outstanding grants, April 30, 2024</b>
Law Society of New Brunswick					
Bar Admission Program Review and Translation		20,000	10,000		10,000
Truth and Reconciliation Educational Videos	50,000	215,000	10,000		255,000
Translation of Discipline Committee Decisions		15,000	15,000		-
Real Estate Training Program		120,000	50,000		70,000
Review the Rules of Court	200,000		50,000		150,000
Public Legal Education and Information Service of New Brunswick (PLEIS-NB)					
General Legal Information Line	-	76,000	44,000		32,000
Core Funding	-	90,000	90,000		-
University of New Brunswick					
Pro Bono Students Canada UNB Chapter	21,779	24,643	21,779		24,643
Long-Term Funding for the UNB Legal Clinic	-	260,600	200,000		60,600
UNB Legal Aid Clinic	10,000		10,000		-
Summer Student for NBLASC		21,102	21,102		-
Université de Moncton					
Pro Bono Students Canada	18,321	20,131	17,739	582	20,131
Société d'aide juridique étudiante (SAJE)	-	21,386	21,386		-
AJEFNB					
Cours de formation	30,000		15,000		15,000
Nouvelle édition 2024 - Règles de procédure du N-B	56,500				56,500
Black Law Students Association					
National Conference	25,000	25,000	46,880		3,120
Subtotal	411,600	908,862	622,886	582	696,994

**New Brunswick Law Foundation**  
Notes to Non-consolidated Financial Statements  
April 30, 2024

12. Summary of grants, continued

	Outstanding grants, May 1, 2023	Grants approved	Grants paid (Returned)	Grants lapsed	Outstanding grants, April 30, 2024
Balance carried forward	411,600	908,862	622,886	582	696,994
Elizabeth Fry Society of NB Volunteer Court Liaison Program	60,720	101,000	60,720		101,000
East Coast Environmental Law Environmental Law Education & Capacity Sharing	-	24,657	10,000		14,657
NB Legal Aid Services Commission (NBLASC) Family Law Program	-	200,000	200,000		-
NB Refugee Clinic (NBRC) Legal Aid and Resource Delivery	-	100,000	100,000		-
Canadian Institute for the Administration of Justice (CIAJ) Phase 2 Roundtable on Jury and Criminal Delays	15,000				15,000
CANLII Publishing New Brunswick Statutes 1903-1927	36,767		36,767		-
Inclusion NB Adult decision-making Law Reform		75,000	71,260		3,740
Madhu Verma Migrant Justice Centre Migrant Worker Legal Clinic	-	85,000	60,000		25,000
	524,087	1,494,519	1,161,633	582	856,391

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## New Brunswick Law Foundation

Notes to Financial Statements

April 30, 2024

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### 13. Financial instruments

The Foundation is exposed to the following risks in respect of the financial instruments held:

(a) Credit risk

Credit risk is the risk that one party to a transaction will fail to discharge an obligation and cause the other party to incur a financial loss. The Foundation is exposed to credit risk with respect to its notes receivable.

(b) Market risk

Market risk is the risk that the value of a financial instrument will fluctuate because of changes in market prices, whether the factors are specific to the instrument or all instruments traded in the market. The foundation is exposed to market risk with respect to its marketable securities and restricted investments as well as the interest earned on trust accounts.

(c) Currency risk

Currency risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates. The Foundation is exposed to currency risk with respect to its investments held in the US dollar account.

It is management's opinion that the Law Foundation is not subject to a significant concentration of risk with respect to its financial instruments.



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# New Brunswick Law Foundation

Schedule to Financial Statements

Year ended April 30, 2024

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## Schedule of reserve fund operations

## Schedule 1

	<u>2024</u>	<u>2023</u>	<u>2022</u>
Revenue			
Unrealized gain (loss) on investments	\$ 277,639	\$ (251)	\$ (125,301)
Dividends	117,558	71,494	107,755
Realized gain on sale of investments	39,306	117,693	155,745
Interest	8,578	9,746	8,808
Foreign exchange	<u>4,262</u>	<u>(3,312)</u>	<u>4,516</u>
	447,343	195,370	151,523
Expenditures			
Investment management fees	<u>18,186</u>	<u>16,998</u>	<u>16,991</u>
Excess of revenues over expenditures	<u>\$ 429,157</u>	<u>\$ 178,372</u>	<u>\$ 134,532</u>