

uvicLaw | News

SPRING 2004

Bill Neilson,
Looking back
over 27 years.

University
of Victoria



Faculty
of Law

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UNIVERSITY OF VICTORIA LAW NEWS

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After 27 years of service to the Faculty of Law at the University of Victoria, Professor Bill Neilson bids adieu.



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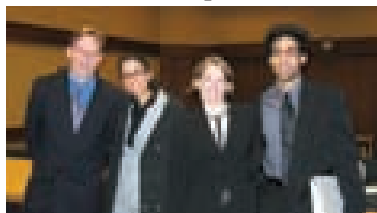
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UVicLaw News

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From the Editor

Having recently moved to Victoria from Ontario, and joined UVic Law, as Development & External Relations Officer, it has been a privilege to be able to create and edit this edition of the Law News. It has been especially exciting as Dean Petter allowed me the freedom to create a new “look and feel” for this publication.

Producing this magazine over my very short tenure has been a great adventure. The many months of

rewarding. The excitement and victory of our moot teams has offered a glimpse of the success and effort that goes into competitive mooting. Getting to know members of the UVic Law Alumni Association steering committee and class representatives has provided me with the opportunity to meet the greatest ambassadors for UVic Law. The tribute to Frank Calder recently hosted by the Faculty was a resounding success. Lloy Wylie’s

“By far, the greatest reward has been my introduction to faculty, staff, alumni and friends who all contribute to the essence of UVic Law.”

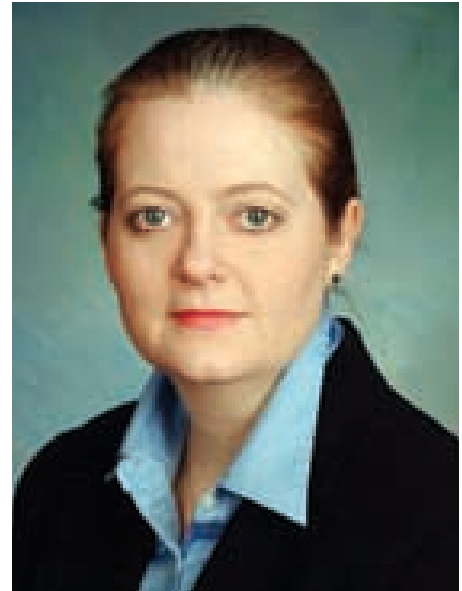
preparing a communications audit; working through production timelines; assessing design templates; pouring over old versions of Law News; and talking to anyone who would listen to me were well spent. But all pale in comparison to the experience of compiling the magazine. No amount of advanced research prepared me for the final creation which surpassed all expectations.

The primary goal in creating this publication was to showcase UVic Law and the many people that make it such a wonderful place. Being able to meet and in some instances vicariously capture the many accomplishments of our constituents has been most

account and photos of the event are testament to its impact. By far, the greatest reward has been my introduction to faculty, staff, alumni and friends who all make up the essence of UVic Law.

Facilitating our tributes to Professor Bill Neilson a.k.a. “Wild Bill”, and Freda Hansen (Kardish), who both retire this year, has been an honor and a privilege. While capturing the full ambit of their contributions to UVic Law is impossible, hopefully we have been able to capture some part of the mark they leave on the school and its community.

Certainly, Law News has taken on a new format and design, but hopefully it fills you with a sense of familiarity and

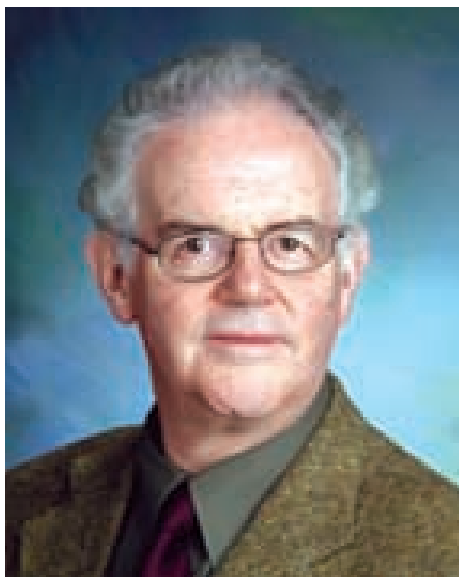


inspiration and exudes the warmth of UVic Law that is renowned and has been very evident in welcoming me. Take a moment to be a tourist and walk through these pages with us. Your comments are encouraged and we welcome your contributions to the next issue of Law News, scheduled for the late fall.

Lastly, my sincere thanks to the UVic Graphics Department team, everyone who contributed, wrote, edited, designed, formatted a million times, and took the photographs for this issue. Your efforts in creating this inaugural publication are greatly appreciated. This issue is dedicated to you all - “jointly and severally”. We could not have done it without you!

Regards,

Anne Pappas



A new look and an old Dean! Sitting in the Dean's chair for six months has a definite feel of déjà vu to it. Having been a Dean in a past life I had some sense of what to expect in the way of workload and a faster pace of life. Perhaps what has surprised me is the greater complexity of life and learning in the academy compared with twenty years ago. The consolation is that a significant part of that complexity is the result of the creative urges and special programs for which this still relatively small school is famous.

This is a year which is at least as challenging and lively as its immediate predecessors. In January we received the final approval for our graduate program, and will be accepting both LL.M. and Ph.D. students this Fall. The program organized under the general theme of Law and Society has five areas of concentration: Environmental Law and Policy; Aboriginal Justice; Legal History; Legal Theory; and Public Law.

The second Victoria cycle of the International Intellectual Property Summer Program under the indefatigable Bob Howell runs this summer, with the symposium set for the Wosk Centre in Vancouver, July 16-17. Through the ongoing efforts of both Glenn Gallins and Andrew Petter

funding for the Law Centre seems assured for another couple of years at least. In Iqaluit, our other campus, the twelve students in the program have passed the halfway point in their degree program. They recently had the dream trip to and sojourn in Ottawa where they met the justices of the Supreme Court of Canada and took tea at Rideau Hall.

This has been the year for hiring new faculty. Andrew Harding, an internationally renowned scholar of Southeast Asian legal systems, will be joining us in July, taking over the Chair of Asia Pacific Law. Ben Berger, a graduate of the Law School, clerk to the Chief Justice of Canada and currently a graduate student at Yale University and Gillian Calder, a UBC graduate with an

career, especially at UVic. We wish him all the very best in his no doubt intensely active retirement.

There have been several comings and going among our administrative staff in recent months. Nancy Pye is now Assistant University Secretary. We miss Nancy's infectious smile and contributions to our career development program. She has been replaced by Jennifer Moroskat who has similar experience at the University of Alberta Law School. Liz Wheaton who has worked energetically for the Environmental Law and Policy program has joined us as Secretary to both the graduate program and our development office. In the latter we now have the lively and highly capable, Anne Pappas, until

"Perhaps what has surprised me is the greater complexity of life and learning in the academy compared with twenty years ago."

LL.M. from Osgoode Hall, practice experience on the West Coast and teaching experience at the University of New Brunswick are also taking up positions in July. Finally, Maxine Matilpi of the Kwakwilt Nation, a graduate of the school, who practiced in Victoria and who more recently has been Chief Treaty Negotiator for her nation and an instructor at Malaspina College joined the faculty in March.

Bill Neilson who has served the School and the University so well in so many guises and who has reached out so successfully to the international community, especially in Asia, is retiring this summer. I have no doubt that he will continue to be an important presence in this place. It is fitting that this issue of the Law News is dedicated to him and his

recently in a similar position at the University of Windsor Law School. One of Anne's priorities has been to work with Mark Underhill and others on an alumni development campaign. Finally our cheery presence at reception, Becki Edwards, has moved on to new pastures in Calgary.

I trust that you will enjoy the new format and detail of Law News. We are always interested in hearing from alumni both about their news and their impressions of what they read "between these covers".

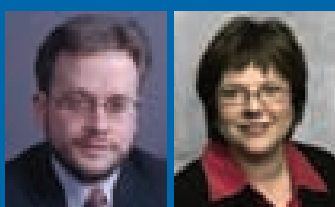
Regards,

John McLaren

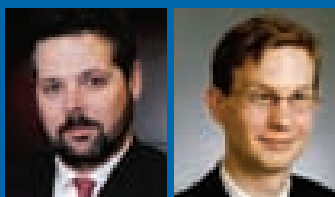
John McLaren, Acting Dean

From the Law Alumni Association

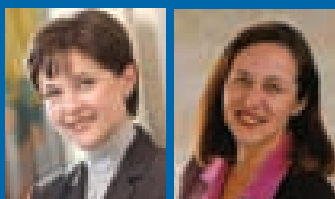
The Steering Committee



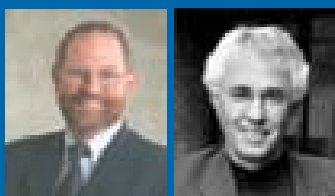
Mark Underhill ('95) Freya Kristjanson ('89)



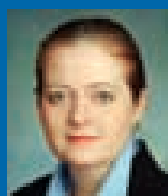
Steve Cloutier ('89) Jason Roth ('99)



Lisa Chamzuk ('00) Margaret Sasges ('89)



Don P. MacDonald ('80) Andrew Petter ('81)



Anne Pappas

Welcome to the new Law Alumni Association page of the Law News. This page will be a regular feature of future editions of the Law News, and we hope to use it to provide updates on the activities of the association, as well as notice for upcoming events.

The Steering Committee (see our lovely mug shots) is presently immersed in the ongoing fundraising campaign for the UVic Law Alumni Student Bursary Fund. As you will have hopefully heard by now, tuition fees are increasing dramatically at UVic, and we believe that the alumni have a role to play in ensuring that all deserving individuals, regardless of financial need, can receive a top-notch UVic legal education. Class letters are on their way to you, and we encourage everyone, if you have not already done so, to support this very worthwhile endeavour.

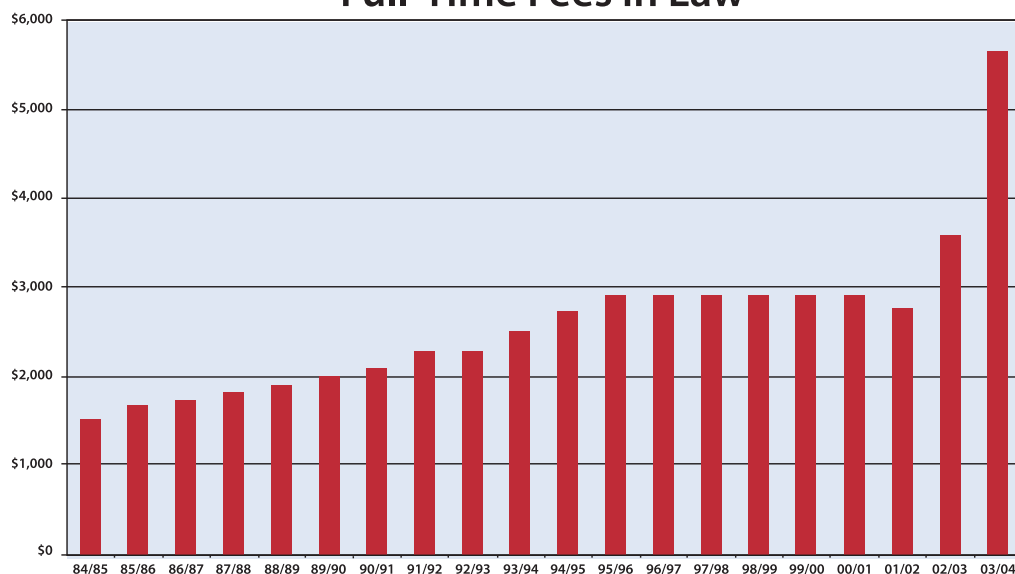
We are also beginning to sketch out the social calendar for the coming months. Look for future notices of events. Plans are also in the works for an event at the law school October 28th, 2004 to celebrate the retirement of Professor and former Dean Bill Neilson.

If you have ideas for an alumni event in your area, or would like to become more involved in the association, please do not hesitate to contact Anne Pappas at the Faculty or any members of the Steering Committee.

Sincerely,

Mark Underhill ('95)

University of Victoria Full-Time Fees in Law



Source: Statistics Canada and UVic Calendars

Institution Planning and Analysis
November 14, 2003

Bill Neilson a.k.a. "Wild Bill" Retirement? Not likely!

From the moment of his first visit

to Vancouver and Victoria in September 1957, following his summer job at Banff, Bill Neilson knew that he was hooked on the West Coast. The only question was how and when he was going to return? Four years later the answers became a bit more self-evident -- after topping his Commerce & Finance class at U of T and backpacking around Europe for a year, penniless but happy Bill moved to his parents' home to enter the UBC Law School ('the other place') in 1961, whereupon good fortune introduced him to Coline Mouat from Saltspring Island, then a nursing student at Vancouver General Hospital. They were married a week after final exams and took off to live in Boston for graduate school, then back to Vancouver the following year to get his B.C. Bar Call. Off they then went, in a burst of independence, to Toronto where three of their children (Lindsay, Allan and Maryse) were born as Bill cut his academic teeth with Osgoode Hall Law School for the next six years, becoming full Professor in 1972.

"The Osgoode years were unbelievably exciting", recalls Neilson, "working with colleagues like Harry Arthurs, Gerry LeDain

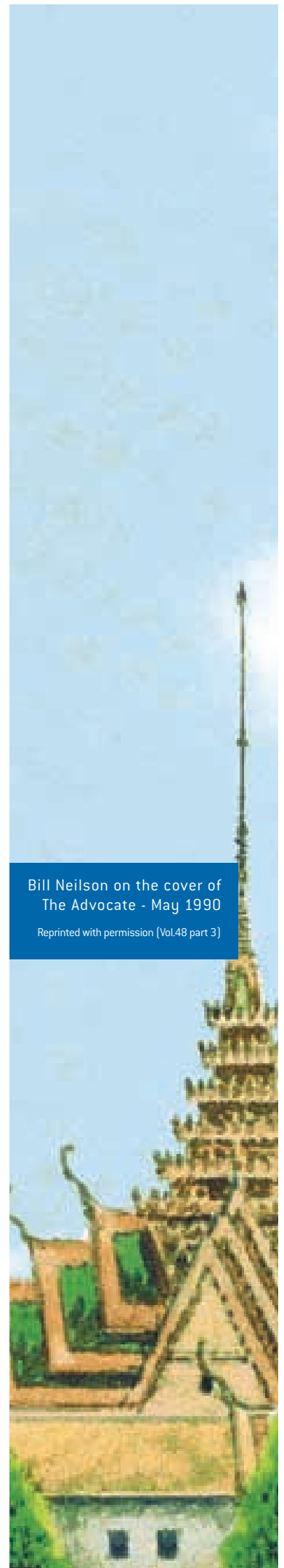
and Paul Weiler." But when the new B.C. government offered him a chance to set up the new Department of Consumer Services in late 1973, Bill and family returned early from their Melbourne study leave to come 'home' to Victoria where, augmented by the arrival one month later of daughter Suzanne, they have happily remained ever since.

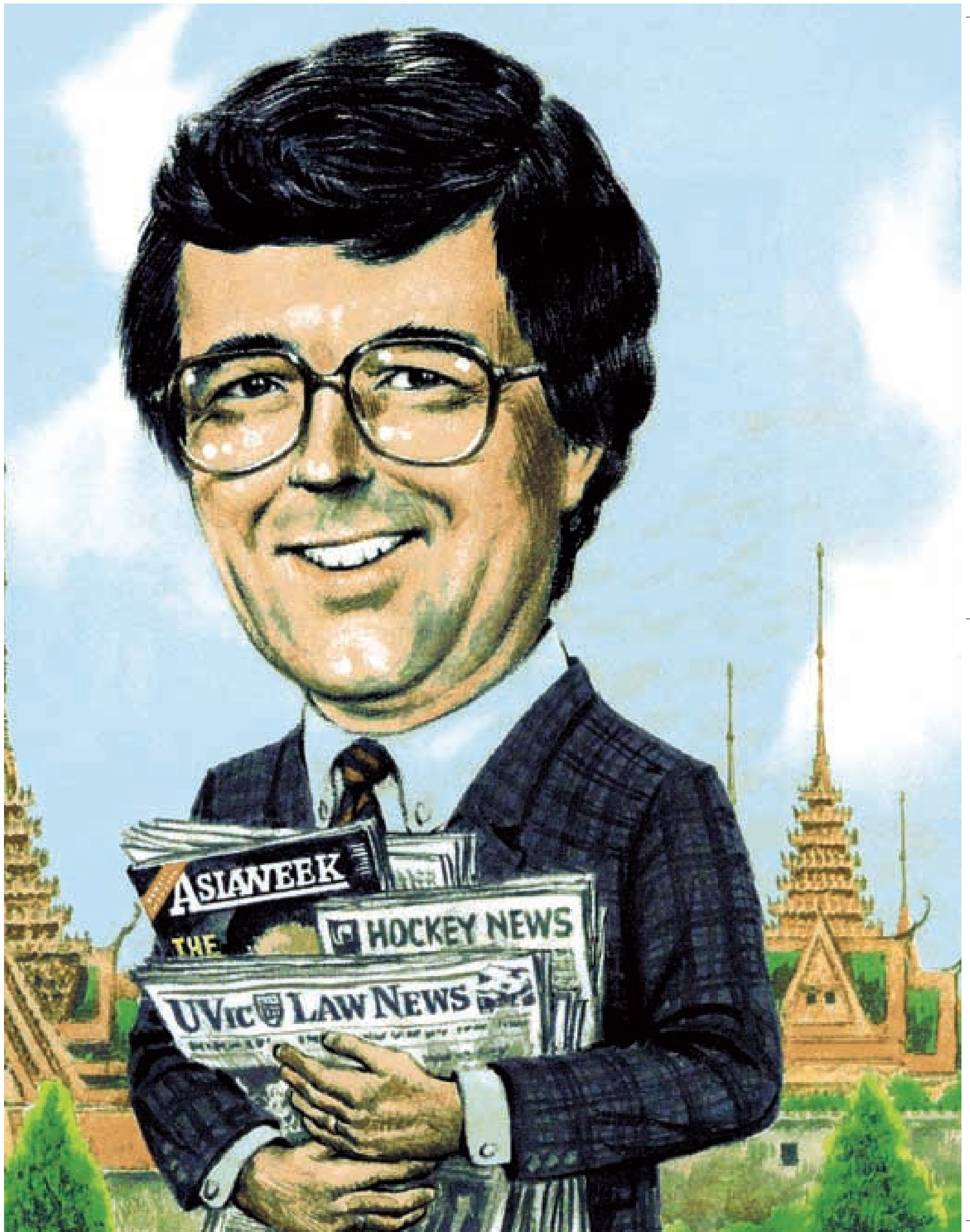
The Deputy's job, according to Neilson, "was a dream-come-true", allowing him to put together an activist, grassroots ministry, assisted by new legislation and programs like the Trade Practices Act and bright young lawyers. "I was able to work with some great, highly motivated people during my three years in the public service", recalls Neilson, "including a certain, very young Executive Assistant to the Minister of Housing, named Andrew Petter."

Bill's re-entry into academe came in January 1977 when he made the wise decision to accept Dean Murray Fraser's offer to join the new UVic Law School, rather than go back to Osgoode. Twenty-seven years and six months later, he continues to give thanks that the job was there and he was available. That's not to say that it has all been plain sailing -- "I still feel

Bill Neilson on the cover of
The Advocate - May 1990

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sorry for the students in that first term who took Debtor-Creditor Relations Law from me", he remembers. On the other hand, the students were much happier in 1979 when a severely broken ankle forced him to stay at home for several weeks and he provided customized class notes in

Faculty Council approval for the formal establishment of the Law Co-op program in 1989. He moved both faculty and students actively into the Asia-Pacific region with Co-op placements in Hong Kong, Bangkok, Singapore, Ho Chi Minh City, Sydney and Auckland and, for a time, in

"I like working with small-but-beautiful organizations."

both of his courses during his convalescence – "The students wondered if I could stay home just a bit longer, provided I kept giving them my notes," he chuckles.

Bill Neilson's academic and program contributions to the Faculty, both before and during his Deanship (1985-90), and in recent years, bear repeating here. He founded and delivered between 1981-96 the challenging Public Law Term, working with a motivated,

interdisciplinary team of colleagues from Public Administration, Law, Political Science, History and Economics and a host of outside specialists. 'PLT' put the Law School on the Governance Law map long before that term became commonplace. He spearheaded the establishment of the Institute for Dispute Resolution in 1988/89, helped set up the Centre for Asia-Pacific Initiatives in 1986/87 and obtained

London and signed the Faculty's first faculty and student exchange agreements. The first UVic Law Alumni Association was organized in 1986 on the occasion of the Faculty's 10th Anniversary and formally incorporated in 1990, with class representatives across Canada and offshore.

"I like working with small-but-beautiful-organizations" observes Neilson. Our Law Faculty and now the Centre for Asia-Pacific Initiatives (CAPI), where he has been Director since 1992, "fit the bill perfectly". His Asia-Pacific Comparative Law course attracts a good part of the superb, wanderlust 'regular' students, their numbers enriched by exchange or visiting students from Laval, Utrecht, Singapore, Australia, New Zealand, Taiwan and Hong Kong. Working with

Bill Neilson v. The Pigeons

Walking into the Fraser Building, have you ever wondered why there are rows of spikes lining the tops of the support beams? They are a legacy of Bill's deanship. Bill had an ongoing battle with a flock of pigeons that liked to call Fraser home. He was determined that people entering the Fraser Building would not have to run a gauntlet of pigeon poop. Pigeons' coos are soothing, but their poop is not!

A number of strategies were employed, not the least of which was calling Facilities Management each week to come and clean up the mess. The spikes were the last resort. The pigeons fought the law and the Dean of Law won!

*Janet Person - Admissions Officer
Faculty of Law*

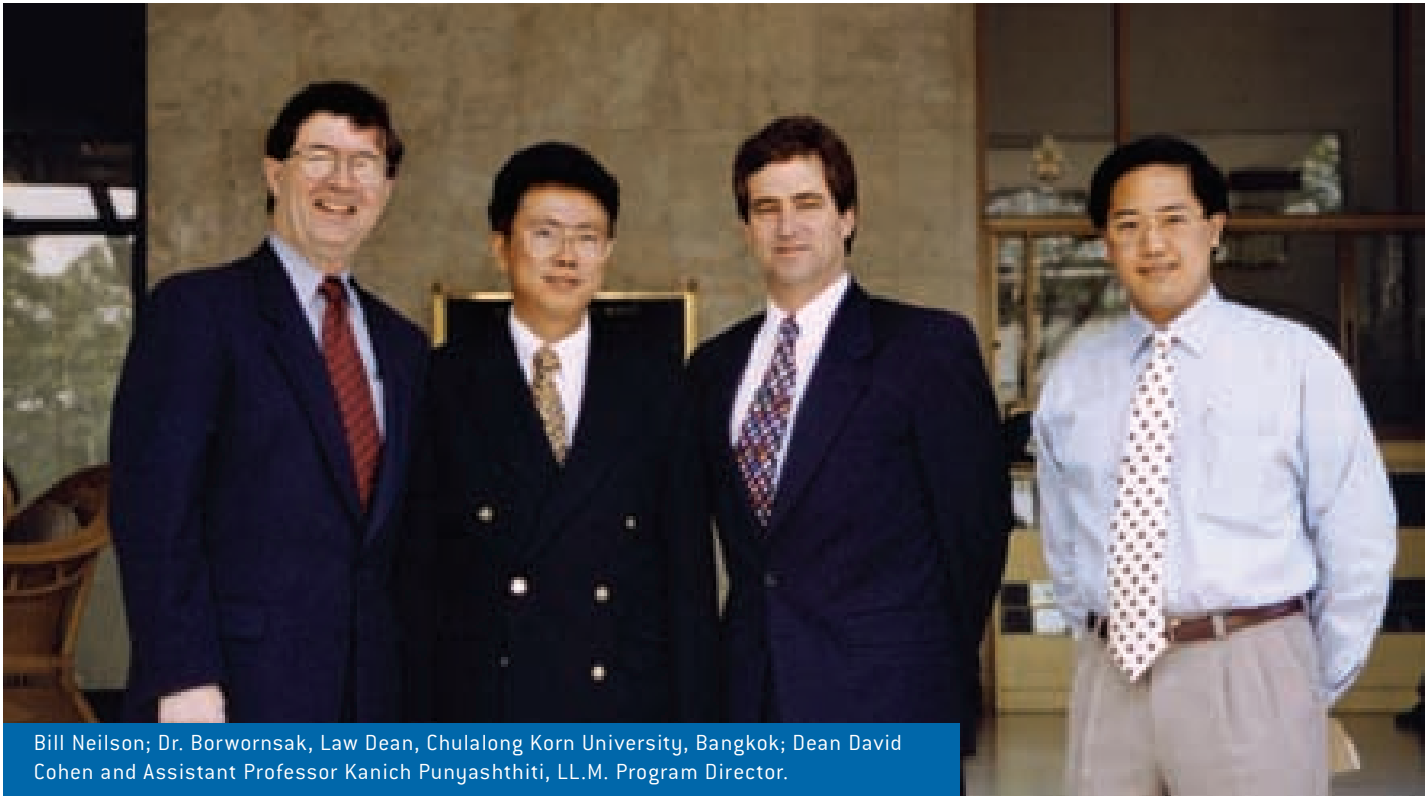


Bill at his 1978 Legislation conference.



Jim McPherson, Justice Bud Estey SCC, Bill Neilson





Bill Neilson; Dr. Borwornsak, Law Dean, Chulalong Korn University, Bangkok; Dean David Cohen and Assistant Professor Kanich Punyashthiti, LL.M. Program Director.

an array of colleagues like Mark Gillen, Catherine Morris and Peter Maddaugh and others from Ottawa, McGill and Toronto, Professor Neilson has directed innumerable programs over the past 20 years throughout the Asia-Pacific region in law reform, legal research, legal training and continuing education teaching, institution building, concentrating on governance, rule of law and public legal rights. His frequent presence in the region, whether he's teaching in Bangkok or doing field research or directing projects in Hanoi or Phnom Penh, has put UVic Law and CAPI on the map throughout legal circles in Southeast Asia, Japan and China. He is quick to add though that this visibility has been made possible by wonderful support from many colleagues and dedicated support staff. In the latter group, he pays particular tribute to the indefatigable Rosemary Garton for her help in recent years. He fully intends to continue his Asia-Pacific work for the next couple of years.

As you will read in the following testimonials, Bill has had a positive and lasting impact upon his students and colleagues. He is known for his ready smile and jovial greeting, his sense of fair play and support for all people (perhaps even demonstrating a slight favouritism for "the little guys" who often get lost in larger matters). He is clear and precise in his expectations (while making allowances for human foibles) and plans and moves forward at a constant, yet realistic, pace. Above all, one cannot help but notice his absolute love for and dedication to his family. As he is quick to acknowledge, "throughout our forty years of marriage, Coline has offered unrelenting support as my best friend and

partner (although she wishes that I would cut down on my travel)". On the other hand, the first thing they will do in July is take a long awaited trip to Haida Gwaii (Queen Charlotte Islands), followed by a late September sojourn to Tuscany. No law books or conference papers will be permitted on either excursion.



Bill Neilson with wife, Coline, his best friend and partner.



Skit Night 1986 – Bill Neilson, Don Munro, Gerry Ferguson, Jamie Cassels, Hamar Foster.

MENTOR: BILL NEILSON

By: Debra Steger ('78)

“Role model”, “source of inspiration”, “energizer”, “mentor”, “colleague” and “friend” – these are all words I would use to describe Bill Neilson. Bill was the first person to introduce me to public law, and, in particular, to economic law. I was fascinated by his course in Competition Law, which I took in third year law school.

Bill helped me to get my first job after I graduated from UVic Law. I went to work with Tex Enemark, who had succeeded Bill as Deputy Minister of Consumer Services and was now Deputy Minister of the new Department of Deregulation in the B.C. government.



One of my papers – which recommended the establishment of a cabinet secretariat – caught the eye of a young mover and shaker called Mark Krasnick (who, I discovered later, had been a student of

Bill's at Osgoode Hall Law School while he was the producer of Bill's CBC TV weekly Consumer Issues show). Serendipity reared its head and I was taken into the new Department of Intergovernmental Relations as Secretary to the Legislation Committee where the bright summer intern happened to be Sheridan Scott '81 (recently appointed as the new federal Commissioner for Competition).

After my Michigan LL.M., Bill invited me to teach the Conflict of Laws course as a sessional in the spring of 1983 and before I knew it, following some formative law firm experience in Ottawa and Toronto and starting my family, we moved in 1995 to Geneva where I took up a six year appointment as the first Director of the WTO Appellant Body. Throughout these meanderings, we kept in touch with my providing WTO tidbits to Bill for his Bangkok Trade Law course and my relying on Bill's career change advice. This was capped off by my rewarding participation in his current Vietnam Legal Change project which has a big WTO legal compliance component. He's been a good friend and a valued advisor for the past 25 years and I only hope that

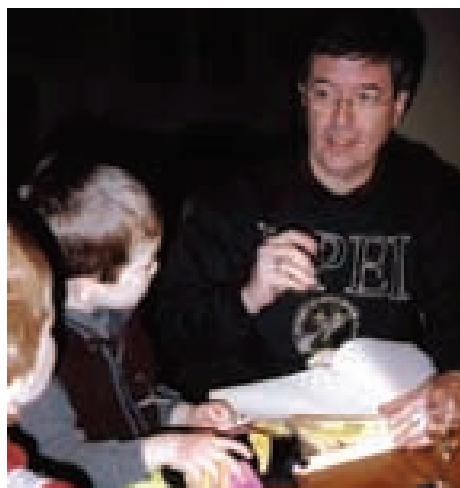
I can provide a similar role model and source of inspiration to my own students at the University of Ottawa in the future.

BILL NEILSON – A TRIBUTE TO “WILD BILL” IN THE LONG TAIL BOAT

By: Mark Goetze ('80)

He's a hard act to follow.

Early one hot and humid morning in 1986 I found myself racing through the



Bill Neilson with Owen and Finn Duncan, reading the Paperbag Princess in Ottawa, 2003.

“Bill was not your typical pipe-smoking academic dressed in Wallabies and tweed jacket with suede elbow patches.”

klongs (canals) of Bangkok and Thonburi in a fast long-tailed boat piloted by a seemingly demented one-armed Thai who spoke not a word of English. Huddled together in the middle of the open boat with me were my two former UVic law professors, Bill Neilson and Rick Brown.

We sped through floating markets, past temples of indescribable grace and mystery, and by endless suburbs of wooden houses built above the water on stilts. Everywhere families were performing their morning ablutions in



April, 1990 – LSS Clive Elkin presenting Bill Neilson with a gift.

the latte coloured water as the great seething mass of humanity that is South East Asia gradually came to life on this fine morning.

Our driver sped on - occasionally careening off the backs of submerged water buffalos – and our senses were reeling from the constant assault of the many unfamiliar sights, sounds and smells of this strange and wonderful land.

I recall turning around at one point from my position in the bow of our boat, and saw Rick Brown with eyes the size of dinner plates looking as bewildered as he did lost. Bill Neilson on the other hand was grinning from ear to ear and winked at me as he shouted “this is what makes these Asia Pacific

initiatives worthwhile” – or words to that effect. I knew then – although I had suspected it long before – that Bill was one of the good guys.

I had first met Bill in his Law, Legislation & Policy (“LLP”) course when I was a first year student. Rumour had it that WAWN (Bill’s academic acronym) was something different. Not your typical pipe-smoking academic dressed in Wallabies and tweed jacket with suede elbow patches. Bill, it was said, had served as a Deputy Minister in two provincial governments between 1973-76. He had tasted power and lived and thrived on the pointy end of the law. A man of purpose, resolve and action.

When he bustled into the Clearihue lecture room ten minutes late, short of breath and full of purpose, he conveyed the impression of a busy man with important agendas and we all immediately sensed that the rumours were true and that this was indeed not your average academic. And Bill did not disappoint.

Throughout that first year he dazzled us with tales of political intrigue and countless anecdotes of high office while subtly (too subtly for some) teaching us the finer points of the passage of legislation, legislative drafting and related parliamentary arcana. I cannot now recall much of the content of the course that Bill taught and neither could several classmates that I consulted after agreeing to write this piece. All of us however distinctly recall the impression that Bill made on us at that early stage in our legal careers – and understanding this fact is key to an appreciation of Bill - the man. He is someone who makes an impression.

Shortly after my call to the bar, my career took me to the Asian offices of a large international law firm. For the next twenty years or so I practised in and founded a number of offices of this firm in various South East Asian capitals.

Just after he was appointed Dean in



1985 I heard from Bill that he was coming to Southeast Asia “to take the Law School to the region”. He wanted to meet legislators, law reformers, practitioners and legal scholars – in fact, anyone remotely connected with the legal communities in the region. Remember this was the mid-1980s. The truth is that Bill was really engaging in pioneering work for a Canadian legal academic. He did his job well.

The years sped by – I saw Bill in Jakarta, Hong Kong, Singapore, Hanoi, Saigon and Bangkok. He was always there networking, establishing law co-op positions, signing faculty and student exchange agreements with universities and law schools, doing field research and delivering legal advisory and education programs to a wide range of audiences.

He's now into his 20th year of work in Southeast Asia, Japan, China and the South Pacific. I know from personal experience that there are not many people today in the public or economic law fields who have not heard of UVic Law and Bill Neilson in those exciting parts of our world. He has gone about his mission with a single mindedness that few others can match. Moreover, he's done his work with style, empathy and finesse – qualities that are not often

associated with mere lawyers. I recall a good Thai friend of ours in Bangkok telling me over dinner that the Thais consider Bill to be “a good friend of Thailand”. This is high praise from a Thai national. Many other graduates and I are also honoured to be his good friend.

“His efforts were largely responsible for one of the most enjoyable and enriching years of my life.”

GOOD MORNING JAPAN!

By: Dan Puchniak ('01)

Bill Neilson has been an exceptional friend, teacher and mentor. I first met Bill at UVic during CAPI events and in his Asia Pacific Law class in the Fall 2000 term. I was able to get to know him better as my major paper supervisor in the next term and most definitely when I decided to apply for the LL.M. Program at Kyushu University in Japan. Bill Neilson kept in touch with me during my studies at Kyushu and has served as a mentor ever since.

When I entered UVic, I had just returned from a fabulous year in Japan and was whimsically hoping, at some point, to return to Japan to learn more about Japanese law and society. However, never in my wildest dreams, did I believe that I would actually have an opportunity to study law in Japan. My dream became a reality — following my graduation from UVic I was given a full scholarship to pursue an LL.M. at Kyushu University in Japan. I am certain that I would not have had this opportunity if it were not for Bill Neilson's guidance and efforts. Bill Neilson helped me through every stage of the application process much assisted by his years of effort in building extremely strong ties with the Kyushu Law Faculty. His efforts were largely responsible for one of the most enjoyable and enriching years of my life.

Following my Kyushu year, I returned to Toronto to work at Torys. On a number of occasions, I have relied upon Bill for career guidance and advice. In addition, he played a crucial role in helping me publish an article on Japanese business law in Melbourne's Australian Journal of Asian Law. In

recognition of his tireless efforts to internationalize UVic Law's curriculum, Co-op Program and exchange possibilities, Bill received this year the Internationalization Leadership Award from the Canadian Bureau for International Education — a most fitting tribute in his last year of full service in the Faculty.

THE PUBLIC LAW TERM DID MAKE A DIFFERENCE!

By: Robert Lapper ('81)

I was surprised to receive your note telling me that Bill Neilson would be retiring from the Faculty of Law at UVic this year. Surprised, because not only can I not believe that Bill could possibly have reached an age at which he might qualify for retirement, but because Bill's persona defeats any notion I have about retirement as a retreat into relaxation after a long and busy career. I would not have thought that "retreat", "relax", or, heaven forbid, "retire" were in his vocabulary or life plan. Many times, I have thought that Bill was the prototype for the "Energizer Bunny".

Indeed it is energy and dynamism that are the essence of Bill's career and legacy to us. I was a student in the Faculty of Law at UVic in the late '70s and early '80s. Bill had come to us fresh from a term as a Deputy Minister of Consumer Services down the street. He had been brought to the B.C.

Government as part of a "wave" of change in provincial politics at the time, to develop and implement regulatory reform particularly in the consumer and trade practices areas. He carried that spirit of reform and innovation with him as he resumed his academic career at UVic law school.

Bill's deep knowledge and keen interest in governance and public law soon caught our attention. They were



Bill and Coline Neilson with President Howard Petch.



By Meech Lake with the inevitable camera in hand.

delivered through lectures and conversations liberally sprinkled with wit and good humour, at top voice, and always with the trademark smile.

His enthusiasm for these subjects was infectious. For many of us, who felt destined to become "traditional" lawyers

belief in me and his ability to make the impossible possible, I would never have had the opportunity to experience the Thai culture, meet many new friends and think seriously about a teaching career. I truly appreciate how Bill opened my eyes to the law, the

"Bill has imparted to me his great passion for the law and the people for which the law serves."

in "traditional" practices, Bill opened up new possibilities. I speak personally from my current post in the Ministry of the Attorney General when I suggest that Bill's extraordinary efforts at establishing and finding the resources for a public law curriculum that included at the time the highly innovative Public Law Term, and continued encouragement of our interests in the field, defined my future career. I think many of my colleagues of the era would say the same thing.

NEW GOALS FOR A MATURE STUDENT

By: Fritz Klantschi ('01)

As a mature student one of my objectives was to get through law school as quickly as possible and start practising law. Everything was going as planned until I met Bill Neilson. In his unassuming way, Bill showed me that my law school experience, even at my age, should not be rushed and that there was more to it than what you find in the books. Bill has imparted to me his great passion for the law and the people for which the law serves.

Bill suggested I take a semester abroad at Chulalongkorn University in Bangkok, Thailand, whereupon I thought anything was possible and, with his support, went on to take a graduate degree in the U.S. Before I knew it, he got me back to Bangkok, this time to fill in for another professor at Chula to teach a course. If it were not for Bill's

possibility of teaching, and the world that is Asia. Bill is a man who has great empathy for others, and sees in others the potential to do many different and wonderful things, which he helps bring about. Thank you, Bill from California where I'm in a busy IP practice with more than a few trans-Pacific links.

BILL ALWAYS HAS TIME FOR PEOPLE

By: Drew Duncan ('98)

Bill always has time for people. While in his office (one of his two offices, that is), he would often be busy dictating a paper, grading exams, or preparing to teach in Asia, yet he never turned away a student. In today's hurry-up culture, such access is rare among people with his credentials. Even if the law school has an open door policy, Bill always surpassed that duty, exhibiting a unique ability to make students feel that their work matters.

Bill also has a talent for entertaining outside the classroom. As founder and principal instructor of the full-trimester Public Law Term, he would inevitably host his entire class to a dinner chez Neilson. Which reminds me that Coline Neilson, accomplished in her own right, deserves special mention here as the dedicated other half of the warm receptions given to all their guests. (Coline also plays a vital role when Prof. Bill gets carried away telling stories at the dinner table.)

Despite Bill's many accomplishments

and personal contacts overseas, his second-language skills have not caught up with his reputation. Consequently, when we met during the Japanese leg of his tour of Asian universities, I provided translation and guide services – carefully reworking his pronunciation of the names of counterpart professors (such as when "Yanagihara" came out "Yogi Berra"). Once in the company of his fellow academics, however, language is never a barrier, which is simply more evidence of Bill's gift with people.

A vast network of current and former faculty and students is a testament to a familiar compliment expressed in the halls: "once you cross Bill's path, he never loses track of you."

I am grateful, writing from Ottawa, for the influence Bill has had over my development – both personally and professionally – and take pleasure in offering my congratulations on a terrific career and legacy at the University of Victoria. As for lifestyle changes, nobody is expecting Bill to slow down yet – just watch him!



Bill in his office, March 2004

NZ Trip Examines Indigenous Management of Shellfish Aquaculture

By: Chris Tollefson

Shellfish aquaculture is increasingly being promoted as an environmentally sustainable economic driver for BC coastal communities hard-hit by the declining fortunes of the forest and wild fish sectors.

"A key challenge for law and lawyers, both here and in NZ, is the same: to find ways of supporting this work in an uncertain and ever-changing legal context."

Can the BC shellfish industry expand in a way that promotes First Nations participation, and preserves existing aboriginal rights to foreshore and nearshore

areas? Professor Tollefson has recently received research funding to explore these questions from Aquanet Centre for Excellence. In the fall this research took him to New Zealand, one of the world's largest exporters of shellfish. Maori involvement in the NZ shellfish industry is very significant. Moreover, like British Columbia, there is considerable legal uncertainty surrounding the ownership and use rights to the foreshore.

During his visit, Tollefson gave lectures to the National Institute for Economic Research and the National Institute for Water and Atmospheric Research (NIWA). As guest of NIWA, he had an opportunity to spend a day and a half at a Maori village with whom NIWA is partnering on a shellfish aquaculture training and

foreshore rehabilitation initiative.

"I was impressed by the careful way that NIWA is developing local partnerships with Maori communities to support shellfish aquaculture. Their work parallels important initiatives here on the West Coast. A key challenge for law and lawyers, both here and in NZ, is the same: to find ways of supporting this work in an uncertain and ever-changing legal context."

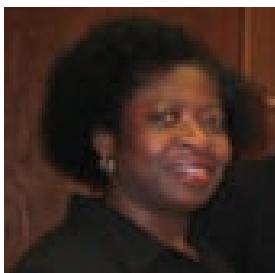
Tollefson's research is being carried out in association with colleagues at Malaspina University College and at the Centre for Shellfish Research. "I have also benefited tremendously from the work of students at the UVic Environmental Law Centre and ongoing advice from the BC Aboriginal Fisheries Commission".

Tollefson (third from right) with NIWA scientists and members of the Ngatitoa Iwi in front of the Hangoeka Marae [November 2003]



Law Faculty News Spring 2004

Congratulations to **ELIZABETH ADJIN-TETTEY** on being awarded tenure!



Visit www.research.uvic.ca/research_uvic/Reports.htm to see the new and exciting things that are happening with UVic Faculty Research and especially law Professor Elizabeth Adjin-Tettey.

BENJAMIN BERGER has been appointed Assistant Professor of Law. Ben is a graduate of UVic Law. He clerked with Chief Justice MacLachlin and is currently completing his LL.M. at Yale University. Ben will be teaching Criminal Law, Evidence and Legal Process.

JOHN BORROWS has been on research leave in 2003-2004. He was a visitor at the University of Tromsø in Norway in the fall, and the University of New South Wales in Australia in the spring, researching and teaching comparative Indigenous Rights.

He also spent a month in Canberra Australia as the inaugural Visiting International Indigenous Fellow with the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS).

Recent publications include: *"Stewardship and the First Nations Governance Act, 29"* (2003) Queen's Law Journal;

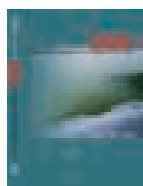
"Taking What's Not Yours" (2003) Windsor Yearbook of Access to Justice;

"A Separate Peace: Strengthening Shared Justice" in Cathy Bell and David Kahane, eds.;

Intercultural Dispute Resolution in Aboriginal Contexts (Vancouver: UBC Press, 2004); *"Measuring a Work in Progress"*, Ardith Walkem and Halie Bruce, eds., *A Box of Treasures or Empty Box: Two Decades of Section 35* (Theytus Press, 2003);

Aboriginal Legal Issues: Cases, Materials and Commentary, 2nd ed. (with Len Rotman), (Toronto: Butterworths, 2003).

Congratulations to Prof. John Borrows, whose book - *Recovering Canada: The Resurgence of Indigenous Law* (Toronto: University of Toronto Press, 2002) was awarded the Donald Smiley Award for the best book in Canadian Political Science in 2003.



GILLIAN CALDER has been appointed Assistant Professor and joins the faculty at UVic. Gillian will be teaching Constitutional Law, Family Law, Social Welfare Law and Legal Process. Gillian is a graduate of UBC Law School and completed an LL.M. at Osgoode Hall Law School. She taught for one year at the Faculty of Law, University of New Brunswick.

Former Dean and professor in the Faculty of Law, **JAMIE CASSELS** was named Q.C. and is currently the Vice President Academic and Provost for the University of Victoria.

HAMAR FOSTER - The last six months are a blur, beginning with Legal Process in September and proceeding through the Calder Seminars and Conference in October and November, setting and grading exams in December, co-directing Legal Process (the sequel) in January and helping with moots in February. Toss in regular teaching duties (Property, Evidence and Legal History), university committee work and miscellaneous other projects and obligations, and I sometimes think I live in this building. Whatever happened to gazing out the window in a tweed jacket with leather elbow patches, thoughtfully smoking one's pipe and contemplating the eternal verities? Next term, I'm installing a cot and demanding room service.



Richard Ireland, Professor Hamar Foster and daughter Cayce with Keith Smith and John McLaren at a conference in Dublin.



On Jan. 30th 2004 **DONALD GALLOWAY** participated in a workshop on Globalization and Illegal Migration at the University of British Columbia in Vancouver. He also presented a paper on immigration law entitled “*IRPA, Constitutional Principle and Administrative Review*” to Federal Court judges on February 6th 2004 at a Federal Court Education Seminar in Ottawa.

ANDREW HARDING has been appointed to hold the Chair of Asia Pacific Law. Professor Harding is a leading scholar of the



constitutional and private law of South Asia who has taught at the University of Singapore. He is currently Professor of Law at the School of Oriental and African Studies at the University of London. He will be teaching Asia Pacific Law and a seminar on Governance, Law and Development.

ROBERT HOWELL

continues to teach first year Property, Intellectual Property, and Conflict of Laws. In addition, he continues to direct and teach the International Intellectual Property Program offered jointly by the University of Illinois College of Law, St. Peter's College, University of Oxford and UVic, which is in



Victoria and Vancouver this summer.

He continues to deliver a number of papers and most recently his article entitled “*Recent Copyright Developments: Harmonization Opportunities for Canada*” (2004) was published in University of Ottawa Law & Technology Journal. He continues to work on his book: *Telecommunications Law in Canada*. He will be in Ottawa in the spring for the ALAI Conference and will deliver a paper on the topic of “*Copyright in Digitized Context: Strict Rights Enforcement or Regulated Tariff and Levy Royalties*”.

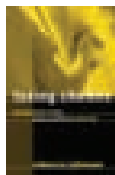
Unbeknownst to many, Professor Howell is an avid traveler. Last summer he flew on one of the last Concorde flights from New York to Southampton, and then re-crossed the Atlantic Ocean aboard the luxurious QE2. This year his travels take him to Tibet for a 10-day expedition at the Mount Everest base camp (North face) and in January 2005 he will be off to the Antarctic for a 12-day adventure aboard the M.V. Marco Polo cruise ship.

When he's not traveling, lecturing, presenting or working on his manuscript, Professor Howell will be planning the 2005 International Intellectual Property Program, hosted at St. Peter's College, University of Oxford next summer.



Congratulations to **REBECCA JOHNSON**. She has been awarded a three year SSHRC Research Grant for her project, (which she will be doing in conjunction with

Marie-Claire Belleau, Droit - Laval) titled: “*Dissent, Concurrence and Other Judicial Opinions: Reason(s) and Passion in the Production of Law*”.



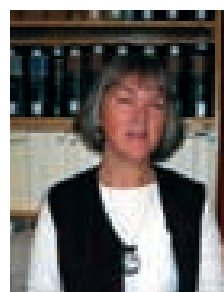
Fourteen students, alumni and fellow professors nominated

JOHN KILCOYNE for the prestigious *UVic Alumni Award for Excellence in Teaching* based on his ability to bring alive the murky



worlds of contracts, employment law and collective bargaining. He inspires students and challenges them to think through the real-life implications of the law. Above all, Prof. Kilcoyne brings an unbridled enthusiasm to his teaching. His lively lectures are impeccably prepared, incorporating the latest legal decisions and tailored to the individual needs of his students. He presents course material with a healthy dose of wry humour and he's always available to talk to students after class. Prof. Kilcoyne was a member of the first UVic Law graduating class in 1978 and has been teaching at the university since 1984.

MAXINE V.H. MATILPI has been appointed as the Director of Academic and Cultural Support. Maxine graduated from the Faculty of Law in 1999 and then articulated with Victoria law firm, Cook Roberts. She stayed on there as an



associate, working primarily in the field of Aboriginal and Treaty Rights, for two years before returning to her Kwakiutl community at Fort Rupert where she was Chief Negotiator for the Kwakiutl First Nation. For the past four years she also taught Women's Studies (First Nations Women) at Malaspina University College.



ANDREW NEWCOMBE was recently selected to be an international participant in an advanced seminar on international investment law. The seminar will run in August and is hosted by The Hague Academy of

International Law in The Hague. The month long seminar brings together leading international scholars each year for advanced research on selected areas of international law.

Professor Newcombe is working on his book *"Investment Treaty Law and Arbitration"*, that is scheduled for publication with Kluwer Law International.

He has also been chosen by the Faculty of Law to be assisted this summer by Jennifer Bond, (the 1st UVic Law student recipient of the BLG Summer Student Research Fellowship).

ANDREW PETTER

was awarded the UVic Distinguished Alumni Award. Andrew is currently Dean of Law. Elected twice to the provincial legislature, Petter held several cabinet posts including forests, attorney general and advanced education. He was responsible for the Provincial Capital Commission and as the MLA for Saanich South, helped to establish the Galloping Goose Regional Trail. He earned the Law Society gold medal for highest standing in his UVic law graduating class.



BUSINESS LAW CLINIC

Welcomes new Director James "Jim" S. Hutchison.

BLG SUMMER STUDENT RESEARCH FELLOWSHIP



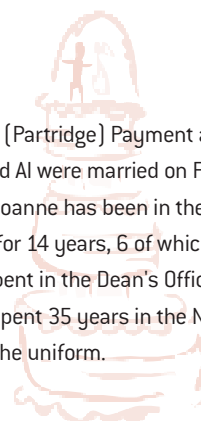
Borden Ladner Gervais' new Summer Student Research Fellowship Program was recently launched. Seen here are Acting Dean John McLaren and Development Officer, Anne Pappas accepting the \$10,000 cheque for UVic Law from BLG's Don MacDonald ('80) in Vancouver recently.

The first BLG Summer Student Research Fellowship has been awarded to first year student Jennifer Bond, who will assist Professor Andrew Newcombe with his research on *"Investment Treaty Law & Arbitration"*.

ON A PERSONAL NOTE



Joanne (Partridge) Payment and husband Al were married on Feb. 5th 2004. Joanne has been in the law school for 14 years, 6 of which have been spent in the Dean's Office and Al has spent 35 years in the Navy, hence the uniform.



Akitsiraq Law School Program Update



People in the photo are (left to right): Susan Enuaraq, Shelley Wright, Sandra Inutiq, Nigel Qaumariaq, Madeleine Redfern, Henry Coman, Lillian Aglukark, Aaju Peter, Elisapee Karetak, Kim Hart Wensley, Connie Merkosak, Siobhan Arnatsiaq-Murphy, Kelly-Ann Fenney, Sandra Omik.].

The past months have been exciting for the students in the Akitsiraq Law School Program. Having completed their academic year in December, our students are now in their 3-month work placements with various organizations including the RCMP, Justice Canada and the Government of Nunavut where they will be gaining valuable experience before once again resuming their academic program in May, in Iqaluit.

Through the financial generosity of The Walter & Duncan Gordon Foundation, The Maurice Price Foundation, the Federal Department of Justice and Nelligan O'Brien Payne law firm, and the efforts of Dean Andrew Petter (UVic), Dean Bruce Feldthusen (University of Ottawa Common Law

Section), Northern Director Shelley Wright (Iqaluit, NU) and Southern Director Kim Hart-Wensley (UVic), all students in the Akitsiraq Program had the opportunity to spend three weeks in Ottawa in January 2004 where they studied law in the University of Ottawa Faculty of Law Intensive Program. Each student chose one course not otherwise offered by Akitsiraq. This gave the students an opportunity to be taught by professors who are not involved in the Akitsiraq Program, to interact with law students from other parts of Canada, to share knowledge of their culture and the North with others, and to discuss issues of importance to them with their peers. The trip was a great success as attested to by the Akitsiraq students themselves (above).

I would like to thank all of the sponsors who made it possible for the Akitsiraq students to attend the intensive program offered by the University of Ottawa. The courses were exceptional and the interaction with the various professors and fellow students were enriching. Some of the more memorable events outside of the classroom included a lunch with some of the members of Nelligan O'Brien & Payne and our very own Premier, the Honourable Paul Okalik, who is a graduate of the University of Ottawa Faculty of Law. We also had a tour of the Supreme Court of Canada complete with a one-on-one

discussion with Madam Justice Louise Arbour; a meeting with Minister of Justice Irwin Cotler; and afternoon tea with Her Excellency The Right Honourable Adrienne Clarkson, Governor General of Canada. I also had the pleasure of attending my very first live NHL hockey game where the Ottawa Senators decimated the New York Rangers 9 to 1. (Henry Coman)

I was thrilled to attend Ottawa U. I loved the idea of taking a course of my choice. I chose Forensic Evidence because I am interested in becoming a defense counsel. (Connie Merkosak)

There were many aspects of the Ottawa trip that I enjoyed... in particular... listening to the comments and questions of the U of O students during our classes. It was nice to get a different perspective... One of my favourite experiences was our dinner with the Aboriginal Students Association... I liked listening to the Aboriginal students from U of O talk about treaty and land claim issues. The passion with which they spoke was motivating and inspirational. (Qajaq Robinson)

Over all the visit was great. I took Aboriginal Business Law and I learned so much from it... Professor Tracey Lindberg was fabulous. She gave us many tools to use in the future. The Inuit, First Nations and non-Aboriginal speakers who gave talks on specific issues dealing with the economy and the Constitution gave me hope for the future. They made me realize that I don't need to carry around the effects and pain of colonialism... I was so inspired by their knowledge and lack of ill feelings... What I learned was to focus on what we as Inuit want to do and also that nothing is impossible. I liked hearing about First Nations who have taken control of their own lives in dealing with social, health, and education issues. I got the sense that we need to keep on going so that others can follow behind us... knowing that we are accomplishing something worthwhile. Qujannamiik. (Aaju Peter)

Submitted by: Kim Hart Wensley, Southern Director, Akitsiraq Law School Program.

INUK LAW STUDENT FROM NUNAVUT TO CLERK AT SUPREME COURT OF CANADA

In September 2005 **Madeleine Redfern** will join 26 other law graduates from across the country as a clerk with the Supreme Court of Canada. Madeleine, who was selected by Madam Justice Louise Arbour, will be the first Inuk law graduate ever to clerk with a Supreme Court Justice. This is a great achievement for Madeleine herself, but also for her classmates, UVic Law and the territory of Nunavut generally.

UVic Environmental Law Clinic EXPANDS



Back row (left to right): Murray Rankin, Hamar Foster, Steph James, Keith Ferguson, Calvin Sandborn, Maeve Lydon, Andrew Newcombe, Chris Tollefson, Sue Munn, Jennie Milligan, Paula Ramsay. Front Row: Karla Point, Barb Harvey, Deven Singhal, Jeanette Ettel.

UVic has been at the forefront of clinical environmental law education since 1997, when Professor Chris Tollefson and a group of dedicated students founded Canada's first public interest environmental law clinic. Since then, the Clinic has operated on a year-round basis serving dozens of aboriginal, conservation and community groups across the province by providing much-needed advocacy and research services.

As the only Clinic of its kind in Canada, the ELC is working towards a longer term goal: providing direct legal representation to client groups by securing funds to hire a full-time Legal Director. With the generous seed-grant from the Vancouver-based Oasis Foundation we are able to proceed on this initiative and have recruited one of Canada's leading public interest environmental lawyers, Calvin Sandborn to join the UVic

Environmental Law Centre as Legal Director.

Calvin has been counsel on numerous leading environmental cases and published widely on environmental and resource management topics. His employment experience includes being General Counsel to the BC Forest Practices Board; associate to the Commission on Resources and Environment; and most recently, staff lawyer at the West Coast Environmental Law Association.

Calvin will direct and supervise delivery of the ELC's legal program, allowing UVic clinic students to work directly with clients in litigation and advocacy work and appearing before courts and tribunals. First Nations issues will figure prominently in the clinic's docket, as will work on forestry, marine protection and oil and gas issues.

In addition, the ELC Clinic has embarked on a collaborative relationship with the Berman Environmental Law Clinic based in Seattle at the University of Washington, School of Law. Plans are underway to pursue joint cases and projects that focus on the potential to leverage enhanced environmental outcomes in the Georgia Basin-Puget Sound region.

ELC Executive Director Chris Tollefson is certain that: "these developments will ensure UVic Law maintains its pioneering reputation in public interest environmental law. Not only will Calvin help us to meet burgeoning demands by the public for legal representation on pressing environmental questions; he will also help to ensure that UVic continues to produce some of this country's most competent and committed public interest environmental lawyers".

'Let Right be Done':

Calder, Aboriginal Rights and the Treaty Process

By: Lloy Wylie



Nisga'a Ts'amiks dancers from Vancouver.

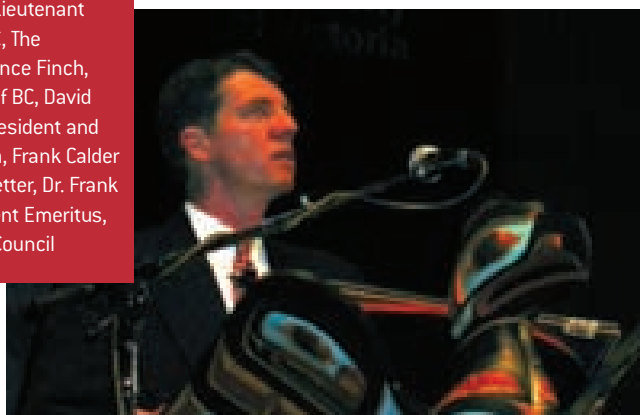
This conference offered a unique opportunity for the exploration of the historical background of the 1973 Calder case (which recognized the existence of Aboriginal title in contemporary Canadian law), the developments in Aboriginal legal rights since that momentous decision, and the current development of Aboriginal title in Canada in both the courts and treaty negotiations.

It was an important occasion to take stock of the recent past and to assess future possibilities, all in the context of the history of the land question on the West Coast from the

early efforts to organize in Alaska and northern BC, through the Nisga'a claims leading up to Calder and ultimately to the Nisga'a Treaty.

The conference opened with welcoming remarks from Barbara Burns ('80), an alumnus of our faculty and now the Senior Regional Director of the BC region of the Department of Justice. The Department of Justice offered a substantial financial contribution for the organization of the conference, and without their generous support this event would not have been possible.

The first session (which involved a structured interview with Frank Calder, longtime President of the Nisga'a Tribal Council, and Thomas Berger, the Nisga'a's lawyer) and a session devoted to the negotiation of the Nisga'a Treaty (which brought together the lead negotiators for the Nisga'a and the federal and provincial governments) were unique and profoundly interesting. Together, they raised a series of themes that were expanded and developed in the academic sessions. The final gala event for the general public included a stunning



Clockwise from top left:
The Honourable Iona
Campagnolo, Lieutenant
Governor of BC, The
Honourable Lance Finch,
Chief Justice of BC, David
Turpin, Uvic President and
MC for the gala, Frank Calder
and Andrew Petter, Dr. Frank
Calder, President Emeritus,
Nisga'a Tribal Council



performance of the Nisga'a Ts'amiks Dancers, and thoughtful and reflective comments from the Honourable Iona Campagnolo (Lieutenant-Governor of BC), Dr. Frank Calder (President Emeritus, Nisga'a Tribal Council), Joseph Gosnell (President, Nisga'a Tribal Council), and the Honourable Lance Finch (Chief Justice of BC). It was truly a memorable occasion, comprising both a fitting tribute to Frank Calder and the Nisga'a.

Close to two hundred and fifty individuals registered for the conference, including academics from

across Canada, the US, Australia and New Zealand; lawyers; members of the Department of Justice Canada; Aboriginal people from across BC, including a delegation of the Nisga'a Lisims Government and Nisga'a elders; as well as graduate and undergraduate students.

The Calder seminars (preceding the conference) and the conference itself were all videotaped. These are now in the process of being edited, and will be made available at the University of Victoria Law Library, as well as for students in the Akitsiraq Law School

Program in Iqaluit, Nunavut. We are currently working out a process for making more copies of the tapes available on request. In addition, Common Bowl Production did a professional quality tape of the opening session, and an in-depth interview with Frank Calder that will be part of a documentary they are producing on the Nisga'a treaty-making experience.

Visit www.law.uvic.ca/calder for a selection of papers from the conference and the seminars.

Career Development Update

By: Nancy Pye

The newly formed Legal Career Options Group (LCOG) and the Career Development Office together with the generous financial support of the Law Foundation of BC hosted a highly successful UnCommon Law Day on Friday, January 23, 2004. The theme of UnCommon Law Day was "Definitely Not Bay Street," a forum designed to explore unique career and volunteer opportunities outside of the traditional practice of law. The goal of the day was to provide students with multiple answers to the question, "What can I do with my law degree?" The day kicked off with lunch and an inspiring keynote address by Ruth Silverman, a former lawyer and career transition counsellor. Students then broke into small groups and listened to a variety of speaker panels that included UVic alumni and other law graduates. The day concluded with a networking reception for students and speakers, and an Information

Fair. Thanks to law student Eva Cherewick, Co-Chair of LCOG and her group of volunteers for helping to organize this event.

It is with some sadness that I write my last article for Law News as Career Development Officer. In February I started a new position as Assistant University Secretary at UVic. I am very happy about this move and the new challenges it provides, but will miss the wonderful students, alumni, staff and legal employers I worked with as CDO. It truly has been rewarding to see UVic law students and alumni pursuing the "path less traveled" in their choice of legal careers. Thank you to everyone I have worked with during my time in Career Development, and I wish all law graduates the best in your future career endeavors.

I am extremely happy to welcome UVic's new Career Development Officer, Jennifer Moroskat into the position effective March 1, 2004. She brings with her extensive experience in counseling, advising students and event planning. Jennifer is very enthusiastic in working with law students and assisting them in realizing their legal career goals.



Jennifer Moroskat

THANK YOU TO UNCOMMON LAW DAY PARTICIPANTS:

PANELISTS:

Alison Brewin, Program Director, West Coast LEAF
Colin Brown, Police Officer, Barrister & Solicitor
Jay Chalke, Public Guardian & Trustee of BC
Tim Howard, Legal Counsel, Sierra Legal Defence Fund
Sara Neely, Director of Gift & Estate Planning, BC Children's Hospital
Jason Kuzminski, Executive Assistant to the Attorney General
Anne Pappas, UVic Law Development Officer
Boyd Pyper, Executive Director of the Habitat Acquisition Trust
Ruth Silverman, Career Counsellor / Facilitator, Project Restart
Eloise Spitzer, UVic Law Co-operative Education Co-ordinator

INFORMATION FAIR PARTICIPANTS:

BC Public Interest Advocacy Centre
 Canadian Red Cross – BC Coastal Regional
 EAGLE
 John Howard Society of Victoria
 Habitat Acquisition Trust
 Legal Services Society
 Public Trustee & Guardian of BC
 Sierra Legal Defence Fund
 Together Against Poverty Society (TAPS)
 West Coast Environmental Law Association
 Western Wilderness Committee

IMPORTANT DATES

UVic Wine and Cheese
 Thursday, September 22, 2004
 6:00pm to 8:30pm (tentative only)

UVic On Campus Interviews
 Wednesday, September 29, 2004
 8:30am to 4:30pm

Co·op·er·a·tive le·gal ed·u·cator

noun 1: an innovative approach to legal education that alternates classroom learning with three, four-month internships in the legal workplace 2: the premier legal program for providing law students with a full year of hands-on experience.

(see: **University of Victoria Law School**)



As one of three Co-op programs in North America, and the only English speaking one in Canada, the University of Victoria integrates students' practical and academic learning. We place 35 students a term, over 120 a year, in a range of positions.

This term the Co-op program has students in private law firms in: Bangkok, Kelowna, Victoria, Singapore, Paris and Kuala Lumpur. We have students at the European Union in Brussels, the Legal Resources Centre in Durban South Africa, at independent Tribunals and in many government jobs in Victoria and Ottawa. We have a student working for her First Nation, a student working as in-house counsel at a union and for the first time in Whitehorse doing circuit work for the Legal Services Society. This term as well we were successful in fundraising for a student to assist at TAPS (Together Against Poverty Society.) Money was raised through the Law Students Society and also privately. As well a SLIP, Service Learning Internship Program grant was successfully applied for.

This year we have instituted a pizza lunch so that first year students are able to interact with senior students and hear of their workplace experiences first hand before deciding where to apply for jobs.

We are going on a field trip to the Legislature, to meet with Deputy Ministers, hear about the Cabinet Decision Making Process and watch

Question Period. This should be useful as all students are encouraged to do one of their terms in a government job.

We would love to hear from our alumni. Many of you already keep in touch, but we would like to know where you have all ended up and how many co-op students you would like us to send you. Why not participate now from the other side?

We can be contacted at:

Eloise Spitzer
Faculty of Law
PO Box 2400 STN CSC
Victoria, British Columbia, V8W 3H7
Tel (250) 721-8196, Fax (250) 721-6593
E-mail espitzer@uvic.ca



Eloise Spitzer, Co-op Coordinator, with Kim Hawkins at Rendezvous in Whitehorse. Kim is doing a co-op term with the Legal Services Society.

Reflections on The Philip C. Jessup International Law Moot Court Competition

By: Elizabeth Reid ('05)



Team members with Madam Justice Louise Arbour of the Supreme Court of Canada.

The Philip C. Jessup International Law Moot Court Competition is an international mock trial competition in the area of public international law. For its competitors, it is simply “Jessup.” A single word that encapsulates months of preparation, two days of preliminary competition, and the chance to moot in the final rounds in front of an incredible panel of Canadian experts in international law.

Being on a Jessup team is an amazing opportunity. Work on the Jessup moot demands and develops excellence in legal research, writing, advocacy and teamwork. Jessup also provides students with a unique chance to discuss international law careers with the very individuals who draft our treaties, define our foreign policy, and represent Canada to the world.

Jessup is not for the faint of heart.

The research is arduous and complex. This year’s Jessup problem was about the new International Criminal Court. One has to admire the problem’s authors. They managed to sneak every undecided and contentious area of international humanitarian law into one fact pattern. Undaunted, we began our research. We were incredibly fortunate, as our library managed to purchase some of the current leading commentaries on the ICC. Our confidence with the topic soared, knowing that we had the best resources available for our research.

We finished our memorials and shifted focus to the second aspect of the Jessup – advocacy. No longer able to rely on our beloved commentaries, we became our own best resources. A scary proposition given that 3 of our 4 oralists had never taken international law. The first week of practices began. It didn’t look good. Troy decided he

wanted to be a solicitor. Nadia’s presentation took place at warp speed. Raj was still looking for substantive law to fill the last 8 minutes of his presentation, and I cried every time I couldn’t assist the court. Literally!

We clearly had a lot of work to do. For the next two and half weeks we went through the full presentation every 36 to 48 hours. We were constantly revising arguments and reformulating answers, convinced that lurking somewhere in the darkness was a question that would destroy our entire argument and leave us weeping in the aftermath. Despite our frustrations, we could feel ourselves getting stronger with every practice. Our coaches’ furled brows started to relax. The arguments started to flow, and our understanding of the issues solidified. Finally, the first day of the competition arrived.

The countries and issues came alive as we engaged with other law students from across the country. As our Jessup expert, Jackie kept copious notes on the questions asked in each round and drilled us between rounds. She also wrote some great rebuttals. Nadia and Raj soon gained a reputation as a formidable respondent team, while Troy and I held our own on the applicant’s side. And on Saturday morning at 10am, we discovered that in 3 hours we would be mooting in the finals in front of Madam Justice Louise Arbour.

For fifty amazing minutes, Madam Justice Louise Arbour of the Supreme Court of Canada listened to our understanding of international law. Most litigators in Canada never

Raj Sahota and Elizabeth Reid celebrating at the competition with new friends.



get the chance to argue in front of a Supreme Court Justice, but as the members of UVic Law's Jessup Moot Team, we had the opportunity in our second year of law school.

We credit our performance to the commitment of the entire law school community: faculty advisors who put research aside to spend numerous afternoons culling "ums", "ahs", and patently incorrect statements from oral presentations. Guest judges who put the relative strength of arguments into vivid relief by rigorous questioning. Librarians and library staff who provided extended access to facilities; hosted tutorials on how to research international law; and gave words of encouragement when the team was drowning in material. Fellow students supported the team by accepting significant restrictions on their access to international law materials and group study space, and by offering class notes for classes missed by team members who were away competing. And lastly, our

thanks to the faculty for contributing the significant financial resources for competition fees, travel expenses and current international law resource materials.

On behalf of the 2004 Jessup team members we share our fourth place ranking with you all and are extremely proud of our team member Nadia Khan, who placed 5th out of 65 oralists in the competition.

UVicLaw will be the host school for The Philip C. Jessup International Law Moot Court Competition.

The Canadian Tournament will be held at the Laurel Point Inn in Victoria, BC from February 9th to 12th, 2005.

The webpage for the competition has already been set up at <http://www.law.uvic.ca/jessup> and the Jessup problem will be released in May 2005.

If you are interested in more information on judging and/or sponsorship opportunities, please contact the Canadian National Administrator:

Jamie Dee Larkam

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OR

Andrew Newcombe

Assistant Professor
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tel: 250-721-8161
fax: 250-721-8146



L to R: Prof. Elizabeth Adjin-Tettey, Elizabeth Reid, Rajinder Sahota, Nadia Khan, Jacqueline Leveille, Troy Lehman, Prof. Andrew Newcombe.



[front row, L to R]: Penny Harvey, Madame Justice Kathryn Neilson, Alana Degrave, Ann Roberts (back row, L to R): Robert Johnston, Q.C., Chancellor Ron Lou Poy, Acting Dean John McLaren, Barri Marlatt, Tyler Luchies



Alana Degrave

HUMANITARIAN AWARD

Presentation, March 15, 2004

Ann Roberts is the founder of the Humanitarian Award given to a student in good standing in second year or beyond, who has made an outstanding and selfless contribution of his or her time and effort in lending support and assistance to the well-being of individuals within the law school, or the law school as a whole and/or of people within the community-at-large.

This year's recipient is **Alana Degrave** who, during her three years at law school, contributed an enormous amount of time to a great number of community organizations, including

TAPS (Together Against Poverty Society), the NEED crisis help line, the CIBC Run for the Cure, and the Public Interest Advocacy Centre in Vancouver.

UVic attends the Laskin Moot for the first time.

Kate Campbell, Paul Heisler, Susan Mossing and Prasanna Ranganathan — the members of the first ever University of Victoria Laskin Moot team are to be congratulated on their excellent performance at the Laskin Moot Competition in Vancouver recently. Susan and Prasanna chose to argue in French. A special note of thanks goes to **Professor Martha Jackman** who coached the team. Her offer to "provide information and support to her faculty successor who might consider taking on the Laskin Moot for next year's twentieth anniversary, which will take place in Sherbrooke, Quebec" will surely be taken up.



A special note of thanks to members of the Victoria legal community who took the time to participate in run-throughs for the Moot: **Chris Jones**, from Arvay Finlay; **Robert Lapper**, **Roger Cutler**, **Bryant Mackey**, **Caroline Bergeron** and **Mia Clement**, from the Attorney General of B.C.; **Sean Nixon**, from Woodward and Company; and **Dominique Nouvet**, from Cook Roberts. The time, support and advice they generously provided to the team was invaluable!

UVic Law places Second in the World!

The University of Victoria, Faculty of Law is pleased to announce the recent second place finish of the law school's team in the 2004 Louis M. Brown International Client Counseling Competition, held March 29 - April 2 in Glasgow Scotland.

The team, comprised of Darin Reeves (3rd year Law) and Maria Barrett-Morris (2nd year Law) recently triumphed over more than 120 other teams from across Canada and the United States to win the American Bar Association's 2004 Client Counseling Competition conducted at Stetson College of Law in St.

Petersburg, Florida and advanced to the international competition in Glasgow Scotland as Canada's representatives. At the international event the team was narrowly edged out by the New Zealand team, who won the coveted Louis M. Brown shield for the 2nd consecutive year for their country. Darin and Maria placed second amongst a total of 12 national teams, representing law

students from Australia, England and Wales, Hong Kong, India, Republic of Ireland, Northern Ireland, Scotland, South Africa, Sri Lanka and the United States of America. In total, almost 700 teams from law schools around the world were involved in the competition.

The Client Counseling Competition is an annual law school competition

involving teams of two students from each school, and focuses on both the practical and theoretical skills required by lawyers when interviewing clients. Since 1985 the international competition has promoted preventative and analytical legal reasoning, client centred interviewing techniques, and the legal and non-legal counseling functions and skills performed by lawyers. As well, the competition emphasizes the critical importance of ethics in the practice of law, as each scenario faced by the teams includes within it an ethical consideration for the team to recognize and deal with.

Darin Reeves, from Edmonton, Alberta is completing his final year of law studies at the University of Victoria Faculty of Law, and once completed will commence his year of articles with the Victoria law firm of Dinning Hunter Lambert & Jackson. Once completed his articles Darin will return to the Canadian Forces, where he will continue to practice law as a Legal Officer in the office of the Judge Advocate General.



Client counselling with Maria Barrett-Morris, Darin Reeves, coach Steve Perks



National Competition in Florida



Mecon, Georgia

Maria Barrett-Morris of Miramichi New Brunswick is in her second year of law studies at the University of Victoria Faculty of Law, and once completed will be clerking at the Federal Court in Ottawa.

The team gratefully acknowledges the support of UVic Law students, faculty and staff, and would like to extend a special thanks for the generous support from our sponsors:

Davis and Company - **Frank Borowicz**
Steve Cloutier (class of '89), President
APF Energy Trust

Dinning, Hunter, Lambert & Jackson

Submitted by Darin Reeves ('04)

Congratulations to UVic students Matthew Prescott and Parm Joihal who participated in the Western Canada Mock Trial coached by Adrian Brooks.

Congratulations to the UVic team of Emma Ferguson, Amy Fong, Robin Hopkins, Deven Singhal who participated in the 2004 UVic/UBC Moot, coached by Prof. Hamar Foster.

Congratulations to the UVic team of Lucy Bell, Corkey Douglas, Clint Kuzio, Namaste Marsden who participated in the Kawaskimhon Moot coached by Prof. Heather Raven.



2004 Gale Moot Cup

**By: Professor and Gale Cup Team
Coach Donald Galloway**



For the second time in six years, the UVic Faculty of Law has won the Gale Cup Mooting Competition. This year's team – Gordon Buck, Aidan Cameron, Cam Elder and Adam Perry, and coach Donald Galloway – decided in October that they would not be content with a second place finish. As a consequence, the team members put in hours of arduous effort, first in sharpening the required written factums and then in polishing their oral presentations. The coach rejected as unsatisfactory draft factums that were,

in fact, excellent and demanded that they be improved. The team complied. In practice after practice, each team member re-thought and re-worked their presentation until it sparkled.

Adam and Gordon, for the Respondent, faced a team from Saskatchewan. The three judge panel was impressed by Saskatchewan but drooled in admiration of the UVic team. The next morning Aidan and Cam, for the Appellant faced a team from Dalhousie. This time, the three judge panel almost stopped the proceedings to offer them judicial clerkships there and then. Ontario had never witnessed such powerful advocacy. In the final, UVic Appellants faced Western Ontario while Toronto faced UQAM. Cam took the podium first and reproduced his earlier brilliance. Aidan was not content to do

so, deciding it was time to turn it up another few notches to offer a level of advocacy that literally induced tears. Western was “gobsmacked!”

Such eloquence!

Such authority!

Such clarity!

At the awards dinner, coach Galloway indulged in embarrassing expressions of unabated joy when Aidan and Cam were awarded the Best Factum Award. Then, the excruciatingly slow build up to the big decision: Fourth – University of Toronto Third – Western Ontario, Second – UQAM, by which time even we realized that YES, WE HAD WON!

An astonishing performance followed by an astonishing celebration. Congratulations to ALL!

A special note of thanks to Fasken Martineau for their continued sponsorship of this moot at UVic.

From the Law Library

Law Library staff continued to be very busy. Serena Ableson attended the Northern Exposure to Leadership Institute in January sponsored by the Canadian Association of Law Libraries. Ms. Ableson became permanent as the Akitsiraq Law Librarian in February. The Law Librarian, Neil Campbell and the former Law Librarian, John Davis, now at Osgoode Hall, collaborated as editors on the 5th edition of MacEIlven Legal Research Handbook (Butterworths).

Librarians at the Law Library assisted the first year Legal Research and Writing program during the Fall term and the month of January. The Associate Law Librarian, Caron Rollins, co-taught Law 388 Advanced Legal Research and Writing in the fall and spring terms with the Law Librarian.

The Priestly Law Library welcomed UBC Library co-op student Tara Matsuzaki for the Spring term. In addition to providing reference service, Tara is also working on processing a large donation of primary and secondary legal materials for the collection. Liz Hanson, a sessional librarian, continues to provide reference service.

Serena Ableson, the Akitsiraq Law Librarian visited Iqaluit Nunavut twice this year to provide database instruction and research assistance for the Akitsiraq students. This workshop provided the Akitsiraq students with an opportunity to discuss the implementation of the Nunavut Land Claim with a distinguished panel of scholars, Nunavut politicians, and land claim negotiators.

On the Information Technology front we have moved forward on a number of small initiatives that help us provide better service to our patrons.

The first initiative is our redesigned library website. Caron Rollins and Rich

McCue worked hard on this project for several weeks in order to develop a new look and feel for the web site that would be easy to use, functional and attractive, and would mirror the redesigned Faculty of Law's website. <http://library.law.uvic.ca>

The second initiative is in our reference office. We have installed two computer monitors at the reference desk so that the reference librarian and the patron can sit across the desk from each other and see the same image on both screens. This is especially helpful when showing patrons how to use many of the on-line services we provide.

Lastly we are doing our part to help the environment and expand the number of terminals available in the library for browsing our catalogue and web, by turning old computers into "Thin Clients" for our Linux Terminal Server. Put simply, we are able to use computers that are due for retirement as web based terminals allowing us to expand the number of computers available for accessing our web based resources without breaking our budget. A win-win for everyone.

The Computer Classroom continues to enjoy heavy use even though the library is completely wireless. The classroom computers are approaching their technological lifecycle and discussions are underway for their replacement and for a general refurbishing of the classroom fixtures.

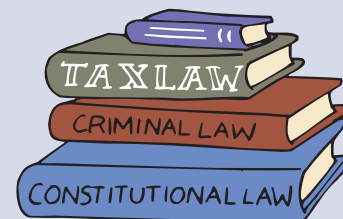
In anticipation of the launch of the graduate program at UVIC Law, the Law Library continues to purchase print and electronic resources to strengthen the collection in areas such as Aboriginal law, environmental law and policy, legal theory, legal history, and public law. The Law Library will also undergo a renovation project to

create new study carrels and seminar space for graduate students.

The Law Library continues to identify, evaluate and acquire authoritative information resources for students and faculty. We acquired a number of new electronic sources for students and faculty including: Inconference, a database of Canadian legal conference proceedings; the Canadian Human Rights Decisions database; electronic commercial arbitration materials; full-text journals from the Australian Attorney General's Information Service; and Constitutions of Countries of the World. The Priestly Law Library is a charter member of the Law Library Microform Consortiums digital project, which aims to have all historical Canadian, Commonwealth, and U.S. material available to researchers in digital format within five years.

In support of a new program in popular culture and the law, a feature film collection has been developed for use by law students and faculty. The Law Library also worked with the Calder conference committee to organize the videotaping of the Calder conference. These videos will be a valuable addition to the Law Library's video collection. California legal texts from the Priestly Law Library were featured in the film "Against Their Will" filmed in Victoria; these "stellar volumes" recently made their debut in an edition of "Entertainment Tonight".

The Law Library is thankful to receive a bequest from the estate of the late Jack Scott-Harston, Q.C. The extra funds provided are a welcome addition to the purchase of expensive practitioners texts or practice-based courses and to buy new academic texts in emerging areas of law.



Submitted by Neil A. Campbell
Law Librarian

Tribute to Freda (Kardish) Hansen



**By Don Casswell, Bob Howell
and Lyman Robinson**

Freda's retiring!! Freda claims that she'll soon be 65, but has anyone actually seen her birth certificate? She certainly doesn't look or act 65! Maybe someone should confirm her age before we let her leave?

There aren't many people who have been around the law school longer than Freda. Freda started at the school in 1980 as the Admissions secretary. A couple of years later, she became the Dean's secretary, working with Lyman Robinson and then Bill Neilson. Administrative responsibilities have evolved over the years, but during Freda's years in the Dean's office she was in charge of all things large and small. She kept the Faculty's financial records in the days before fancy computer programs kept track of such matters. She served as the concierge for visiting dignitaries, faculty and guests. She arranged luncheons, dinners and conferences. She dealt with donors and potential donors. These responsibilities required a multitude of talents and Freda possessed all of them. She was the superb diplomat when dealing with judges, cabinet ministers, donors and distinguished visitors. She was the sharp-eyed accountant who made sure that the Faculty received all of the money that was coming to it and that expenses were charged to the proper accounts. She was the compassionate counsellor who gave sympathy and



Freda and Ted.

understanding to students who came to the Dean's office with a wide range of financial, emotional, medical, family and academic problems. There were occasional moments of high drama, many events filled with humour, and even a few times of tragedy. Regardless of the circumstances, Freda was the consummate professional who handled every situation with skill, aplomb and grace.

Later, Freda left the Dean's office and moved upstairs – certainly a loss for the administrative group downstairs, but a tremendous gain for those upstairs. Over the years, Freda worked with many faculty, including Don Casswell, Bob Howell, John Kilcoyne, Maureen Maloney, Lyman Robinson, Mary Anne Waldron and Terry Wueter. We all benefitted enormously. Freda was of course an impeccable secretary. And she told great jokes, and knew precisely who she could tell which jokes and who she couldn't! There was always fun in being with Freda. But more than that, she was a confidante and loyal and caring friend. Freda was always there, in good times and not so good, and

through thick and thin. We are deeply grateful for Freda's help and support when things weren't going well, either at work or at home. Freda was always there for others. As one example, the powerful poem of tribute Freda wrote for and delivered at Lynn Wayland's memorial after her tragic and untimely death said so much not only about Lynn, but also about the wonderful person Freda is.

We will all miss Freda's smile, the twinkle in her eyes, her great sense of humour and her wonderful laugh. A valued colleague and friend is leaving the school. Freda, it's hard to imagine the law school without you. But, you've more than earned a retirement when you can do those things that you enjoy most. We wish you and Ted, together with your children and grandchildren, every happiness and all the best that life has to offer.



Freda and her family.



“Thank you for the wise counsel, good humour and enjoyable times we’ve shared.”

To all of you, A SPECIAL NOTE FROM FREDA

It’s been 25 years! Where has the time gone? I guess it’s true that life happens while you are busy making other plans!

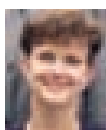
How do you express appreciation to the people with whom you have shared a quarter of a century? I have been very fortunate to have worked with extremely talented, dedicated and caring people, both faculty and staff (past and present), during my tenure at the Faculty of Law. My many years here are testimonial to what a great place it is and how extraordinary the people are who comprise the heart of it. It’s been a wonderful experience!

I am looking forward to my new adventure of retirement, content in the knowledge that I take with me friendships and fond memories of life at UVic’s Faculty of Law. Thank you for the wise counsel, good humour and enjoyable times we’ve shared - my very best wishes will always be with you.

I’m off to purchase a laptop...

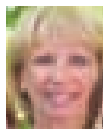
Freda (Kardish) Hansen

A Fond Farewell



For me, Freda has been an integral part of the law school. She is one of the few original staff members who were here when I joined the Faculty. She has contributed enormously to the welcoming atmosphere in the building. Coffee break was always more rejuvenating when Freda was there with her infectious laugh! Through her example, I learned that doing your job well is about more than just being competent and efficient. It's about developing caring relationships with your co-workers, finding fun within the mundane and the monotonous, and creating a balance between family and work! I wish her continued health, happiness and lots of laughter as she embarks on this new journey.

Janet Person, Admissions Officer



Freda - the place won't be the same without you. Your humour and smiling face will be truly missed – by me – that's for certain. Enjoy retirement!!

Neela Paige, Law Admissions



Few people enjoy filing, they find it an onerous exercise, but are quick to jump with joy when they stumble upon a filing system that really works. I'm still jumping for joy, having inherited Freda's filing system in the development office. It is truly a masterpiece! You can imagine my distress when I found out Freda was leaving back to hating filing for me or perhaps we'll just keep Freda on retainer!

Anne Pappas, Development & External Relations Officer



Circa 1995-1996. Back Row (l to r): Freda Kardish, Joanne Partiridge, Janice Robinson, Deborah Needley, Sheila Talbot, Rosemary Garton, Eileen Zapshala, Neela Cumming. Front Row (l to r): Maria Gagliani, Patricia Maedel, Kimberley Stratford, Janet Person, Wendy Shergold, Barbara Smith, Shelley Kostiuk.



From left: Neela Paige, Ginny Cumming, Freda, Lyman Robinson, Michelle Peterson



Freda (Hansen) Kardish with Professor and Dean Lyman Robinson

Real Life Case

For First Year Law Students at UVic Faculty of Law



By: Professor Rebecca Johnson

During the second world war, Canadian Airforce Pilot Al Trotter was shot down over Germany. He was captured, and spent many months as a prisoner of war, initially in the POW camp made famous in The Great Escape. Norman Reid and Tom Bradshaw, flying a night time mission to take out a strategically placed bridge, were shot down over enemy occupied Yugoslavia. The two men survived the crash, and spent several months in hiding behind enemy lines, evading capture. Over the past 2 years, first year UVic law students have become familiar with these three men's stories, and with the federal legislative regime granting compensation to these former prisoners of war and evaders.

In 1976, nearly 30 years after the end of the war, the Canadian government enacted legislation addressing the experiences of its roughly 4 000 World War II veterans who had suffered the experience of being prisoners of war. These former POWs would be entitled to monthly compensation, the amount of which depended exclusively on the number of days that had been spent as a POW. A 1978 amendment extended the compensation to World War I POWs, and to 'evaders': the 200 or so men who, like Reid and Bradshaw, had spent time evading capture in enemy territory. The 1978 amendment, like the 1976 version, was deemed to come into effect on 1 April 1976. As MP Stanley Knowles stated at the time, this meant that an

eligible veteran, "whenever he applies, can pick up the compensation that is coming to him retroactive to April 1, 1976." (House of Commons Debates, 445 (1 March 1978) 3372.

For roughly 10 years, POWs and evaders who applied for compensation were paid back to April 1976, regardless of date of application. However, in 1987, following a series of amendments designed to improve the level of benefits to widows and children of POW/evaders, the Pension commission began interpreting their legislation so as to treat claims for compensation in the same manner that they treated claims for disability

Bureau of Pension Advocates, representing Trotter and Reid in their appeals, brought the case to the attention of UVic professors Johnson and Lessard in the fall of 2002. With the permission of Reid and Trotter, Johnson and Lessard decided to use the case as a teaching tool. Over the past two years, as the cases have worked their way through levels of administrative and political review, the students have worked at crafting legal arguments in support of the veterans. Skill in statutory interpretation is crucial in the life of a lawyer. Here, students were able to work on a real case, testing themselves in the context

"For me personally, it confirmed that law school was the right place for me to be."

pensions: to award compensation only from the date of application. It was only after this point that Trotter, Reid and then Bradshaw first learned about the legislation. Each applied for and was granted compensation, but only from the date of application. This had the particularly perverse consequence of producing a situation where Reid and Bradshaw (shot down in the same day in the same plane, spending the same number of days evading capture, recovered on the same day) received different amounts of compensation.

Susan Ruttan, a lawyer with the

of an ongoing event, reading actual files, watching the case unfold, thinking strategically about how to launch alternative arguments.

That first year, students produced written arguments of the kind one might actually submit to an administrative board. The clients themselves read a selection of these memos, and then came to speak to the first year class about their experiences. It was a powerful experience for both students and veterans to speak with each other about the legal issues and processes involved. Now in second year,

student Jeanette Ettel said, "The POW assignment was one of the most memorable aspects of my first year of law school. Only a few months into the program, we were given the opportunity to work on a project that was relevant to more than just grades and exams - one that had the potential to help real people. Beyond its obvious educational value, the assignment gave us a taste of what it means to use legal tools to fight for justice in concrete situations. For me personally, it confirmed that law school was the right place for me to be".

This year, as the case was working itself through the final levels of appeal, first year students engaged themselves in the case again, taking on an even bigger challenge. They were asked to assume that the administrative board would continue to deny the claims, and that judicial review would be necessary. Thus, in the first semester of their first year of law school, they were asked to prepare a 20 page factum, deploying sophisticated and complicated arguments of statutory interpretation. Of these facts, Professor Johnson said, "The students produced facts as good as any I have seen filed in appellate courts. They were argued both with legal sophistication and a passion for justice that was moving". While the work involved in the learning exercise was intense, many students commented that they had been motivated and driven by the knowledge that they were dealing with a real case, with real clients, and in a context where they were also representing what felt very much like the side of justice. Commenting on the value of having such a case to work on, first year student Shauna Stikeman said, "It was a tremendous learning experience, and I feel grateful to Mr. Reid for the opportunity to engage myself in his case". Reid and Trotter, for their part, have expressed their gratitude to the students, speaking of the ways in which the student involvement has been inspirational for them, sustaining their belief that legal arguments can be made in ways which sustain notions of justice.

As suspected, the Veteran's Appeal and Review Board did, in February, sustain their decision against Mr. Reid. Local lawyer Paul Pearlman will now be working with Mr. Reid, bringing the case to Federal Court. Students will be watching to see the ways in which the arguments they articulated manage to work their way into the court judgments.

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Registration fees include all course materials, meals, reception and dinner with keynote address. • Refunds will not be issued after July 2, 2004. If you are unable to attend, you are welcome to send a colleague in your place.

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Alumni Updates Spring 2004

1970-79

WILLIAM (BILL) F. EHRCKE ('78) has been appointed to the Supreme Court of British Columbia.

JANE HENDERSON, Q.C. ('78) is one of the class representatives for the UVic Law Alumni Association Bursary Campaign. Jane continues to practise primarily in the area of family law, focusing on mediation, collaborative law and other forms of ADR, with her partner Trudi Brown QC and associates Kay Melby ('98) and Jennifer Wilson ('03). She and Mark Horne ('78) have one son, Greg Horne, of whom they are very proud.

DEBRA STEGER ('78) is currently the Executive-in-Residence at the University of Ottawa Faculty of Law.

1980-89

DULCIE MCCALLUM ('81) is one of the class representatives for the Law Alumni Association Bursary Campaign. Dulcie was named Distinguished Alumni for UVic in 1997 and given the YWCA Women of Distinction honour in 1996. She was the Former Ombudsman for the Province of BC from 1992 to 1999. Her company Dulcie McCallum Consulting Ltd is based in Victoria. She works as a lawyer and a consultant doing strategic planning, investigations and reviews for government and private organizations. When she grows up she wants to be a writer!

DAVID NANSON ('84) has been in England for the last 13 years. He's a partner at Denton Wilde Sapte in London. He will be leaving the UK shortly to run the firm's office in Istanbul, Turkey for the next 3 to 4 years.



COLLEEN CATTELL ('85) is a class representative for the UVic Law Alumni Association Bursary Campaign. She practices with McKechnie & Company in Yaletown, Vancouver. Her practice focuses on construction and commercial litigation. Colleen has written extensively in the fields of construction and commercial litigation for the Continuing Legal Education Society of British Columbia, including the Construction Law chapter of the Annual Review of Law & Practice (1995 to 1997), "Fundamental Breach and Exclusion Clauses" in Contract Law (1995), "Execution Proceedings" in Collections (1993) and Collections for Legal Support Staff (1994), and "Enforcement" in PPSA Series: Advanced Issues (1993). She is a member of the B.C. Mediator Roster (Civil), Adjunct Professor at the University of British Columbia Faculty of Law where she teaches mediation advocacy, serves as President of the B.C. Dispute Resolution Practicum Society, which oversees the Small Claims Court Mediation Practicum Program, and is a member of the Commercial Mediation Association and the CanSolve Group of Mediators. Colleen also served as Chair of the National Board of LEAF from 2001 to 2003.

KENN B. KARDISH ('85) is a retired member of the British Columbia Bar and living in Calgary.

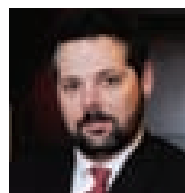
DIANNE GAIL ANDIEL (NEE MCDONALD), ('87) is still in private practice as a sole practitioner in Victoria. "I am very happy to report that I got married in 2000 (to a very nice man!) and got pregnant on my honeymoon and had a little girl named Abigail in late 2000. And if that

weren't enough I am pregnant with our second child due in July, 2004. Nothing like leaving it all to the last possible minute. As those who knew me in law school can attest to having a child at the age of 42 wasn't in my game plan but I am thrilled at how life worked out! I work three days a week in family law and love having the balance between family life and the practice of law". Dianne can be reached at dgandiel@telus.net



MARY E. MOUAT ('87), is one of the class representatives for the Law Alumni Association Bursary Campaign.

STELLA D. FRAME ('88) is one of the class representatives for the UVic Law Alumni Association Bursary Campaign and is a shareholder of Boughton Peterson Yang Anderson Law Corporation in Vancouver. She practices in civil litigation with a focus on banking, commercial, construction ("leaky condos"), and bankruptcy and insolvency litigation. Stella is a member of the Judicial Advisory Committee of the BC CBA, secretary of the new BC CBA Women Lawyers Forum, a member of the BC CBA Provincial Council Executive, secretary of the Board of the Insolvency Section of the BC CBA, and Co-Chair of the BC CBA Equality Committee. She is also the single mother of 3 year old Madeleine.



STEVE CLOUTIER ('89) is President APF Energy Trust and lives in Calgary with wife Merran Christie ('89) and their two daughters.

Continued on next page...

Alumni Updates continued

1990-99

DARCY L. WRAY ('90) formerly of Taylor Wray Business Lawyers, has relocated his practice to the firm of Synergy Business Lawyers in Vancouver.

NICK MOSKY ('91) is a class representative for the Law Alumni Association Bursary Campaign and a partner at Waddell Raponi in Victoria (nmosky@waddellraponi.com), practising civil litigation. He and his wife Susan are attempting to raise 3 incorrigible children, Sasha, 9; Ella, 6 and Sam, 3.



GRAEME BOWBRICK ('92) and wife Julie are the proud parents of twin girls, born March 1st 2004 -

Meredith (5 lbs 15 oz) and Charlotte (5 lbs 5 oz). Big brothers Coli, (age 8), Adam (age 5), and Alex (age 2), are as excited as mom and dad to see whether the twins will be identical.

JENNIFER MCKEEN ('92) is working in the policy planning division of the Department of Foreign Affairs in Ottawa.

D. JEFF LARKINS ('93) and his wife are the proud parents of three boys, Conor, Liam and Ethan. Jeff is with Getz Prince Wells, Barristers & Solicitors Vancouver.

Since February, 2004, **TERRA NICOLAY ('93)** has been Region Counsel – Canada for Halliburton, an international oilfield services company. Terra was previously Group Counsel with the chemicals and petroleum business unit of SNC-Lavalin, an engineering, procurement and construction company. She is married to Robert Nicolay.

DEANNA RIVERS ('95) is now at Stevenson, Luchies & Legh, in Victoria, B.C. where she is working in court preparation for the firm, and will be covering Andrea Duncan's practice while she is on maternity leave. Deanna's new email address: rivers@sl.ca



MARK UNDERHILL ('95), is an associate with Arvay Finlay in Vancouver. Mark is the chairperson of the UVic Law Alumni Association Student Bursary Fund Steering

Committee. Mark married **LISA CHAMZUK ('00)** and they live in Deep Cove, North Vancouver.

BRANT KOSTANDOFF ('96) has been in-house counsel at VisionTV: Canada's Faith Network and its affiliate ONE: the Body, Mind and Spirit channel (call your cable or satellite provider) since 2001. While you may occasionally hear him doing voice-overs, his official position is General Counsel, Director of Government & Regulatory Affairs. He and Elissa How ('97) now live in Stouffville with their two children Magdalena and Paterson.

STEPHEN BURRI ('97) is an associate at Miller Thomson LLP in their Vancouver office with a practice in intellectual property. Stephen is also a Canadian patent and trade-mark agent.

MAUREEN ANDERSEN ('98) is working with Alan Hincks in the Expropriation Group of the Attorney General.

DREW DUNCAN ('98) graduated from UVic's joint LL.B./M.P.A. program. He completed an LL.M. in international law at Kyushu University in Japan. After returning to Canada, and enjoying brief employment at CAPI, Drew joined the



federal public service, and now lives in Ottawa with his wife, Dawn, and three children, Owen (4), Finn (3), and Loch (1).

GREGG HORNE ('98) is in-house Legal Counsel to Call-Net Enterprises Inc. / Sprint Canada Inc. in Toronto.

JASON KITTS ('98) quit private practice law in Calgary at the end of May, 2003 and spent the summer traveling across Canada with **CHRISTINA COOK ('00)**. Since then, he has been seconded by the law firm, Heenan Blaikie LLP, as Project Counsel to Qatar Liquefied Gas Company (II) Limited. It is currently the world's largest joint venture to manufacture, transport and supply liquefied natural gas (LNG). Jason is currently based in Doha, Qatar for at least 18 months and can be contacted at jkitts@qatargas.com.qa

After Articling in Toronto with the union side labour law firm Green and Chercover **DONALD JOHN MCKAY ('98)** was called to the bar in Ontario in February of 2000. "Finding no work as a labour lawyer I joined a criminal defense firm Christie and Associates where I practiced until July 2003. I relocated back to Victoria in August 2003 hoping to open my own practice. In November 2003 I was called to the bar in British Columbia and in January 2004 I opened Donald J McKay Law Corporation. I am starting off practicing criminal defense law and plan to expand into other areas of litigation work as my practice becomes established. My email is don@donaldjmckay.com".

IBI OLABODE ('98) is an associate practicing Family law at Ricketts, Harris LLP in Toronto.

Alumni Updates continued

2000-03



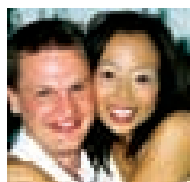
LISA CHAMZUK ('00) After graduating from UVic Law, Lisa clerked at the Supreme Court of British Columbia in Victoria and then moved to Vancouver

where she began working at Lawson Lundell. Lisa now practices in the area of pension and employee benefits, working as both a solicitor and litigator. In June of 2001 Lisa married **MARK UNDERHILL ('95)**, and they live in Deep Cove, North Vancouver. Lisa is steering committee member of the UVic Law Alumni Association and a class representative for the UVic Law Alumni Association Bursary Campaign.

CONSTANCE LADELL ('00) is in house legal counsel at the British Columbia Lottery Corporation in Kamloops.

JON DUNCAN ('01) is practicing with Dick Byl Law in Prince George in the areas of criminal and family law and child protection law.

FRITZ KLANTSCHI ('01) is a patent attorney in New York with Fitzpatrick Chella Harper & Seintal.



DAN W. PUCHNIAK ('01) is an associate with Torys LLP in Toronto and recently married. The wedding ceremony was held in

Bora Bora, French Polynesia on a small sand bar (called a motu tapu), just before sunset, making for a memory of a lifetime.

MARWAN AMR ('02) is an associate in the Structured Finance Department of Fulbright & Jaworski in Washington, D.C. After graduating from UVic,

Marwan received an LL.M. at Temple University in Philadelphia and is licensed to practice law in the District of Columbia. Marwan really enjoyed the three years at UVic and if anybody has any questions on working in the U.S., please do not hesitate to contact Marwan at ma4579@yahoo.com

BEN BERGER ('02) joins the Faculty of Law at the University of Victoria in July 2004.

HOMI SINGH BINDRA ('02) After completing the joint LLB / MPA program at UVic Homi clerked at the BC Supreme Court in 2002 / 2003 in Vancouver and is now articling with the Ministry of Attorney General in Victoria.



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007/06/04

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