



**Justice of the Supreme Court of Nova Scotia**

Justice Kelly passed away on May 13, 2016, surrounded by his family. He was the son of the late Lucius Owen Kelly and Ethyl (Murphy) Kelly (of Charlottetown, P.E.I.). He was born in Charlottetown on January 9, 1937 and was educated at a rural school and later in the Charlottetown school system. He was granted a B.A. from St. Dunstan's University (UPEI) in 1960 and an LL.B. from Dalhousie Law School in 1967. Justice Kelly served in the RCN from 1960-1964 and in the RCNR from 1955-1960 and 1964-1967, retiring in 1967 with the rank of Lieutenant-Commander. He was admitted to the Bar of Nova Scotia in 1968, served on the Nova Scotia Bar Society Council for several terms and was appointed Queen's Counsel in 1983. He practiced law in Port Hawkesbury with the firm of Kelly, Evans, MacIsaac and MacIsaac, in the areas of civil litigation and criminal law and as counsel for several corporate clients. He also served as a labour arbitrator and Small Claims Court adjudicator. Justice Kelly served as a member of the Nova Scotia Legal Aid Commission and the Maritime Provinces Special Education Authority. He was appointed a Judge of the Nova Scotia Family Court in 1984 for Sydney. In 1985 he was appointed a Judge of the Nova Scotia Supreme Court, Trial Division and when that court merged with the County Court in 1993, as a member of the Nova Scotia Supreme Court. Justice Kelly also served as a chair of the Nova Scotia Electoral Boundaries Commission in 1986 and chaired the committee in 2003. He served as a member of a number of Supreme Court committees and Bar/Bench committees. He was Chair of a special Bar/Bench committee to draft the Divorce Rule for the Court and was Co-Chair of the original Caseflow Management Committee of the Supreme Court. He was appointed Co-Chair of the Judicial Development Committee established by the Chief Justices and Chief Judges of the Province, a committee which developed a pilot program to improve judicial performance and education. The program was the first of its kind in Canada involving judicial assessment. Justice Kelly was active on the Executive of the Canadian section of the International Commission of Jurists. He was a member of their International Projects Committee and participated as a presenter at numerous seminars and planning sessions in relation to the ICJ projects in Croatia, Serbia and Montenegro. He participated in the introduction of Judicial Dispute Resolution concepts in Croatia and Serbia. During 1995-1996 Justice Kelly was a visiting associate at the International Centre for Criminal Law Reform and Criminal Justice Policy at Vancouver, a United Nations related institute. He authored and presented papers principally on judicial independence, the relationship between the Press and the Judiciary and the role of victims in the Courts. At this time he participated in a seminar on Chinese law reform in Beijing, China. Justice Kelly was active in matters of Irish heritage. He was Past-President of the Charitable Irish Society of Halifax and was an Honourary Member of the Benevolent Irish Society of Prince Edward Island. Justice Kelly or "Bill" to his family and friends, is survived by his loving wife, Helena Dowling-Kelly. He was the much beloved father of Lawrence, Ottawa, Ont.; Heidi (John), Nanaimo, B.C; Shannon (Anne), Bedford. He will be deeply missed by his children and grandchildren, Sarah, Liam, Jeremy, Kathleen, Conlon and Finn. Bill also leaves behind his dear siblings, Loretta Butler and Jimmy Kelly; many nieces and nephews from Charlottetown, P.E.I. Bill will be remembered by many for his compassion, generosity and warm personality. He was a true gentleman who quietly made an impact on many during his life. In his recent years as a resident at Northwood at the Harbour, he was well-known to all and established a library for the residents which will be part of his legacy. Bill will be remembered by his friends and family for his love of travel, passion for history and reading (he was rarely without a book in hand), and as an ardent fan of basketball, most notably of the Boston Celtics. Bill's family would like to express their deep gratitude to the supportive and caring nursing staff at Northwood who ensured Bill's time there was peaceful and who have gone beyond their duties in caring for his family in Bill's last days. There will be no visitation and the family has held a private memorial. In lieu of flowers, donations made in Bill's memory to the Northwood Foundation would be appreciated.

**KELLY, F B William (Bill) [UNTD QUEEN CHARLOTTE '55 U-38893] (1937 - 2016) Age: 79**

Bill had 3 UNTD summers, '56, '57, '58 and was Commissioned as a: A/SLT(S) RCN(R), sen. 1 Sep '58, O-38065, attached to QUEEN CHARLOTTE.

There are no further details on his subsequent promotions although it appears he logged in some CND time before going on to Law School.

Just having a quick peek at the UNTD '43 - '68 records and of the 7,023 known UNTDs, 233 that we know of became practicing lawyers, of which 41 went on to become Judges at various levels.

Surprisingly I can't seem to find what his initials F B stand for, but I did find a recent reference (below) concerning him that appeared in a chronicle of courtroom anecdotes from Cape Breton:

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It was an awkward position for the young defence attorney.

The judge handed him a bottle of rum.

It was awkward because William Kelly, who later became a judge himself, was sitting in the back seat of the judge's car. In the front passenger seat was the Crown prosecutor.

It was sometime in the mid-1980s and the judge, who will remain unnamed, had insisted the three carpool between the Port Hawkesbury and Port Hood courthouses.

"So when the judge sees Bill (Kelly) just put the bottle to his lips, he says, 'Now Bill, I know you're an Irishman from P.E.I, so take a real drink,'"

"Bill took a small drink and accepted that this was another lesson in his first introductions to Inverness County law practice. ... As time went on, Bill got to know that this judge was a kind and fair man."

Bill C