

VISTAS

THE UVIC LAW ALUMNI MAGAZINE

SPRING 2013

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Speaking Of Diamonds

Outgoing Dean on Alumni
and UVic Law

Rob Lapper ('81):

The UVic Law Influence and Being
the CEO of LSUC

Team Change

Sports, Media and Entertainment
Law with Marshall Pawar ('03) and
Peter Gall, QC

UVic Law Goes Graphic



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Cover Photo

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In This Issue

Alumni Vistas



Speaking of Diamonds 04

Outgoing Dean on Alumni and UVic Law

By Marni MacLeod ('93)



Rob Lapper ('81) on the UVic Law Influence and Being the CEO of LSUC 08

By Erin Hallett,
Alumni Relations Officer

Features

Of Wine and Cheese Receptions, On-Campus Interviews, and Barbra Streisand 12

By Kerry Sheppard ('86),
Director of Student Programs, Davis LLP

Team Change 16

Sports, Media and Entertainment Law with Marshall Pawar ('03) and Peter Gall, QC

By John Lee

Plus

Hello from the Law Careers Office 13

By Heather Wiltse, Law Careers Officer

Reunions 15

Save the Date.

Managing Intellectual Property – A New Experiential Dimension 23

By Professor Robert Howell.

The Long View 24

Gold Medalists.

UVic Law Goes Graphic 26

The world's first graphic novel on Indigenous Laws.

Dean's Cup 27

Jason Roth ('99) was honoured on April 9, 2013.

Sections

Jeremy Webber: UVic Law's New Dean 07

Alumni Relations: Reconnecting 14

Alumni Vistas 18

Updates and alumni news.

In Memoriam 20

John Townley ('86) and Rehana Anverali Meghani ('11)

News from the Development office 20

Alumni and friends supporting the law school.

Faculty News 22



Front row (L to R):
David Namkung ('10), Director, The Counsel Network (Vancouver)
Dean Donna Greschner
Rita C. Andreone ('88), QC, Lawson Lundell LLP
Laura N. Bakan ('83), QC, Guild Yule LLP

Back row (L to R):
Arlene H. Henry ('85), QC, Mediation + Law Offices
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Speaking of Diamonds – Outgoing Dean on Alumni and UVic Law

—BY MARNI MACLEOD ('93)

On June 30, 2013, Donna Greschner finishes her five-year term as Dean. Marni MacLeod chatted with Donna recently about her term.

Q: As you look back on the past five years, what was your biggest surprise?

How much I enjoyed working with other Deans and people around campus. The law school is part of a major research university, and necessarily so, for law is a vital area of intellectual inquiry, one that bridges many other disciplines. If students wish to become lawyers, in contrast to people who merely possess law degrees, they need to understand the larger and deeper philosophical, historical, economic and social contexts of legal systems and processes. Hence, essential to our core educational mission are strong connections with other disciplines. The law school has always been integrated with its university, from our joint degree programs with Business and the School of Public Administration to our interdisciplinary graduate program in Law and Society. I expect that integration will be further strengthened when law professor and former dean, Jamie Cassels assumes the presidency in July.

Q: Besides the obvious charms of Victoria, what motivated you to seek the Deanship at UVic?

I knew that UVic Law had a tradition of innovation, a sterling reputation for producing top-notch graduates and a vision with contextual, experiential learning at its core. I was also inspired by its apparent agility in responding to the changing environment of legal education while maintaining its basic values. My goal was to build on the law school's original vision that the best way of educating students is to provide them with a blend of theory, substantive legal knowledge and practical wisdom. That takes a community comprised of superlative scholars, committed teachers, stellar clinics staffed by experienced practitioners, and an excellent staff. That community is UVic Law.

Law students bring curiosity, youthful exuberance, and passionate commitment to a broad range of social causes. A central part of the UVic culture is to encourage curiosity, to guide students in questioning what “is” with a view to designing what “could be”. That ability to see beyond “how it is” and develop thoughtful, different visions of “how it could be” is essential to ensuring that laws and legal institutions evolve with societal changes and, most importantly, become more just.

Q: What has been the biggest challenge?

Since I arrived at the beginning of the worst recession in 60 years, the first priority was managing tight resources to protect the school's core strengths. During my Deanship, the University has been coping with tuition freezes and reductions in government grants, and the law school has had no immunity from this fiscal dilemma. We have always received unstinting support from the Law Foundation of British Columbia, but its income also fell dramatically. My goal quickly became seeking other revenue sources to maintain the integrity of our programs. We have had considerable success, especially when one considers the economic climate!

Another on-going challenge is responding to the far-reaching changes sweeping the profession and legal education. The impact of globalization and the

communications revolution are pervasive and likely unending. For instance, if we look only at Canada, we see that the Federation of Law Societies has implemented an accreditation process for Canadian common law schools and the articling system is under scrutiny and reform [see the interview with Rob Lapper in this issue], both changes caused by increasing mobility of lawyers. The changes will not stop. A very recent example is the new Mobility Agreement between Quebec and common law Canada, which will generate as-yet unknown consequences for legal education.

The trick is how to respond to changes in a way that preserves core education in legal reasoning, values and processes, while at the same time ensuring that students acquire the knowledge and skills to solve problems in emerging areas. I think that many of UVic's original innovations have stood the test of time, indeed have become more important as the winds of change blow stronger. One example is the first-year Law, Legislation and Policy (LLP) course that teaches students how to read and interpret statutes. It's a foundational course, necessary for almost everything lawyers do and will do, and cannot be pushed aside by pedagogical fads. Many alumni have told me that this course is the one that they now regard as having been the most useful!

Another feature that has stood the test of time is the emphasis on experiential learning, such as our outstanding clinics and the Co-op program. Other law schools are now shifting toward offering more experiential learning. UVic has been ahead of the curve.

Q: What's been the biggest source of joy?

That's an easy one — the opportunities to meet many alumni across Canada and around the world. I have loved hearing their stories about their law school days, their memories of their professors, events, courses, and of course, enduring friendships with their classmates. I learn about what worked for them in law school; for instance, what knowledge or skill do they now treasure, whether they graduated five or thirty-five year ago. The LLP course is one example ►►►

that I hear frequently. Another example is the Co-op program. An alumna, who now holds a senior position in an international organization, told me that her first Co-op placement changed her life because she realized, at the insecure age of 22, that she could do a job, and well. As a result, she saw a world of possibilities open before her. That placement was critical to her success. Alumni are an excellent source of ideas and advice about how to keep UVic's core values while responding to often-stormy changes. As I have said before, alumni are diamonds: they shine brilliantly and they are forever!

Q: Was reaching out to alumni one of your goals as Dean?

Absolutely. We created an office that reaches out to alumni, connects them to each other, and brings them back to enrich the educational experience of current students. Erin Hallett, our first alumni relations officer, has created the office from scratch. This publication, *Vistas*, an online update of the old *Law News*, is one result of her work. Alumni have become more engaged with our Law Careers Office, mentoring students and showing them a wide array of career options. They speak at recruitment breakfast, which we initiated in 2009, to incoming students. They serve as coaches and judges for moots, take on Co-op students, become adjunct professors, and contribute by guest lecturing or participating as advisors in the clinical skills programs. Everyone is very grateful for their involvement because it deeply enhances the educational experience of students.

Q: What has been a big worry?

Fortunately, the most constant worry has produced a huge accomplishment. I spent a lot of time raising money for the Law Centre. Experiential learning always presents financial challenges because it's simply more expensive than regular classroom learning. Alumni have helped enormously with financial support and time. The accomplishment is that the Law Centre will soon move into the old Land Titles Building, newly renovated to meet its needs. It can expand a

bit and will provide an even richer experience for students because of closer proximity to the courthouse (it's next door) and adjacent to a new Justice Access Center established by the Ministry of Justice. This is a true win-win for the Law Centre's students and their clients.

Q: What accomplishment gives you pride?

That's a tough question because there are many. Every accomplishment, whether small or large, has been a team effort. I have had the honour of working with excellent Associate Deans and staff who are committed to students, and an outstanding faculty who publish exciting, world-class research without detracting from their commitment to teaching. Everything about this law school gives me pride. As highlights, I would mention several. We have expanded clinical programs, an especially note-worthy accomplishment in these tough times. For example, the Business Law Clinic has gone from 24 to 36 students each year and increased its clientele to include more non-profits. The Environmental Law Clinic has expanded. The Faculty has designed and implemented a JD concentration in Environmental Law and Sustainability, a first for a Canadian law school.

We revived the Practitioner in Residence Program with the assistance of Lawson Lundell LLP, with Professor Rod Hayley as the incumbent. We beefed up the Moot Court program through the primary support of McCarthy Tétrault. We have made terrific new appointments, such as Val Napoleon for the professorship in Aboriginal Justice, and Deb Curran as the first Hakai Professor in Environmental Law and Sustainability. We enticed Jerry McHale, one of the country's leading experts on alternative dispute resolution, to join the faculty as the Lam Chair in Law and Public Policy. On top of all that, we have two new regular tenure-track assistant professors, Kathy Chan and Michelle Lawrence, the first in many years.

Q: Any disappointments?

One should not be disappointed, merely realistic about the time that it takes to realize goals. Our build-

ing needs renovation, especially if we wish to proceed with implementing more study of Indigenous Laws, one of our strengths. The Faculty has been considering how to move to the next level with research and teaching in Indigenous Laws, and if we do find the resources to hire more professors in this area, we will need to create more office and teaching space.

Q: Once you have handed the torch to incoming Dean Jeremy Webber what's next on your agenda?

I have missed teaching students, and I am eager to return to the classroom. I will spend next year at the University of California, Irvine School of Law, recharging my research batteries and preparing for new courses.

Q: Any final words for students, a.k.a. alumni-in-training?

Don't hurry with your legal education. Enjoy the luxury of studying law for no purpose other than your own intellectual growth. Take time to read cases and articles that stretch you beyond your current interests. Too soon you will have daily pressures from clients, supervisors and others. As lawyers with professional obligations, you must put other people's interests first. But not quite yet. You never know where an afternoon's reading will lead. When I was in law school, one Saturday I stumbled across "It Wasn't God Who Made Honky-Tonk Angels", one of the earliest law writings from a feminist perspective. A few years later I was teaching a course on feminist legal theory and establishing a women's studies research unit. Give yourself time to explore. You never know where new roads will take you! **N**



Jeremy Webber: UVic Law's New Dean

JEREMY WEBBER
Professor and Dean-to-be



Jeremy Webber, new Dean of Law.

Congratulations to Professor Jeremy Webber! He has been appointed as Dean of Law effective July 1, 2013. Jeremy is no stranger to British Columbia. He grew up in the province and graduated from UBC with an Honours BA before turning his attention to legal studies, receiving LLB and BCL degrees from McGill University in 1984 as its Gold Medalist and an LLM from Osgoode Hall in 1988. Nor is Jeremy a stranger to a Dean's office, having served as Dean of Law at the University of Sydney, Australia, from 1998–2002. He joined UVic Law in 2002 as its Canada Research Chair in Law and Society.

Jeremy is an internationally recognized scholar in the areas of cultural diversity, constitutional theory and Indigenous rights. His research focuses on the constitutional structure of democratic governance with a keen eye for the challenges and opportunities of cultural diversity. He has explored these issues across the domains of labour relations, the interaction between Quebec and the rest of Canada, Indigenous rights in Canada and Australia, issues of nationhood and cultural minorities generally, and questions of constitutional design and interpretation, publishing widely in all these fields. One of his books, *Reimagining Canada*, was named a Choice Outstanding Academic Book in 1995, and another, *Labouring Lives*, was recognized by the Ontario Historical Society with its J. J. Talman Award for the best Ontario history book in 1998. For his considerable scholarly accomplishments, Jeremy was honoured as a Trudeau Fellow from 2009-2012.

Jeremy is also a highly respected teacher at both the graduate and undergraduate levels. In 2007-08, he received the first-year teaching award from the Law Students' Society. He was chief architect of the Faculty's Graduate Program in Law and Society, working as the program's second Director from 2006-2009.

Jeremy's experience as a teacher, scholar and administrator has ensured that the law school remains in good hands. Stay tuned for the next issue of *Vistas*, which will feature a profile of Jeremy. **N**



Rob Lapper ('81) on the UVic Law Influence and Being the CEO of the LSUC

—BY ERIN HALLETT, ALUMNI RELATIONS OFFICER

This past March, I was in Toronto for alumni meetings and had the opportunity to sit down with Rob Lapper ('81) to talk about his law school experience and the interesting twists and turns in his legal career.

Q: How would you describe your career path since graduating in 1981?

Varied, interesting, and entirely unexpected.

It's been the product of being open to possibilities, which was something that UVic encouraged back in my student days. I started out clerking at the BC Supreme Court, articulated in a small private firm, and became a partner in that firm, with a varied practice. I then joined the government and did aboriginal law, moved through government to become Assistant Deputy Attorney General for Legal Services and then various Deputy Minister positions. My last post before this was as Deputy Minister of Labour. My path has been interesting and certainly never dull.

Q: Can you talk a bit about your UVic Law experience and how it influenced your career choices?

It's probably almost trite to say this about UVic but I got an absolutely first-rate legal education. There is just no question about it. At the time the law school was, and still is, very innovative. It definitely influenced my career choices.

The faculty encouraged us to think about alternatives to the narrow image of a lawyer as someone in private practice. I remember very early in first year a number of different lawyers talked to us about their careers, which were not in traditional, or what would have been considered traditional, legal practice.

When I started law school, I envisioned myself in private practice. However, by the time I graduated, I had been exposed to other options. I had done a public law term and I was encouraged to think about alternatives, including the practice of public law, which ultimately in one form or another became the bulk of my career. For all of this, I am indebted to my UVic education. |||▶

PHOTO: LAW SOCIETY OF UPPER CANADA

Q: Do you have a favourite memory of UVic Law or favourite professor?

ONE of my favourite memories? I can't possibly limit it to one.

My strongest and best memories are about the people in law school with me and the closeness of our experience. The law school environment encouraged close ties and I developed many friendships that endure to this day. I feel that I could probably still phone almost anyone in my class with a question or issue or just to say hi, and talk to them.

I can't single out one professor. Among my favourites was Professor Jim MacPherson, now Justice Jim MacPherson on the Ontario Court of Appeal. In fact, we now work in adjacent buildings at Osgoode Hall and it's been a real treat to reconnect with Jim, who taught me at UVic and was one of the first people to encourage me to think beyond the private practice mould.

Another favourite prof probably has a long list of fans — Hamar Foster. He taught me and later my daughter (Emily Lapper '10). We both think that he is amazing and regret that he is planning retirement. I still think he is both a wonderful prof and a wonderful human being.

A third prof who had a profound influence on me was Bill Neilson. Again, he influenced my choice of public law and my pursuit of government activity. Bill was a very, very supportive mentor.

It goes without saying that, for most of my generation, Murray Fraser was a constant source of support and guidance. And just an excellent Dean. I try to model my administrative work after his example — I am sure not entirely successfully. But, when faced with an administrative issue, I often think about how Murray might have handled the situation.

Q: What was your goal in accepting the position of CEO with the Law Society of Upper Canada (LSUC)?

It was an opportunity for a new challenge. I really enjoyed my work in government, including my last post as Deputy Minister of Labour. But I suppose like

most people I began to wonder what I might do next. I thought that I would like to return to working closely on justice issues. The CEO position lets me take on some of those issues in a slightly different context — that of a regulatory environment where I can apply and develop further the skills and knowledge that I gained as a senior BC government official, and in the different and challenging Ontario context.

Q: Now that you have been in your position for just over a year (appointed February 1, 2012), how would you describe your role as CEO? What is the extent of your mandate? What have been some of the challenges in your first year?

I lead and manage the affairs and functions of the largest law society in Canada, one about twice as big as the next largest one. We have over 44,000 lawyer licensees and 4,300 paralegal licensees. I am responsible for managing and coordinating all facets of the operation, administration and finances of the Law Society. I lead some of its strategic planning and policy development, and am responsible for implementing policy. Of course I don't do this alone. We have an amazingly capable staff of about 550 people.

Q: The lack of articling positions continues to garner a fair bit of media attention and Ontario has taken a leading role in exploring possible solutions. Do you know how many students aren't finding articles?

I don't have an exact number. As of last year when the LSUC's Articling Task Force was completing its consultation with the profession, the percentage of students who were not finding articles in Ontario was approximately fifteen percent, a dramatic rise from about six percent in 2008. Ontario can track the shortage of articling positions a bit more easily than other law societies because articling students have to be in our licensing process before they can look for articles, whereas elsewhere articulated students don't begin the licensing process until they find articles, which makes it more difficult to know how many are "outside the system". Thus we probably have more accurate statistics, and those statistics are telling us that a significant

number of students are having trouble entering the profession because they can't find articles. In Ontario that's a minimum of 250-300 students and probably more.

Q: Do you think that law schools are admitting too many students, and have thus contributed to the lack of articling positions available for graduating law students?

I am not sure whether this viewpoint is widely held among practicing lawyers, but I don't think that the lack of articling positions is exclusively a law school problem. Or to put it differently, blaming the law schools for a potential over-supply problem is a bit facile and doesn't consider the complete picture. I have a lot of time for the argument (you can probably tell from some of my previous answers), that a good legal education is the foundation for many, many great careers beyond the practice of law and that law schools should focus on providing that good legal education. However, on the flip side, law schools have to recognize the practical reality that most students expect to practice law at some point in their futures, which gives law schools the responsibility to deal realistically with those expectations. At least law schools ought to be clear with students that opportunities for articles may be limited, and they should play a role in managing student expectations.

Q: What do you think about incentives for lawyers starting their training/articles, and subsequent practice, in underserved areas?

It could be a good idea. We haven't fully explored that idea in Ontario and it's not formally on the agenda now but I expect we will be looking at it. I know other jurisdictions, BC notably, have looked into it. Its merit very much depends on the nature of the incentive and how it is applied. As somebody who actually practiced outside of an urban environment, I know the advantages of such practices. One problem in Ontario is the difficulty of persuading people to move to rural or remote areas, even though those areas are under-served with the potential for more articling positions. Creating incentives could be one

way to convince students to consider articles outside of urban areas.

Q: Was any thought given to providing more funding to lawyers in underserved areas to take articling students?

Yes, but at this point we are not proceeding in that direction. There are some questions about whether the Law Society should be in the business of redistributing income and creating straight financial incentives. Some of our members have questioned why we would subsidize other members to hire students, and has asked whether there are better ways to encourage more articling positions. As well, other analysis has given us pause, so we are currently pursuing different avenues.

Q: Can you describe the three-year pilot project Ontario is proposing to address the shortage of traditional articling positions?

It's a transitional training pilot project proposed to begin in 2014-15 and running for three years with the possibility of a further two-year extension. It will have two components: an articling component with a stream of students who are engaged in traditional articles; and an alternative to articles called the Law Practice Program component. The latter will be a skills-based program in which students take a number of focused skills-based courses that develop the competencies we believe are characteristic of a well-rounded articling experience.

Licensing candidates will have a choice about whether to secure articles and proceed through articling, or if they can't find articles or choose not to article, to go through the Law Practice Program. There will be a cost associated with the new program, and its final design is still in process. The principle is that the inability to find an articling position will no longer be an absolute impediment for licensing as a lawyer.

Traditional articling would continue but with the addition of an individual assessment of competencies at the culmination of the articling period. At the moment we don't have much oversight of the articling ex-

perience, so the pilot project will begin evaluating the articling experience and its alternative, the Law Practice Program, in a systematic way. The culminating assessment will ensure that each candidate, whether they have come from the articling stream or the practical training course stream, has successfully completed the transition to practice before obtaining licenses. The cumulating assessment will allow us to monitor and compare the two paths to licensing. The LSUC will receive a final report at the end of the third year, with a possible extension of two years if it determines there is insufficient evidence to properly evaluate the project.

Q: What do you think is the best-case scenario and the worst-case scenario coming out of the pilot project?

The best-case scenario is that we have a robustly successful program, with students finishing who are markedly better trained and prepared for practice than under the current system. The worst-case scenario is that the individual assessment data collected during the project reveals that the alternative program doesn't work well and we have to go back to square one. However, in either case, the profession as a whole benefits from an in-depth evaluation and discussion of the skills that lawyers should have when they begin practice, and where and how those skills can be most effectively acquired. Some of those skills we would naturally look to law schools to teach, some of them we currently expect a student to acquire during articling, and some of them may have to be acquired in a different way. Ontario will be one of the first jurisdictions in Canada, if not the world, to systematically look at what articling adds to one's career development and to look very intentionally at skills development. That is a benefit for everyone.

Q: Do you think that other provinces will adopt a similar pilot-project?

I don't think they will do so immediately, but rather will adopt a wait-and-see approach. With national mobility, other provinces will have to be satisfied,

of course, that our pilot project is preparing lawyers to meet national standards because once lawyers are licensed in Ontario, they can move relatively freely across the country.

Q: Are there any restrictions on how many international degree students are eligible to enter the pilot project?


No.

Q: What do you see as possible challenges with respect to the mobility issue?

We are working with the Federation of Law Societies on implementing the National Admission Standards. As we implement those standards, we will be working very closely with other provincial law societies to ensure that students coming out of our pilot program and our assessment tests are meeting or exceeding those national standards.

The new approach is complimentary to maintaining and enhancing standards, rather than diminishing standards. Many students want to article because employment in articles gives them skills not only with legal issues and practical tasks but also helps them acquire 'softer' skills through the more informal mentoring and socialization that occurs in working with lawyers in a practical setting. We need to carefully consider all these aspects and advantages of articling when we design alternatives. We have some ideas. We are certainly asking how a practical skills-based program can provide opportunities to become socialized into practice. How do students meet and work with mentors? How do they meet practitioners who are going to assist and support them, both formally and informally, as they move forward in their careers? These are wonderful and exciting challenges.

Q: What are the trends that you think will impact the practice of law and that alumni should be aware of?

On the immediate horizon, certainly in Ontario, is the issue of civility. We have had some discipline decisions about civility and there are serious questions 

about the boundary between aggressive advocacy and lack of civility.

Another interesting debate will be implementing the Model Code of Professional Conduct, especially questions about its rules on conflicts of interest, such as what constitutes a conflict and how to manage conflicts inside law firms. The national Model Code is an initiative of the Federation of Law Societies, so every law society is looking at these issues.

What animates me more, frankly, is looking at the longer term. We keep a fairly close eye on international developments, such as the commoditization of legal services and new business structures outside of the traditional firm. In Australia and England, for example, for-profit corporations now provide many legal services. What does that mean for regulators, such as law societies? Our traditional approach is to regulate individual lawyers. But when lawyers provide services through a business structure that is not a traditional law firm, and which is potentially capitalized with outside, non-lawyer investors who expect both a return on their investment and a role in management, this traditional regulatory model is insufficient. For instance, in Britain the Co-op movement, which is similar to Federated Co-ops here, expects in five years to be the largest provider of legal services, employing some 3,500 lawyers. What does that mean for a regulator? If a lawyer is employed by Co-op but providing legal services to you, where is his/her duty? How do you manage professional issues when loyalties may be divided? That is a fascinating issue.

Another issue for law societies, and certainly a priority for the LSUC now, is how to facilitate access to justice through an array of legal service providers — that is to say, not just lawyers, but other justice service providers who assist people in entering and navigating through the “justice system”. “Access to justice” is a large and complex problem, and in addressing it, it is daunting to know where to dive in. The LSUC has decided to move past thinking, and try to act. We are “diving in” by identifying the gaps, overlaps and duplication in the current provision of services, and trying

to address those issues, not directly (because we cannot provide those services in most cases) but by trying to facilitate having those service issues addressed by others. This is consistent with our statutory mandate to “facilitate access to justice”.

Q: Is Ontario’s move to give paralegals more responsibility part of addressing access to justice? And what impact do you think this will have on the profession?

A few years ago the LSUC’s mandate was expanded to include responsibility to regulate the paralegal profession. As of about six months ago, 4,300 active paralegals were licensed in Ontario. Remarkably, about one-quarter of those licenses have been issued within the past eighteen months, resulting in the paralegal sector split between “old hands” and new graduates of community college programs.

In Ontario, the paralegal profession primarily practices in small claims court, Provincial Offences Act matters, landlord and tenant issues, and cases before administrative tribunals such as the Workplace Safety and Insurance Board. When the LSUC began regulating paralegals in addition to lawyers, part of its mandate was to conduct a review after five years to assess how the regulation had worked out, and report to the government. In anticipation of that assessment we recently did a survey. Forty percent of paralegals who responded to the survey are in private practice and/or are sole practitioners. About one-quarter are in joint law practice with a lawyer, in which they practice as employees or in some cases professional partners. Another twenty percent are otherwise employed by companies or government.


The LSUC’s attention to access to justice is driving us to think that the provision of legal services is best directed to the most appropriate and most accessible of the two regulated professions. At the same time, we cannot compromise professional standards or jeopardize the public interest.

At the five-year mark (2012), the Province of Ontario commissioned a report to assess the success of the law society’s regulation of paralegals. It is now

known as the Morris Report after David Morris, the writer, communicator, and strategist who was appointed by the Province to lead the review and examine how the Law Society was regulating paralegals. The report concluded that governance of paralegals is now well established and has been a positive development in improving access to justice in Ontario.

Many paralegals believe their scope should be expanded beyond their current areas of practice. They believe that paralegals can and should take on more. The Morris Report acknowledges the possibility of expanding their scope, but recommends first ensuring that paralegal education programs are well-established and that the standards of learning and professional conduct of the paralegal sector are clearly defined before any expansion.

The Report also recommends that the LSUC enhance public awareness of the paralegal sector. Many people could benefit from the assistance of paralegals, but don’t understand what they do. The LSUC is working on more public awareness.

What has been the impact on the legal profession? Initially there was a lot of suspicion and some concern about how much work paralegals would take on and whether the LSUC would really regulate in the public interest to ensure that work was done in an appropriate level of professional conduct. As time moves on, especially in the last five years, that concern has lessened significantly. There is broader acceptance among the legal profession about the usefulness of having paralegals do some kinds of work. In some practices, for instance, paralegals allow lawyers to focus on more complex issues, ones in which a lawyer’s skill is relevant and necessary. 

Of Wine and Cheese Receptions, On-Campus Interviews, and Barbra Streisand

—BY KERRY SHEPPARD ('86),
DIRECTOR OF STUDENT PROGRAMS, DAVIS LLP



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I do not think of myself as a Barbra Streisand fan. I acknowledge that I attended *A Star Is Born* in December 1976 but, honestly, that was only because *Rocky* was sold out. I also acknowledge that the lyrics to many of Ms. Streisand's songs are compelling, although I do remember scratching my head when I first heard the line, "*People, people who need people, are the luckiest people in the world*" (to be fair, when *People* was released, I was only five years old and I was utterly convinced that *The Jetsons* were the luckiest people in the world).

In writing something about articling for *Vistas* and its audience of UVic law alumni, I considered the nature of my (and likely many of your) recollections of articling. Ms. Streisand's lyrics, from *The Way We Were*, sprung (perhaps disturbingly) to mind:

*Memories, may be beautiful and yet
What's too painful to remember
We simply choose to forget
So it's the laughter
We will remember
Whenever we remember
The way we were.*

For many of us, articling was a very long time ago. We tend to remember the articling year as "challenging", yet rewarding and even somewhat enjoyable. Perhaps we "choose to forget" the more painful aspects of the articling experience and to remember the laughter (even if much of it was nervous) that punctuated the year; the angst of fumbling through a residential conveyance dissipates with time, but we retain the memory of the laughter, over a glass of wine, following completion of the transaction.

In many ways, the articling experience today is much as it was 10, 20, even 30 years ago. But the process of finding an articling position is appreciably more complicated.

In Vancouver and many other Canadian cities, summer student positions (temporary articulated student positions during the summer after second year of law school) now effectively serve as the springboard to most articling positions with law firms; "summering"

with a firm following second year of law school almost always leads to an articling position after graduation.

The lengthy process of securing a summer student position with a Vancouver firm typically begins at a "wine and cheese" reception hosted by the law school in January or February, at which primarily-first year students dabble in the art of "small-but-not-idle" talk with law firm representatives.

A month or two after the initial wine and cheese reception, the law school coordinates "tours" for students at various law firms. These tours are intended to enable students to peek inside the offices of participating firms and to ask questions of firm recruiters and current articulated students.

Then, in early September, prospective summer students submit their applications for consideration by target firms. The firms select students for on-campus interviews, or "OCI's", which are held later in September at, or near, the law school. OCI's are typically conducted in a large meeting or ball room, with individual booths fashioned from scaffolding and sheets (imagine a Home & Garden Show, but with fewer Ginsu knife demonstrations and more young people wandering around in suits). Each interview lasts about 20 minutes, and at the end of the OCI day there is usually another wine and cheese reception.

“Statistics show that nearly all students who summer with a firm return to that firm for articles.”

Following OCI's, firms invite prospective summer students for more in-depth interviews to be conducted, at the firms, during a designated three-day period in October. Students invited to in-firm interviews may also be invited to follow-up lunches, to dinners, or (yes) to more wine and cheese receptions.

Finally, after three days of in-firm interviews, offers are made by the firms. The Vancouver summer student recruitment process, which begins with a wine

and cheese reception in January or February, concludes when offers are made about nine months later.

Statistics show that nearly all students who summer with a firm return to that firm for articles. While many firms hire all, or virtually all, of their articulated students by way of their summer programs, other firms choose not to hire summer students and instead opt to recruit students directly for articling. For those students who decide not to seek a summer position, there is a separate week in August designated by the Vancouver Bar Association for articling interviews.

The recruitment cycle can be daunting for students, even with guidance from those talented individuals in the law school's Law Careers Office, and notwithstanding the genuine efforts of firm representatives to relieve some of the pressure inevitable in the process.

It's a bit more complicated than sending out a few resumes and then sitting beside the telephone, with a cup of coffee and the newspaper, to await calls from potential employers. Ms. Streisand's lyrics spring (again, perhaps disturbingly) to mind:

Can it be that it was all so simple then?

In a word, "yes". **N**

Hello from the Law Careers Office

—BY HEATHER WILTSE, LAW CAREERS OFFICER



PERSONAL ARCHIVE

As the new Legal Careers Officer at UVic, I am enjoying my return to legal academia and being immersed in the buzz and activities of students. After practicing as a lawyer for the past six years, I hope to provide insightful guidance to students about various legal careers and the challenges that they may face in navigating and planning their careers.

In the spring of 2014, for the first time British Columbia will see graduates from three provincial law schools, rather than two, competing for articling positions. Though the number of graduates will be increasing, the demand for articulated students and lawyers in the private and public sector has not increased to meet this supply. Not surprisingly I am seeing many students who have not yet secured articling positions and are worried about their future job prospects. With student loan debt often in the six figures, they have to

re-evaluate their initial career aspirations and consider a wider range of options.

For instance, many students focus on obtaining articling positions with large national firms. However, these positions are very competitive. Most applicants will not secure one, and they must develop other plans. Other students' first choice is articles with government departments, but with cuts to government funding, these positions are less available than in previous years.

In such times, my challenge is to motivate and inform students of the many other possible legal employment opportunities available to them. From smaller firms, and firms in smaller communities, to policy analysis and in-house counsel positions, I encourage students to broaden their views on possible articling positions and on their longer-term career paths.

Many positions in smaller firms and rural communities are not posted on job boards, which requires students to research and contact firms directly to see if there is interest in hiring an articulated student. This task is often daunting for students, especially those with no prior experience in marketing themselves or who lack confidence in their ability to secure employment.

One of my goals is to connect students with UVic alumni who have established their legal careers in smaller firms and more remote communities. Information provided by alumni about their experiences and paths can provide current students with valuable advice and new ideas about possible career avenues.

Therefore, I encourage UVic law alumni to become involved with UVic law students. You can act as mentors, present at lunch time information sessions, invite students out for coffee, and welcome them into your firms as summer and articling students. You can shape the careers of many current students, benefitting them, your own career and the community! Please contact me by e-mail (lco@uvic.ca) or by telephone (250.472.4719) **N**

Alumni Relations: Reconnecting

ERIN HALLETT
Alumni Relations Officer



Erin Hallett, Alumni Relations Officer.

✉ lawalum@uvic.ca
☎ Direct Line: 250.853.3518
🌐 [Linkedin.com/pub/erin-hallett/20/39b/b4](https://www.linkedin.com/pub/erin-hallett/20/39b/b4)

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In this issue, we profile Dean Donna Greschner's term as Dean, which ends on June 30. Among her many accomplishments, Dean Greschner made it a priority to enhance connections with alumni and create a stronger alumni culture at the law school. It is an important legacy and one that will continue to grow and benefit the law school.

One of Donna's alumni initiatives was creating my position. I joined the Faculty two years ago with the general goal of encouraging you to stay connected with your alma mater. In two short years, I have seen your connection to UVic Law strengthen in many ways: you increasingly support the Law Co-op and Law Careers offices; you provide more financial support to our many scholarships, bursaries and clinical programs; you volunteer more of your time at the law school; and you continue to raise awareness of the law school and its graduates across Canada and around the world. On behalf of current and future students, thank you.

I am especially excited to see more alumni reconnecting with each other, both on-line at our LinkedIn site and at reunions. A reunion is a golden opportunity to see your former classmates. For this issue, I interviewed Rob Lapper ('81), now CEO of The Law Society of Upper Canada, about the proposed changes to articles in Ontario. Rob described his former classmates as lifelong friends and mentioned how much he enjoyed attending his 30-year class reunion. When I meet with alumni, our conversation almost always turns to the lasting friendships amongst classmates that still hold meaning for alumni today. Attending or

planning your reunion is the perfect way to recognize and remember those relationships and experiences.

This year, four classes will commemorate their law school graduations. The Class of 1983, organized by Jeremy Carr, had a 30 year reunion at the law school on May 10 and 11. The Class of 1998, organized by Roger Watts, will get together for a dinner in Vancouver on July 27 to toast the 15th anniversary of its graduation. In September, both the Class of 1988 (25 year), organized by Michael Doherty, and the Class of 1993 (20 year), organized by Jenifer Crawford, Doug Jasin-ski and Marni MacLeod, will celebrate with separate events. Please contact me if you would like information about any of these upcoming reunions. 📧

Reunions

Class of 1983

30 Year Reunion

Organized by Jeremy Carr ('83)
Friday, May 10: Reception at the law school
Saturday, May 11: Dinner at the University Club

Class of 1988

25 Year Reunion

Organized by Michael Doherty ('88)
September 20–22, 2013
Friday, September 20:
Reception at the law school
Saturday, September 21:
Dinner at Oak Bay Beach Hotel

A special corporate rate will also be available for guests to stay at the Oak Bay Hotel — details to come.

Class of 1998

15 Year Reunion

Organized by Roger Watts ('98)
Saturday, July 27, 5:30pm:
Joe Fortes Seafood & Chop House,
777 Thurlow Street, Vancouver

Class of 1993

20 Year Reunion

Organized by Jenifer Crawford ('93), Doug Jasinski ('93) and Marni MacLeod ('93).
Saturday, September 28, Vancouver
(location TBD) ☒

Save the Date – Annual UVic Law Alumni BBQ in Vancouver, Saturday, August 10

Join fellow alumni, current students and incoming students to celebrate UVic Law at our annual summer BBQ in Vancouver.

We have reserved a picnic spot at Locarno Beach and this year's event will be catered by A Catered Affair. The cost to attend is \$20 per person and includes salads, your choice of beef burger, veggie burger, Wild BC salmon burger or chicken burger, drinks, fruit and dessert.

Watch your inbox for an e-mail invitation in July! If you have any questions about the BBQ, please contact David Namkung ('10) at dnamkung@thecounselnetwork.com

For more information on any of the 2013 reunions, or to help with planning your future reunion, contact Erin Hallett, Alumni Relations Officer, lawalum@uvic.ca or 250.853.3518 ☒

2014 Reunion Years

1979 – 35 year
1984 – 30 year
1989 – 25 year
1994 – 20 year
1999 – 15 year
2004 – 10 year

2015 Reunion Years

1980 – 35 year
1985 – 30 year
1990 – 25 year
1995 – 20 year
2000 – 15 year
2005 – 10 year



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Team Change: Sports, Media and Entertainment Law with Marshall Pawar ('03) and Peter Gall, QC

—BY JOHN LEE

When Peter Gall pioneered the first Sports, Media and Entertainment Law course at UVic, students raced the length of several football fields to sign-up. But as they soon discovered, there's much more to the subject than watching games, debating plays or becoming a hotshot sports agent with a Jerry Maguire smile.

From contracts to labour law and from antitrust cases to intellectual property, the Law 343 class responds to an ever-changing scrimmage of complex legal issues.

But the syllabus isn't the only aspect of the program subject to transition. When Red Sox fan Gall looked for a new instructor to take over, he pitched to UVic alumnus Marshall Pawar ('03). The Vancouver Canucks supporter was more than ready to captain the class

Both now key players in the Sports Law practice at Heenan Blaikie LLP's Vancouver office, the tag-team sat down to discuss their popular but challenging program. |||▶

Q: How did the class come about?

PG: The students requested it. But the original instructor dropped out before the first day, so the Associate Dean of UVic Law called me at Stanford where I was teaching and asked if I would take over. The timing was difficult but eventually I agreed. My daughter — also a lawyer — thinks we’re just a bunch of sports buddies sitting around talking, but we cover many fascinating and complex areas of law.

Q: How did Marshall become involved?

PG: After a few years, I felt it was time for some new blood and he was absolutely the right person to take it on. My background was labour law and litigation while Marshall’s is business law, so he brings a new dimension. Plus, he’s smart and talented and the students can easily relate to him.

MP: I remember wishing for a course like this when I was at UVic. Fast-forward six or seven years and I was practicing in New York when I met Peter to talk about his work in the area of sports: next thing you know, I’m back in Vancouver. We taught together at first and then I took over this year. The only downside is I can’t watch a game now without seeing legal issues everywhere — whether it be among the players, the league or venue owners — right down to the logos on the popcorn bags!

Q: What does the class cover?

MP: We explore how numerous aspects of the law come into play in sports and entertainment. It can be a challenge given the breadth of possible topics, but we focus on the fundamentals and common themes. And we’re emphasizing that becoming a “sports lawyer” means developing a solid foundation of legal expertise in many areas — it’s not just about how well your on-line fantasy team is doing.

PG: There’s a real focus on the law relating to professional leagues, and this includes everything from collective bargaining to anti-trust issues. There really isn’t a more complex area — it’s much more challenging than non-sports fans like my daughter can imagine.

Q: Does the class only attract sports nuts?

MP: I don’t think so. It doesn’t matter how much TSN you watch, a deep and abiding interest in law is the key. Students sometimes come to the class with an idea of what they think sports law is, but it’s really more about “sports and the law.” Often there are pure “sports nuts” who will know infinitely more team stats than me, but it’s great to provide them with new perspectives and a deeper understanding — to me, that’s genuinely rewarding.

Q: Is the teaching method different for a class like this?

PG: The old lecture format is long gone from most law schools and classes are much more interactive now. In this course, they have readings every week — including breaking news articles — and they prepare reaction pieces for each class. Teaching has changed and students are much more engaged than they were 20 years ago.

MP: We try very hard to keep things experiential and topical — we love it when there’s something new to tackle. It’s important to be relevant and constantly adapt to the real world because the number of jobs for law graduates is down and students need to feel they’re getting their moneys-worth. That’s a big reason why we put so much into our speaker program: it brings legal issues in the sports and entertainment industries to life.

Q: Who are your speakers?

MP: We’ve had so many great guests over the years — from ex-professional athletes to music lawyers. People like Mike Gillis, Brian Burke and Chuck Armstrong, President of the Seattle Mariners (each who have legal backgrounds) have graciously participated, but I am hesitant to single out too many individuals since each speaker does such a great job of showing our students first-hand how the law interplays throughout the sports and entertainment industries. And I should add that we’re always happy to hear from potential new speakers who want to participate.

Q: What do you want students to gain from this class?

PG: They should be engaged and stretched by the course. But they should also enjoy it and be excited by it. The classes usually run for three hours without stopping because nobody wants a break! In the end, students should come out of the program thinking, “I may not ever be a sports lawyer but this has expanded me intellectually and the experience in the class has inspired me to strive for a fulfilling career in an area I enjoy.”

Alumni Vistas: News and Updates

The 1970's

Marilynn Borowicz ('78), retired from the Provincial Court after serving for twenty-four years. The Honourable Judge Borowicz was the first UVic Law graduate to be appointed to the Bench.

The 1980's

Douglas Thompson ('82), LL.M ('08), was appointed a Judge of the Supreme Court of British Columbia in December 2012, and will sit in Nanaimo. Mr. Justice Thompson was formerly a partner with the Victoria firm Hatter Thompson Shumka McDonald and has also lectured in civil procedure at the law school.



William Younie, QC ('83), was appointed Queen's counsel in December 2012. William is a partner with Ridgway and Company in Duncan and his practice focuses on creditor remedies, commercial lending, real estate and wills and estates. He is the current president of the Lawyers Assistance Program of British Columbia.



Herman Van Ommen, QC ('84), was appointed Queen's counsel in December 2012. Herman is the regional managing partner, British Columbia for McCarthy Tétrault LLP and practices out of its Vancouver office. His practice involves real estate, litigation, corporate litigation and professional discipline proceedings. In 2009, Herman was elected as a bencher of the Law Society of British Columbia.

The 1980's



Ronald Skolrood, QC ('86), was appointed Queen's counsel in December 2012. Ron is a partner and senior litigator with Lawson Lundell LLP in Vancouver and is a former sessional lecturer at the law school.

The 1990's



Barry Penner, QC ('92), visited Bangkok in January 2013 with his family and took time to stop by his former Law Co-op firm, Chandler & Thong-Ek. Barry visited with two current Law Co-op students, Zachary Lee ('14) and Bobbie Keigan ('14).



Dr. Russell Brown ('94), was appointed to the Alberta Court of the Queen's Bench, Edmonton in February 2013. Dr. Brown practiced law in British Columbia from 1995 to 2004, initially with Davis LLP and later with the Victoria law firm of Carfra & Lawton. He joined the University of Alberta's Faculty of Law in 2004 and acted at the Associate Dean (Graduate Studies) from 2011–2013. Dr. Brown was an Advisor to the Canadian Constitution Foundation and to the Justice Centre for Constitutional Freedoms.

The 1990's



Dean Crawford ('94), has become the Vice-President of the Canadian Bar Association. Dean is a partner in the Vancouver office of Heenan Blaikie LLP. His practice focuses on employment and labour law and he previously taught employment law at the law school. Dean was also the former political assistant to Canada's Minister of Justice and Minister of Health.



Michael Urbani ('96), joined Stikeman Elliott's Vancouver offices in January 2013 as a Corporate Securities partner. Michael appears in the 2013 *The Best Lawyers in Canada* for corporate and mergers and acquisitions law and in 2009, he was recognized as one of Canada's leading lawyers under 40 in *Lexpert's Rising Stars*.



Lynda Cassels ('98), established a new firm, Cassels Murray Family & Estates Law, with lawyer Christine Murray, in downtown Victoria. Cassels Murray provides litigation, mediation and collaborative law services in the areas of family law, wills and estates, and elder law. To contact Lynda, visit www.casselsmurray.com.

The 1990's



Laurie A. Goldbach ('98), joined Calgary's Deloitte Tax Law LLP offices in March as a partner. Her practice focuses on tax litigation, tax controversy and defending criminal tax prosecutions. Laurie has been recognized by Legal Media Group's Benchmark Canada as a future star in the area of litigation in Alberta 2012 and 2013.



Brock Martland ('99) and Joe Saulnier ('03), have created the law firm of Martland & Saulnier in Vancouver. The four-lawyer firm is a boutique firm focusing on criminal law and public inquiry work. To contact them, visit www.vancrimlaw.com.



Jason Roth ('99), received the Dean's Cup on April 9, 2013 for his unstinting support of UVic Law. Since his student days, during which he served as LSS president, Jason has been an ardent champion of the law school, especially amongst alumni based in Calgary.

The 2000's

Darren Williams ('00), an associate with the Victoria office of Merchant Law Group LLP, was elected the 2013 President of the Victoria Bar Association.

The 2000's



Misty Hillard ('01), has opened Fawn, a clothing store for babies and children, in November at 2225 Oak Bay Avenue. Misty also practices law, specializing in family law and personal injury, with the Victoria firm Hutchinson Oss-Cech Marlatt. She is currently on maternity leave after the birth of her second child.



Sunny Sodhi ('02), has been ranked as a Leader in Corporate/Mergers and Acquisitions in Chambers and Partners' *Chambers 2013 Global Guide* to the world's leading lawyers for business. Sunny is a partner in the Business Law section of Fasken Martineau's Toronto office.



Laurel Dietz ('09), recently returned to Victoria and joined Dogwood Law Corporation as an associate. Her practice includes criminal defence, civil forfeiture, family law and general civil litigation.

The 2010's



Eric Regehr ('10), an associate with the Victoria office of Hart Legal will be participating in the Ride to Conquer Cancer on June 15-16, 2013. To read more about Eric's journey, visit www.conquercancer.ca/site/

The 2010's

TR/Events/Vancouver2013?px=2643931&pg=personal&fr_id=1441.



Aimée Craft ('12), recently had her LLM thesis, *Breathing Life into the Stone Fort Treaty – An Anishinabe Understanding of Treaty One*, published by Purich Publishing Ltd. She practices with the Public Interest Law Centre in Winnipeg and has worked with many Indigenous peoples on land, resources, consultation, human rights and governance issues. Aimée is the Chair of the Canadian Bar Association's Aboriginal Law Section.



Heather Jensen ('13), completed her LLM in January 2013. Her thesis is titled, *Unionization of Agricultural Workers in British Columbia*. Heather is a lawyer with the Saskatoon firm Plaxton & Company, where she represents clients on a variety of legal issues related to employment.



Carwyn Jones ('13), completed his PhD dissertation in March 2013. His dissertation is titled, *The Treaty of Waitangi Settlement Process in Māori Legal History*. Carwyn is a Lecturer at Te Whare Wānanga o te Ūpoko o te Ika a Māui, Faculty of Law, Victoria University of Wellington. He is the Co-Editor of the *Māori Law Review*. ■

In Memoriam

John Townley ('86)

(August 5, 1956 – October 29, 2012). John was a partner in the litigation group at Bennett Jones, Calgary. John had a special spot for UVic: he met his wife of 27 years, Cyndra, on their flight to Victoria when they were first coming from Calgary to attend UVic. He was active in recruiting UVic students to Bennett Jones. Earlier this year, Cyndra visited the law school and donated John's barrister's robes to the mooting program. In addition to Cyndra, he leaves behind their three children, Macmillan, Stuart and Madeleine, as well as extended family and friends.

Rehana Anverali Meghani ('11)

(December 8, 1981 – February 24, 2013). Rehana passed away in Vancouver at the young age of 31. Rehana was interested in the areas of international human rights law, social justice, and civil litigation. She leaves her family with fond memories and will be dearly missed by her family and friends. The Meghani family is establishing a memorial scholarship at the law school to honour her life. If you would like to contribute to her scholarship fund, contact Amanda Taylor, Development Office by telephone, 250.472.5627, or by e-mail lawdev@uvic.ca. Donations can also be made online at <https://extrweb.uvic.ca/page.aspx?pid=467> ■

Thanks from the Development Office



AMANDA TAYLOR
Development Officer

On behalf of everyone at UVic Law, I wish to thank all of our alumni, donors and friends who have contributed to the law school. Your support ensures that UVic Law continues its tradition of excellence. Because of you, new entrance awards and bursaries have recently been created.

The Bull Housser Entrance Scholarship

Bull Housser LLP has established a new annual entrance scholarship in the Faculty of Law. The Bull Housser Entrance Scholarship is a \$15,000 annual award for an incoming JD student who has demonstrated academic excellence and has also shown a strong alignment with the firm's values and commitments.

The Ron and Melissa Wigham Gift Matching Campaign

Last year Ron Wigham ('81) and his wife Melissa gave the law school over \$100,000 as matching money for new endowed entrance scholarships. Their gift inspired alumni and friends to give generously and their gift has now been fully matched with the creation of eight new entrance scholarships. Ron and Melissa's gift is transformational: at least 7% of incoming students will benefit directly from the new entrance awards.

Since our last issue, four new endowed entrance scholarships were established as a result of their matching gift.

Crabtree Family Entrance Scholarship

Established by Chief Judge Thomas Crabtree ('83) the Crabtree Family Entrance Scholarship recognizes the many personal connections of the Crabtree family with UVic Law. Over three decades, five family members have studied law at UVic: Tom ('83), son Andrew ('08), daughter-in-law Leah Plumridge ('10), daughter Katelyn ('13) and sister Jean Crabtree ('82). The scholarship will support Canadian Indigenous students who are pursuing their legal education.

Class of '81 Entrance Scholarship in Honour of Anne Fraser

Anne Fraser, the wife of founding Dean Murray Fraser (1937–1997), was a stalwart friend and mentor to law students during the early days of the law school. As a tribute to her innumerable contributions, the Class of 1981, led by Greg Nash, established this scholarship in her name.

Donna Greschner Entrance Scholarship

Created by Donna's spouse, Alan McHughen, and her friends, this scholarship is a tribute to Donna's term as Dean (2008–2013). Among the many contributions Donna made to the law school, her friends noted especially her commitment to enhancing connections with alumni and her success in fund-raising for student awards, bursaries, and innovative projects. The scholarship will give preference to students with undergraduate degrees in science. ■■■▶

McCarthy Tétrault LLP Alumni Entrance Scholarship

Led by John Currie ('95), a partner in McCarthy Tétrault's Toronto office, UVic Law alumni from McCarthy's regional offices came together to establish this entrance scholarship. It is another testament to UVic's unique culture of community.


UVic Law also received strong support for its bursary program, with donations exceeding \$300,000 this past year. These funds ensure talented students have the opportunity to pursue their studies in spite of difficult economic circumstances. The Denise Heap Bursary was recently created to assist these students.

The Denise Heap Bursary

Established by R.C. (Tino) Di Bella ('79), and family, this bursary honours the late Denise Heap (1953–2011) and the many contributions she made to UVic

Law. Denise ('79) spent countless hours teaching students about innumerable aspects of legal practice, working for many years at the Law Centre where she supervised and mentored more than a thousand students. Denise will be forever remembered through this endowed gift. In February 2013, the University of Victoria recognized Tino and Denise as two of fifty "Alumni Who Made a Difference" at a special 50th Anniversary event. We are grateful for the friendship and support Tino and Denise have provided UVic Law over the years.

As donors, you are partners in our commitment to provide current and future students a legal education of the highest quality. Philanthropic support is essential to ensuring the success of our programs. I welcome conversations with you about how you can make a difference at UVic Law. Whether you choose to donate online or by mail, all gifts are tax deductible. Thank you for considering UVic Law among your charities of choice!

For more information about making a gift or to discuss fundraising initiatives, please contact Amanda Taylor, Development Officer, by e-mail, lawdev@uvic.ca, or by telephone, 250.472.5627. 

L-R:
Carmen Charette, Vice-President, External Relations, University of Victoria
Peter Tanner, President, UVic Alumni Association
R.C. (Tino) Di Bella ('79)

Tino was honoured at the University of Victoria's 50 Alumni Who Made a Difference Event on February 7, 2013.

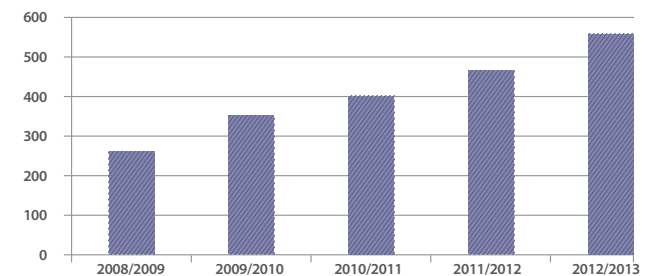


PHOTO: PERSONAL ARCHIVE

Celebrating UVic's 50th Anniversary at the President's Circle Dinner at Government House.

L-R: **Wayne Robertson, QC**, Executive Director, Law Foundation of BC, **Amanda Taylor**, Development Officer, **Anne Fraser**, **Dean Donna Greschner**

Total Number of Gifts



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Faculty News

Professor Neil Campbell ('79), the Law Librarian, has received the 2012 Canadian Law Library Feature Article Award for his article, "Legal Research and the Exclusionary Rule".

Former Dean of Law and Vice-President Academic and Provost, Professor Jamie Cassels, QC, has been appointed the University of Victoria's president for a five-year term effective July 1, 2013. Jamie is a legal scholar of international stature, a nationally-recognized master teacher and scholar, and a talented university administrator noted for his outstanding leadership and vision. Good luck, Jamie! The law school will miss you but everyone looks forward to having you at the presidential helm.

Professor Deborah Curran, Hakai Professor in Environmental Law and Sustainability ('96), has been awarded a six-month Fellowship from the Centre for Global Studies to pursue her research in water law. This past term, she led the 2013 Environmental Law Moot Team to a third place finish at the 2013 Canadian Environmental Law Moot Court Competition. The team also took home the D. Paul Edmond Award for best respondent factum.



Professor Judy Fudge is the Leverhulme Visiting Professor at the University of Kent: http://www.kent.ac.uk/law/research/Visitors/Fudge_Judy.html

Professor Glenn Gallins, QC, was awarded the Terry J. Wuester Teaching Award for excellence in teaching, for the fourth time in his distinguished career.

Jane Henderson ('78), QC, a partner at the Victoria firm Brown Henderson Melbye, will be joining the Faculty on July 1, 2013, to serve for one year as the Family Law Practitioner in Residence. Thanks to the Law Foundation of British Columbia for its support of this innovative endeavour.

Professor Robert (Bob) Howell has been reappointed for a second five-year term to the Board of Directors, British Columbia Law Institute.

Professor Ted McDorman returns to the Faculty in July 2013, after a two-year secondment in Ottawa with the federal Department of Foreign Affairs and International Trade. Welcome back!



Professor Andrew Newcombe is a Legal Research Fellow for the Centre for International Sustainable Development Law in Montreal: <http://cisdl.org/trade-investment-competition/the-team/prof-andrew-newcombe.html>



Professor Martha O'Brien ('84), coached the only all-female team of advocates to the semi-finals on the Respondents' side at the Bowman National Tax Moot in March 2013. Further coaching was provided by alumni Andre Rachert ('94), Craig

Young ('06) and Ryan Green ('08) of Victoria's Dwyer Tax Lawyers, Michelle Moriartey ('06) of Vancouver's Legacy Tax and Trust Lawyers, and Mary Bartle ('12) and Drew Gilmour ('11) Vancouver's Blakes'

office. Mary and Drew were members of the inaugural 2011 team. A huge thank you to Blakes Vancouver for their generous support of the team.

Professor Andrew Pirie coached the UVic Law Mediation Advocacy Team to a strong finish at the March 2013 International Competition for Mediation Advocacy. The team finished as the second top Canadian team and seventh place overall.

Professor Judith Sayers, National Aboriginal Economic Development Chair, and Michael Jakeman ('05), Cultural Support Coordinator, coached the UVic Law team to a successful showing at the Kawaskimhon Moot in March 2013. The team acted as counsel for the Assembly of First Nations and were asked to consider a broad legislative proposal that would convert reserve lands to fee simple in Canada.




Professor Chris Tollefson ('85), recently received the Queen's Diamond Jubilee Medal in recognition of his service to the community including scholarly writing, work on access to justice issues and his leadership and dedication to the UVic Environmental Law Centre.

Professor Mary Anne Waldron, QC, has just published *Free To Believe: Rethinking Freedom of Conscience and Religion in Canada*, with the University of Toronto Press. Professor Waldron was a fellow with the University's Centre for Studies in Religion and Society during her study and administrative leave, after finishing eight years of service as Associate Vice-President Legal Affairs in January, 2009

Managing Intellectual Property – A New Experiential Dimension

Third year student, Katrina Andres (2013), won the 2013 National Environmental Energy and Resources Law Summit (NEERLS) David Estrin Prize for her essay entitled “Professional Reliance in the Great Bear Rainforest: A case study.” Her essay was originally written as part of the faculty’s Field Course in Environmental Law and Sustainability at the Hakai Beach Institute on British Columbia’s Central Coast instructed by **Professor Deborah Curran (’96)**, Hakai Professor in Environmental Law and Sustainability. This course, and Katrina’s winning essay, would not be possible without the generous support of the Tula Foundation and the Hakai Beach Institute.



Neela Paige, Admissions Office, retired in February 2013 after working for 23 years in the Admissions Office. With a welcoming smile, she provided the first point of contact for applicants and incoming students. We wish Neela all the best in her retirement! 




ROBERT HOWELL
UVic Law Professor

In Spring Term 2013, Professor Bob Howell, one of Canada’s leading experts in Intellectual Property, offered a new “experiential” (learning by doing) course entitled Managing Intellectual Property. It focussed on the dynamics of managing and marketing intellectual property rights (IPRs), and included instruction on the relational dimensions of IPRs with both competition law and conflict of laws, features that are prominent in today’s global environment.

The entertainment industry, which is permeated by IPR issues, received special attention, with students engaging in simulations of negotiations with various stakeholders across the broad spectrum of the entertainment business.

The fortunate students in this course had the benefit of learning from experienced practitioners who volunteered to assist Professor Howell. Students were taught about trademark application and opposition process from Tim Lo, a partner with Smart & Biggar in Vancouver. Another Smart & Biggar partner, Ted Sum, instructed them on technology transfer agreements and the rights and liabilities of stakeholders in licensing and assignments of IPRs. For the entertainment law components, the students received instruction from two prominent Vancouver entertainment lawyers: Brad Danks (’91), Chief Operating Officer, OUTtv (Vancouver); and Jeff Young, Associate Counsel, Altman & Company.

The Faculty is extremely grateful to these lawyers for sharing their time and expertise. Thank you! Smart and Biggar has been a long-standing supporter of the Faculty’s IP program, and was instrumental in the highly-successful International Intellectual Property program that Professor Howell organized and ran from 2002-2007 in conjunction with the St. Peter’s College, University of Oxford.

Professor Howell plans to offer Managing Intellectual Property every second year, alternating with the law school’s participation in the Harold G. Fox Intellectual Property Moot, Canada’s national IP moot competition. With this schedule, students will have the opportunity of experiencing both options over their three years. Lucky students! 

The Long View: Gold Medalists

For more than 30 years, The BC Law Society has been awarding gold medals to the top legal students in the province. This means that over 30 students from the UVic Faculty of Law have had the honor of being distinguished as gold medalists. When you consider that the medal is only awarded to two legal students each year — the students with the highest cumulative grade point average from UBC and UVic — it's difficult not to admire the achievements of these individuals.

Based on the difficulty and pure academic rigor that is required to obtain this particular award, it is easy to assume that the UVic Law gold medalists would all fit a specific mould. What struck us as interesting, when we looked back at past gold medalists, is that this couldn't be further from the truth. In many cases, the only thing that the gold medalists seemed to have in common was the gold medal itself.

UVic Law gold medalists have gone on to work as senior partners at some of the most respected law firms in the country, entered into government service, managed businesses, thrived in academia, and taken part in a slew of other professional activities. Further, the gold medalists derive from a multiplicity of hometowns and backgrounds. In short, no two Faculty of Law gold medalists' seem to be alike.

For example, pictured to the right are two individuals who perfectly represent the distinctive nature of gold medalists: current UVic Law Professor Martha O'Brien ('84) and Allan Seckel ('83), the current CEO of the BC Medical Association. ■



Allan Seckel ('83):

When I first thought of attending law school, my goal was to become a professor. Then I chose UVic and found myself exposed to the idea that a law degree could lead to anything. That theme was present from my first Legal Process class. It was a theme I often heard repeated by many of the faculty at the time. UVic exposed me to many interesting things that a legal education could lead to, but paradoxically it sold me on the idea of becoming a litigation lawyer. I was lucky enough to be awarded a summer student position (that is how it was done then) at a law firm that later became my professional home for years. But the message wasn't lost, and when I was recruited to be BC's Deputy Attorney General, the lesson finally was put into action. It was perhaps only finally learned when I accepted my current position as the CEO of the BC Medical Association, after being the Cabinet Secretary and Deputy Minister to Premier Gordon Campbell. A legal education has helped me at every stop on my career path, and I encourage everyone to think of it as a great base for any career.



Martha O'Brien ('84):

I was at UVic for both my undergraduate studies in French language and literature, and my LLB I know that one of the reasons I was selected to be a law clerk in Ottawa was having French (as well as just being a UVic grad, since Justice McIntyre liked to hire from the school he helped to found). The clerking led to almost fifteen years in practice in Vancouver, in civil litigation and tax specialties. I was able to combine my two interests, language and law, when I did my LLM in Brussels in EU law, where the courses were in French. Now as an academic I have combined my interest in Canadian and international tax with my EU law background, and teach and research in those areas. Particularly when I am doing EU tax research, my French still comes in handy. I had the chance to teach an intensive course (in English) in federal tax systems at the Sorbonne in Paris this year, which seemed like something I had been dreaming of since I studied French literature at UVic and in France in the 1970s!

UVic Law Gold Medalists:

Lauren Witten ('11) receiving the 2011 Gold Medal from Dean Greschner



1970s

1978 – Emil Chapelski

Sole Practitioner, Drumheller

1979 – Charles Willms

Partner at Fasken Martineau, Vancouver

1980s

1980 – Vick Farley, QC

Senior Legal Counsel,
Legal Services Branch, Victoria

1981 – Andrew Petter

President and Vice-Chancellor, SFU

1982 – Ian Restall

Restall and Restall, and Sessional Instructor at
University of Winnipeg

1983 – Allan Seckel

CEO of the British Columbia Medical Association,
Vancouver

1984 – Martha O'Brien

Professor at UVic Law

1985 – Kieran Bridge

Partner at The Construction Law Group, Vancouver

1986 – Judith Atkins

Partner at Hillyer Atkins, Victoria

1987 – Frank Falzon, QC

Frank Falzon Law Corporation, Victoria

1988 – Patrick O'Rourke

Retired, former Chief Gold Commissioner for BC

1989 – Nicola Marotz

Executive Director, Governance and Structure
Branch, BC Government, Victoria

1990s

1990 – Melina Demakeas

ICBC, New Westminster

1991 – Donna Jordan

Senior Counsel, Aboriginal Law Advisory Services
Justice Canada, Vancouver

1992 – James Fraser

Partner at Lawson Lundell LLP, Vancouver

1993 – Marli Rusen

Owner, Management Matters, Victoria

1994 – Catherine Parker

Partner at Underhill, Boies, Parker, Victoria

1995 – Janine Watson

Associate General Counsel, Power Law at
TransCanada, Calgary

1996 – Dr. Roshan Danesh

Associate Contractor, Mandell Pinder LLP,
Vancouver

1997 – Denise Oliver

Counsel (Tax Services), Justice Canada, Ottawa

1998 – Robert Deane

Partner at Borden Ladner Gervais, Vancouver

1999 – Craig Ash

Partner at Oyen, Wiggs, Green & Mutala LLP,
Vancouver

2000s

2000 – James Nelson*

2001 – Talha Syed

Assistant Professor of Law, Berkeley Law, University
of California

2002 – Benjamin Berger

Associate Professor of Law,
Osgoode Hall Law School, Toronto

2003 – Benjamin Blackmore

Blackmore & Blackmore Law Office,
Grand Falls-Windsor, Newfoundland

2004 – Paul Brackstone

Shareholder, Owen Bird, Vancouver

2005 – Paula Ramsay

Hordo Bennett Mounteer LLP, Vancouver

2006 – Jennifer Marles

Oyens Wiggs Green & Mutala LLP, Vancouver

2007 – Christine Joseph

Hunter Litigation Chambers, Vancouver

2008 – Meagan Lang

Associate, Davis LLP, Whitehorse

2009 – Diana Backhouse*

2010s

2010 – Christina Drake

Legal Counsel, Government of British Columbia,
Victoria

2011 – Lauren Witten

Prosecutor, Criminal Justice Branch,
Ministry of the Attorney General, Vancouver

2012 – Mila Shah

Clerk for Chief Justice Beverly McLachlin, Supreme
Court of Canada, Ottawa

*Current information unavailable at time of distribution.

UVic Law Goes Graphic

On May 6, 2013, Professor Val Napoleon ('01), PhD ('09), Law Foundation Professor of Aboriginal Justice and Governance, and Hadley Friedland ('08) launched the world's first graphic novel on Indigenous Laws. Entitled *Cree Law: Mikomosis and Wetiko*, it sends a group of Indigenous lawyers back in time to apply Cree law to a 19th century Alberta trial involving a Cree man. The launch party was attended by the illustrative team, including renowned comic artist Ken Steacy and TV screenwriter Jim Henshaw.

If you would like more information about this project you are welcome to contact:

Renée McBeth

Demcon Coordinator

Faculty of Law, University of Victoria

Rm 216a, Fraser Building

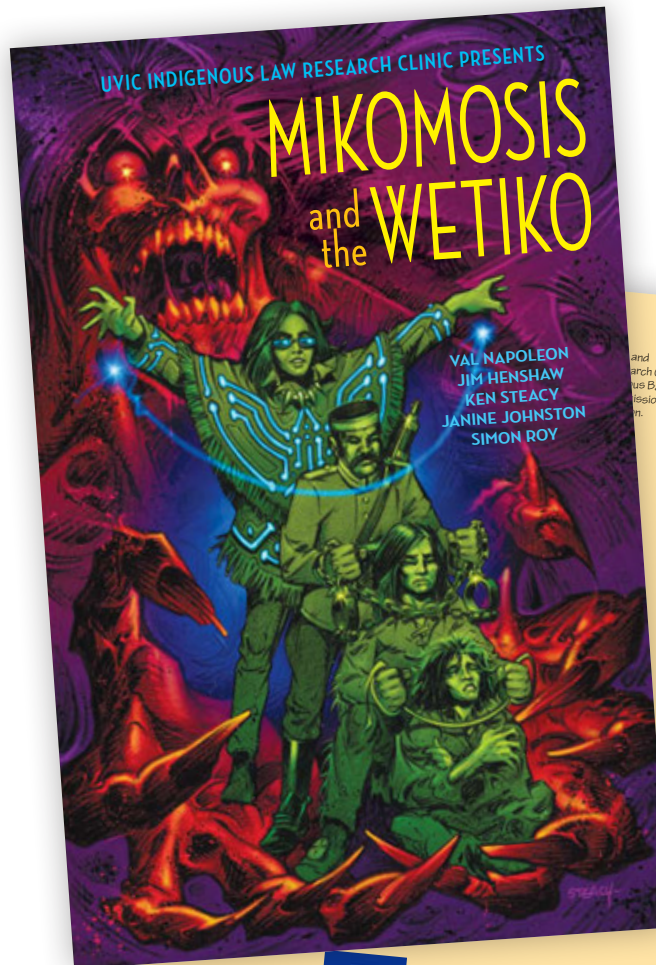
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F: (250) 721-8146

Website: <http://law.uvic.ca/demcon/>



VAL NAPOLEON
JIM HENSHAW
KEN STEACY
JANINE JOHNSTON
SIMON ROY



VAL NAPOLEON, LL.B, PhD (LAW)

I am the Law Foundation Professor of Aboriginal Justice and Governance at the Faculty of Law, University of Victoria in 2012. I am a member of Saik'izuu First Nation (north east British Columbia, Treaty 8) and an adopted member of the Ojibway (Gitksan) House of Lushoot, Ganada (Frog) Clan. My current research focuses on Indigenous legal traditions, Indigenous feminism, citizenship, self-determination, and governance. Several of my major initiatives include the proposed JID (Joint JD and Indigenous Law Degree) program, Indigenous Law Research Clinic, and several national and international research projects relating to Indigenous law.



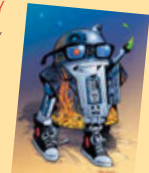
JIM HENSHAW



Jim Henshaw has written and produced more than 250 hours of prime time series including "Friday the 13th", "War of the Worlds", "Top Cops", and produced series pilots for all four major US networks and several movies of the week, including the Harlequin Romance films, "The Lost World" and "Escape from Mars".

KEN STEACY

Ken decided at age eleven to become a professional comic book writer/artist, a dream he realized in 1974. Since then, he has worked in the industry as author, artist, art director, editor, and publisher, chronicling the exploits of Spider-Man, Harry Potter, and the Star Wars gang, to name but a few. The recipient of an Eisner and an Inkpot award, Ken was inducted into the Joe Shuster Awards Hall of Fame in 2009, a lifetime achievement award honouring Canadian comic book creators for their contributions to the industry. He currently teaches in the Comics & Graphic Novels program at Camosun College in Victoria.



www.kensteacy.blogspot.com

SIMON ROY



Simon is a cartoonist and illustrator from Victoria, BC. He burst onto the comics scene in 2009 with his first book, *Jarvis Atomic Heats* that left reviewers wondering if he was a new talent or a classic creator from Europe. Every review cited the resemblance of his work to the artists of Heavy Metal Magazine, where he has also been published. He is currently co-writing and illustrating *Image Comics' Prophet* series.

<http://www.robot-blood.blogspot.com>

JANINE JOHNSTON

Janine was born in Victoria, BC. She does art for a living and has always lived within a couple of miles of the ocean. Over the years she has done work for Dark Horse's *Tales of the Jedi*, *ElQuest*, G.T. Labs and numerous gaming projects including *Magic the Gathering*.

Her work can be seen at Janine Johnston Art & Illustration on facebook.



Dean's Cup



The Dean's Cup recognizes alumni or friends of UVic Law who have shown outstanding service and support to the law school and its students. First presented in 1989, the Cup is a symbol of dedication and leadership that celebrates that UVic Law difference.

On April 9, 2013, Jason Roth ('99) received the Dean's Cup for his unstinting support of UVic Law. Since his student days, during which he served as LSS president, Jason has been an ardent champion of the law school, especially amongst alumni based in Calgary.

L-R:

Cody Olson ('12), Student-at-Law, Bennett Jones LLP

Nolan Hindmarsh ('99), Counsel AltaLink Management

Kelsey Drozdowski ('02), Partner, Bennett Jones LLP

Jason Roth ('99), Dean's Cup Recipient and Partner at Bennett Jones, LLP

Dean Donna Greschner

Deirdre Sheehan ('01), Partner, Bennett Jones LLP

Share your Vistas

Vistas is always interested in receiving story ideas from UVic Law alumni. Although we are unable to guarantee the inclusion of materials that are sent to us, we are deeply interested in shining a spotlight on the stories that you, the alumni, care about.

If you know of a UVic Law graduate who could be profiled or have other interesting story ideas or materials worth highlighting, please feel free to contact us at lawalum@uvic.ca.

Errors? Omissions?

If you spot something incorrect in Vistas please accept our apologies. If you send the corrected information to lawalum@uvic.ca we will happily publish the correction in the next issue of Vistas due out in Fall 2013.



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