

# Looking Back, Moving Forward:

## Future Challenges for Clinical Legal Education in Canada



Association for Canadian Clinical Legal Education

10<sup>th</sup> Annual Conference

London, Ontario (June 12<sup>th</sup>–14<sup>th</sup>, 2019)



**Welcome to ACCLE's 10<sup>th</sup> Annual Conference**

*Looking Back, Moving Forward:*  
**Future Challenges for  
Clinical Legal Education in Canada**

June 12<sup>th</sup>–14<sup>th</sup>, 2019  
University of Western Ontario  
Delta Hotels London Armouries  
London, Ontario



We acknowledge that we are gathering on the traditional territories of the Anishinaabe, Haudenosaunee, Lenaapeewak, and Attawandaron peoples, all of whom have longstanding relationships to the land of Southwestern Ontario and the City of London. The First Nations communities of our local area include Chippewas of the Thames First Nation, Oneida Nation of the Thames, and Munsee Delaware Nation. And in our region, there are eleven First Nations communities, as well as a growing Indigenous urban population.

We value the significant historical and contemporary contributions of local and regional First Nations, and all of the Original Peoples of Turtle Island (also known as North America).

We consider that acknowledging territory shows recognition and respect for Indigenous peoples, which is essential to establishing healthy reciprocal relations and to achieving reconciliation. We invite you to consider what this acknowledgement means to you on a personal level.

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## President's Welcome

On behalf of the conference organising committee, thank you for joining us at ACCLE's 10<sup>th</sup> conference. We are honoured to be back where we started in London, Ontario. I recall attending this first successful conference and subsequently watching ACCLE grow in membership and influence over the past decade. We can truly say that clinical and experiential legal education has rediscovered its voice in Canadian legal education.

It has been a pleasure working with the board and membership for the past two years as president. We have done meaningful work as a board over the past two years, including strategic planning, working on research projects to support clinical legal education, starting a listserv, working on a special edition of the Journal of Law and Social Policy, and advocating for law student representation in Bill C-75. I believe these last two years are also a bellwether for what is to come in legal education and legal services. We are witnessing increased uncertainty about the role of articling, economic pressure from governments, funders, and law schools, and questions about the role of experiential education in the law school curriculum. The next few years will be very important for clinics, law schools, funders, regulators, students and clients alike. I believe more strongly than ever that ACCLE's voice is important to cement the place of clinical and experiential education and support its depth and expansion.

I am extraordinarily grateful to the entire board for their work this year. I wish to call particular attention to two departing members. Doug Ferguson, Director of Western's Community Legal Services and founder of ACCLE, is leaving the board after almost 10 years of service. His role in envisioning the relevance of ACCLE in the legal education landscape is truly incredible. Lisa Cirillo, Director of Downtown Legal Service at the University of Toronto, is also leaving the board this year. Anyone who attended a past ACCLE conference knows she has been the backbone of our organisation, almost singlehandedly responsible for the success of our conferences and leading ACCLE through its most significant growing pains. They have both made meaningful impacts in the world of clinical and experiential legal education. I also welcome our incoming president Martha Simmons, who will lead ACCLE for the next two years. Martha has been deeply involved with ACCLE's work and has served as Vice-President for the past two years. It will be an honour and pleasure working with her.

Thank you once again to the organising committee, and especially to all of you for attending. I look forward to learning from all of you throughout the conference. If you have not already done so, I encourage you to keep the conversation going by joining ACCLE as a member and accessing our listserv. I also encourage you to follow us @ACCLE\_Official to stay connected with our work and let us know more about yours. Enjoy the conference!

Gemma

**Gemma Smyth**

**President, Association for Canadian Clinical Legal Education**

**Associate Dean, Faculty of Law, University of Windsor**



## General Information

Welcome to lovely London, Ontario, located along the scenic Thames River and the “birthplace” of ACCLE!

With a population of approximately 383,000 people, London is the biggest southwestern municipality in Ontario and is the economic, entertainment and cultural hub of the region. Located along the Quebec City – Windsor corridor, Canada’s 11<sup>th</sup> largest city is equidistant from Toronto and Detroit. Affectionately known as the Forest City, London is home to more than 200 parks and as well as extensive trail system that runs along the Thames River, right onto Western’s campus, for walking, running, biking or inline skating.

For more information about London – history, getting around, places to see, etc., we encourage you to visit the [City of London’s](#) website.

### Conference Venue

This year, ACCLE has opted to host the conference itself in the main conference hotel, the [Delta London Armouries](#) (325 Dundas Street) located centrally in downtown London. All conference sessions will take place at the hotel.

There are two optional social events that require a short car commute (10 – 20 minutes) from downtown London. To kick off the conference, **Community Legal Services**, our host clinic, is holding an open house reception from 5 – 7 pm on Wednesday, June 12. The clinic is located in the law school building, on campus at the corner of Western Road and Lambton Drive ([see campus map](#)). On Thursday, June 13, the Conference dinner will be held in the Garden Room at the **Ivey Spencer Leadership Centre** (551 Windermere Rd.).

### Wi-Fi Access

Conference attendees can enjoy complimentary internet access throughout the hotel. We invite participants to join us in tweeting about the conference at [#ACCLE2019](#)

### Speakers’ Gifts

ACCLE wishes to thank all of our speakers and presenters for their participation in this conference. In lieu of speakers’ gifts, ACCLE will be making a donation to the [London Cross Cultural Learner Centre](#). Founded in 1968, the Centre’s mandate is to provide integration services and support to newcomers and to promote intercultural awareness and understanding.

### Our sponsors

This conference is generously supported by Community Legal Services and the Faculty of Law at Western University. In addition, ACCLE wishes to extend a special thank you to Thomson Reuters for their generous sponsorship of this special anniversary conference, including Friday’s lunch, the pre-dinner reception at the conference dinner and printing this program. We are very grateful to Thomson Reuters for their consistent support of ACCLE’s conferences over the years.



### **Questions?**

If you have any questions or concerns, please feel free to speak with ACCLE Conference Chair Lisa Cirillo ([lisa.cirillo@utoronto.ca](mailto:lisa.cirillo@utoronto.ca)), ACCLE Vice-President Martha Simmons ([MSimmons@osgoode.yorku.ca](mailto:MSimmons@osgoode.yorku.ca)) or our local host and ACCLE Board Member Doug Ferguson ([dfergus@uwo.ca](mailto:dfergus@uwo.ca)). Doug can assist you with any information about the London scene.

## Opening Keynote Address

ACCLE is honoured to welcome the **Honourable Justice Gloria J. Epstein** to deliver our opening keynote address.



**The Honourable Justice Gloria J. Epstein** graduated from Queen's University with an Honours Bachelor of Commerce in 1972. For the next two years she lived on an island in Temagami, Ontario and owned and operated a fishing camp.

She returned to Toronto to study law at the University of Toronto and graduated in 1977. She practised with Fasken & Calvin and then Fraser & Beatty before starting her own firm - Gloria Epstein and Associates. Judge Epstein became a Queen's Counsel in 1992, to the Superior Court of Justice (Ontario) in 1993 and to the Court of Appeal for Ontario in 2007. In June of 1998 the Premier of Ontario made her head of the Review of the government's involvement in the lives of the Dionne Quintuplets.

In August, 2018, Judge Epstein retired from the Court of Appeal to head an independent review of the Toronto Police Service's handling of investigations into the report of missing persons in the LGBTQ2S community.

Instructor, Bar Admission Course, Civil Procedure; York University, Advocacy Programme and Mooting Program. Director of the Ontario Development Corporation; National secretary and member of the Canadian Council of Christians and Jews; Member of the Copyright Committee, Canadian Association of Broadcasters; Director of The Starlight Foundation; Director of Women's College Hospital Foundation; Director of World Film Festival of Toronto, Director of the Ontario Superior Judges Association, Chair of the Chief Justice's Media Committee. Co-chair of the education committee of the CIAJ, member of Committee established to facilitate access to the courts for people with disabilities. Strong supporter of the Canadian Women's Foundation. Member of the Education Committee of the Canadian Judicial Council, and Chair of the Family Rules Committee. Co-chair of the Ontario Justice Education Network. Founder of the McMurtry Gardens of Justice and co-chair of the Ontario Justice Education Committee. Member of the National Board of Directors of Pathways to Education and member of the Advisory Board of the Smith School of Business.

Justice Epstein has an otherwise busy life with five children and seven grandchildren.



## Day Two Plenary Session

### The Power of Data: Introduction to the Centre for Applied Legal Studies



**David A. Santacroce** is a clinical professor of law at the University of Michigan Law School and has served as its associate dean for experiential education since 2013. He teaches in the Civil-Criminal Litigation Clinic and his primary interest is impact litigation focusing on civil rights, particularly healthcare issues.

Professor Santacroce is the founder and president of the Center for the Study of Applied Legal Education (CSALE), a nonprofit corporation housed at Michigan Law School, dedicated to the empirical study of law school clinics and externship programs and the promotion of related scholarship. With the aid of CSALE data, Professor Santacroce has provided advice and assistance to deans and faculty members at more than 75 percent of U.S. law schools on issues of clinic and externship design, pedagogy, and staffing.

Professor Santacroce is also the president and founding member of Equal Justice America, a nonprofit corporation that provides grants to law students who volunteer to work with organizations providing civil legal services to the indigent. He is a past chair of the Association of American Law Schools' Section on Clinical Legal Education and former board member of the Clinical Legal Education Association. He was also senior staff attorney for the Sugar Law Center for Economic and Social Justice in Detroit.

Professor Santacroce received an LLM from Columbia University School of Law, where he was named a Harlan Fiske Stone Scholar; a JD, *cum laude*, from Pace University School of Law, where he was managing editor of the *Pace Law Review*; and a BA from Connecticut College. He recently was awarded the Association of American Law Schools' 2019 William Pincus Award for Outstanding Service and Commitment to Clinical Legal Education by the organization's Section on Clinical Legal Education.

## Conference Program at a Glance

Wednesday, June 12<sup>th</sup>, 2019

5:00–7:00 p.m.                    **Pre-Conference Reception**  
Community Legal Services, Western University  
Josephine Spencer Niblett Law Building, Room 126

Thursday, June 13<sup>th</sup>, 2019

8:30–9:00 a.m.                    **Registration and Breakfast**  
Delta Hotels London Armouries, *Armouries Foyer*

9:00–9:30 a.m.                    **Welcome & Conference Opening, *Gunnery Ballroom***  
Introduction of Keynote Speaker

9:30–10:40 a.m.                    **Keynote Address:** The Honourable Justice Gloria J. Epstein,  
Ontario Court of Appeal

10:40–11:00 a.m.                    **Beverage Break, *Armouries Foyer***

11:00 a.m.–12:00 p.m.                    **Concurrent Sessions Block 1**

**Session 1A, *Salon A/B***

*Thinking about Assessment in Clinical Legal Education*, Sarah  
Buhler and Chantelle Johnson

**Session 1B, *Salon C***

*Strategic Litigation: A Critical Appraisal*, Prasanna  
Balasundaram

**Session 1C, *Salon D***

*Environmental Law Clinics: Experiences from the  
Transnational Environmental Law Clinic*, Patrícia Galvão  
Ferreira, Matthew Jantzi & Tess Sheldon

12:00–1:00 p.m.                    **Lunch, *Armouries Foyer***

1:00–2:00 p.m.

**Concurrent Sessions Block 2**

**Session 2A, Salon A/B**

*Relational Learning, Experiential Education, and Indigenous Methodology*, Beverly Jacobs & Jillian Rogin

**Session 2B, Salon C**

*Developing Competency-Based Skills for the Lawyers of Tomorrow*, Dr. Kara L Mitchelmore

2:00–2:10 p.m.

**Moving Sessions**

2:10–3:10 p.m.

**Concurrent Sessions Block 3**

**Session 3A, Salon A/B**

*Towards Truth and Reconciliation*, Lisa Cirillo & Jennifer Fehr

*Unpacking the “Invisible Backpack of Privilege” in the Clinical Context: The Impact of Cultural Diversity training on Reflective Practice for Law Students*, LA Henry

**Session 3B, Salon C**

*The I Decide Project: How Clinics Can Empower People with Intellectual Disabilities*, Stephanie Dickson

**Session 3C, Salon D**

*Supervision in the Clinic Setting: What We Really Want Students to Learn*, Doug Ferguson

3:10–3:30 p.m.

**Afternoon Snack Break, Armouries Foyer**

3:30–4:30 p.m.

**Concurrent Sessions Block 4**

**Session 4A, Salon A/B**

*Introducing Employment Foresight: Using AI in Clinics*, Jennifer Fehr, Stefanie Di Giandomenico, Michael Stych

*Of Law Students and Goldfish: The Necessity for Legal Clinical Practice to Focus on Attention Management in Addition to Time Management*, Lilian Bahgat & Harpreet Burmy

**Session 4B, Salon C**

*Beyond Individual Client Service: The Challenges of Pursuing Community Justice through Clinical Education*, David Wiseman



*Community-Based Impact Lawyering in a Clinical Setting,*  
Nicole Hallett

**Session 4C, Salon D**

*Threading the Needle while Building the Haystack: Serving Clients and Students in a New University-Based Law Clinic,*  
Christine Laing

6:00 pm

**Conference Dinner & Dance**, Ivey Spenser Leadership Centre  
(551 Windermere Road, London)  
**Pre-Registration Required**

**Friday, June 14<sup>th</sup>, 2019**

8:45–9:15 a.m.

**Registration and Breakfast**,  
Delta Hotels London Armouries, *Armouries Foyer*

9:15–10:30 a.m.

**Welcome**, Dean Erica Chamberlain, Faculty of Law, Western University, *Gunnery Ballroom*

**The Power of Data: Introduction to the Centre for Applied Legal Studies**

To kick off day two of the conference, ACCLE is delighted to welcome **Professor David Santacroce**, founder and president of the Center for the Study of Applied Legal Education (CSALE). CSALE is a nonprofit corporation housed at Michigan Law School, dedicated to the empirical study of law school clinics and externship programs and the promotion of related scholarship.

CSALE collects data on applied legal education in areas including program design, capacity, administration, funding, pedagogy, and the role of applied legal education and educators in the academy. The results of each triennial national survey are provided in a detailed report at the end of every survey cycle. With the aid of CSALE data, Professor Santacroce has provided advice and assistance to deans and faculty members at more than 75 percent of U.S. law schools on issues of clinic and externship design, pedagogy, and staffing.

In this session, Professor Santacroce will offer a general introduction and overview of the CSALE project– its history, methodology, approach to the use of data and key learnings.

10:30–10:45 a.m. **Beverage Break, Armouries Foyer**

10:45–11:45 a.m. **Concurrent Sessions Block 5**

**Session 5A, Salon A/B**

*Experiential Learning and the City: Teaching Litigation in Politicized Spaces*, Peter Dalglish, Terra Duchene, Luigi Iantosca & Anneke Smit

**Session 5B, Salon C**

*The Challenges of Action Research in a Human Rights Clinic*, Mirja Trilsch

*Looking Back and Future: Role of Clinical Legal Education in Brazil*, Fernanda Brandao Lapa

**Session 5C, Salon D**

*Community Partnerships in Criminal Law: Expanding the Practice beyond Traditional Representation*, Karen Bellinger

*The Best Parts of Law School? Trying to Bring Insights from Clinical Legal Education to a Refugee Law Lecture Course*, Amar Bhatia

11:45 a.m.–1:00 p.m. **Thomson Reuters Lunch, Armouries Foyer**

Please help yourself to lunch and then join us for **ACCLE's 2019 Annual General Meeting** in the Gunnery Ballroom

1:00–2:00 p.m. **Concurrent Sessions Block 6**

**Session 6A, Salon A/B**

*Responding to Bill C-75 and Other Political Crises Facing Legal Clinics in Canada*, Johanna Dennie & Jillian Rogin

**Session 6B, Salon C**

*Introducing the CBA's Experiential Learning Guide*, Gemma Smyth & Doug Ferguson

*A Comparison of Pedagogies: Are Professional Legal Ethics Better Taught in the Clinic or the Classroom?*, Nora Parker

2:00–2:15 p.m. **Afternoon Snack Break, Armouries Foyer**



2:15–3:45 p.m.

**Closing Plenary: Accommodations in Clinical Legal Education Programs, *Gunnery Ballroom***

*Participants:* Roxanne Mykitiuk & Tess Sheldon, Shelley Kierstead & Martha Simmons and David Lepofsky

3:45–4:00 p.m.

**Conference Wrap-Up**

## Abstracts for Concurrent Sessions

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DAY ONE: Thursday, June 13<sup>th</sup>, 2019

### Concurrent Sessions Block 1 (11:00 am – 12:00 pm)

#### Session 1A

*Thinking about Assessment in Clinical Legal Education*, Sarah Buhler (University of Saskatchewan) and Chantelle Johnson (CLASSIC)

In this interactive workshop, the presenters will discuss the issue of assessment in clinical legal education. In the first part of the workshop, they will debate the pros and cons of grading in clinical legal education, with each presenter taking a side on the issue. They will then present some of the literature on assessment in experiential education contexts and will share the detailed rubric that CLASSIC uses for its assessment of clinical law students. Participants will be invited to share their own approaches and challenges relating to assessment in the clinical context. The goal is that participants will leave with new insights about assessment and some tools to take back to their own clinics.

#### Session 1B

*Strategic Litigation: A Critical Appraisal*, Prasanna Balasundaram (Downtown Legal Services)

The presentation will focus on Downtown Legal Services' efforts at systemic litigation by considering the Refugee and Immigration Division's involvement in 2 constitutional challenges to sections of the Immigration and Refugee Protection Act (IRPA). The session's aim will be to situate and critically assess our experience within the literature concerning systemic litigation in the clinical context. It will begin by reviewing the literature in the clinical context with a view to summarizing conclusions about the purpose and importance of engaging in systemic litigation. It will then turn to describe our experiences in *Y.Z. v. Canada (Citizenship and Immigration), 2015 FC 892* (CanLII) where the Federal Court struck down provisions in the IRPA that constituted the Designated Country of Origin regime and the presenter's current involvement in a challenge to the provisions of the IRPA that constitute the Safe Third Country Agreement. The presenter will then appraise our experiences against the literature on systemic litigation as well as broader literature of the mission of clinic with a focus on pedagogical and client service goals.

#### Session 1C

*Environmental Law Clinics: Experiences from the Transnational Environmental Law Clinic*, Patrícia Galvão Ferreira (University of Windsor), Matthew Jantzi (University of Windsor) & Tess Sheldon (University of Windsor)

This roundtable session will share the experience of re-establishing the Transnational Environmental Law Clinic (TELC) and promote a discussion on the challenges of providing



environmental clinical work opportunities in an era of increasing environmental urgency and fiscal austerity.

TELC is a joint program between the University of Windsor, Faculty of Law and the University of Detroit Mercy, School of Law. The TELC aims to engage law students in both law schools in projects related to environmental law that have a transnational perspective, including work that involves the different levels of government in both the United States and Canada, besides bi-national projects around the Great Lakes. The Clinic adopted an expanded definition of environmental law to include projects that touch on indigenous laws and rights and also food law. As a part of the TELC's developing mandate the clinic has discussed issues such as: the adoption of a mission statement (scope of public interest advocacy, focus on research, advocacy and litigation); criteria to accept and prioritize cases; ideal number of credits and timeframe for student commitment (either one term or one academic year). The question of ways to conform with Law Society regulations without hiring outside counsel (taking into account the context of reduced budgets across universities) was also debated.

### **Concurrent Sessions Block 1 (1:00 - 2:00 pm)**

#### **Session 2A:**

*Relational Learning, Experiential Education, and Indigenous Methodology*, Beverly Jacobs (University of Windsor) & Jillian Rogin (University of Windsor)

Dominant discourses involving experiential education often exclude Indigenous research, teaching, and learning methodologies as contributing to pedagogies of experiential learning. This workshop will explore the ways in which Indigenous research methodologies, and in particular, Haudenosaunee research methodology, creates a framework for experiential learning that can shape experiential education.

The presenters will review the ways in which Indigenous research, teaching, and learning methods have been largely unacknowledged in mainstream discourses. We will discuss how Haudenosaunee methods of knowing, learning, and teaching embody principles of experiential education, how these methods can be acknowledged and drawn upon in experiential learning settings, and what this might look like in practice. Focusing on relationship building, relational learning, trust-building, and creating safety in learning, the presenters will explore how building and modeling healthy relationships can and should inform experiential learning and education including legal clinic settings.

This participatory workshop builds on earlier scholarship that centres around decolonizing clinic legal education and attendees along with the presenters will engage in relational learning and discussion as modes of practicing the methodologies that are introduced.



### Session 2B:

*Developing Competency-Based Skills for the Lawyers of Tomorrow*, Dr. Kara L Mitchelmore (CPLED)

The purpose of the presentation is to share lessons learned and the challenges experienced in the design and implementation of a new competency-based professional legal education program. Topics include: low and high-stake assessments; and transitioning from school-based learning to workplace application.

### Concurrent Sessions Block 3 (2:10 – 3:10 pm)

#### Session 3A

*Towards Truth and Reconciliation*, Lisa Cirillo (Downtown Legal Services) & Jennifer Fehr (Downtown Legal Services)

This past year, Downtown Legal Services (“DLS”) a poverty clinic in urban Toronto, took its first institutionalized, step towards truth and reconciliation through the creation of a Reconciliation Committee, comprised of staff and students. Although the DLS had already initiated certain activities in response to the Truth and Reconciliation Committee (“TRC”) Calls to Action, we wanted to do more and knew that more was required.

Yet, in a clinic without any Indigenous staff and few Indigenous students or clients we struggled to move forward for fear of making mistakes. Recognizing if not us, then who? If not now, when? We went ahead.

This presentation will reflect on DLS’ the approach, measures taken and lessons learned in the first year of the Reconciliation Committee. In recognition that there was so much we did not know about Indigenous communities and history, we assigned ourselves “homework” for each meeting with a view of improving knowledge of the history of colonization Canada and vibrant culture of Indigenous peoples. We relied on existing resources and smaller projects to gain momentum and raise the profile of Indigenous issues and Canada’s history of colonization at the clinic. We will discuss the impact of this approach and open up the discussion to strategies employed by other clinics in meeting the TRC Calls to Action.

*Unpacking the “Invisible Backpack of Privilege” in the Clinical Context: The Impact of Cultural Diversity Training on Reflective Practice for Law Students*, LA Henry (Fredericton Legal Advice Clinic)

The use of reflective practice within an experiential learning environment is becoming more normative in Canadian Law school curricula. The older experiential learning model that primarily provides professional “skill sets” for law students has shifted to include more of an “access to justice” focus. This broader focus takes into consideration socio-economic, racial, and gender minority inequities that exist in Canadian society. By helping law students develop increased awareness of their own privilege (or areas of disadvantage), cultural diversity training combined with reflective practice equips them to



better identify barriers to justice that may not be evident from the traditional “skill sets” approach.

Relying on students’ reflective essays, journals, and in-class case rounds, I will present qualitative evidence on the role cultural diversity training plays in helping students become more aware of what they did not previously know of their own “invisible backpack of privilege.” Cultural diversity training in this instance combined classroom exercises, guest lecturers from indigenous, newcomer, and 2SLGBTQIA+ communities, trauma awareness training, and participation in a sweat lodge led by an elder.

### **Session 3B**

*The I Decide Project: How Clinics Can Empower People with Intellectual Disabilities*,  
Stephanie Dickson (Legal Assistance of Windsor)

In May of 2018, Legal Assistance of Windsor (LAW) launched The I Decide Project for people with intellectual disabilities. The purpose of this innovative project is to deliver rights-based education and services to community members with intellectual disabilities, in order to promote self-directed decisions and planning.

LAW Staff Lawyer, Stephanie Dickson, will provide insight into the development of this new area of clinic law. A 30-minute documentary video, called I Decide, will be screened during this session. The I Decide video highlights the journey of an Ontario resident labelled with an intellectual disability, who has succeeded in putting himself at the centre of his own decision-making, while shedding light on the province’s long history of institutionalization and segregation.

A question-and-answer period will follow.

### **Session 3C**

*Supervision in the Clinic Setting: What We Really Want Students to Learn*, Doug Ferguson  
(Community Legal Services, Western University)

Student supervision by clinicians is a constant in every aspect of clinic life. The presenter will focus on certain key elements of supervision in Community Legal Services at Western University. The clinic offers a very broad range of legal services, ranging from criminal to wills, and consumer law to housing, with 125-150 students taking part in 800-1,000 files per year.

The presenter will discuss our supervision strategies for:

- trial and hearing processes and strategy;
- effective communication with clients and drafting pleadings;
- legal research and case theory;
- ethics and professional responsibility;
- ensuring students are aware of their responsibilities and are focused on their file work.

Included will be a discussion of the classroom component consisting of lectures and simulation exercises where they deal with professional identity, ethical issues, sensitization to the lives of our clients, awareness of the importance of access to justice, and the capacity of legal processes. They will further show how we deal with substantive law through the requirement of legal memos and opinion letters in most cases.

They will discuss our online materials for the classroom, including the clinic's Caseworker Manual which provides guidance in substantive law, court/tribunal rules, and clinic policies and procedures. Context will be added by reference to the *Rules of Professional Conduct* in Ontario and its requirements for clinicians supervising law students. The presenter hopes to invite audience participation by asking participants to give their opinions on the above, and propose their ideas on best practices in the clinic or country.

#### **Concurrent Sessions Block 4 (3:30 – 4:30 pm)**

##### **Session 4A**

*Introducing Employment Foresight: Using AI in Clinics*, Jennifer Fehr (Downtown Legal Services), Stefanie Di Giandomenico (Blue J Legal) & Michael Stych (Blue J Legal)

Employment Foresight is an Artificial Intelligence (AI) platform developed by Blue J Legal, which uses machine learning to predict how courts would answer a variety of questions relevant to employment law practice, including reasonable notice periods, management exemptions to overtime and worker classification, to name a few. Blue J Legal is proud to support access to justice initiatives and for the past 18 months has provided free access to students and staff of the Employment Law Division at Downtown Legal Services (DLS), with great results for both students and clients. Blue J Legal is extending the offer of free access to clinics delivering pro bono services for the next 12 months (with the possibility of extension). For interested clinics, this session will provide an overview of Employment Foresight delivered by Blue J Legal and the opportunity to hear directly from DLS staff about their experience working with the platform in a clinical setting.

*Of Law Students and Goldfish: The Necessity for Legal Clinical Practice to Focus on Attention Management in Addition to Time Management*, Lilian Bahgat & Harpreet Burmy (Community Legal Aid)

Attention management is an emerging area of concern for many workplaces. New techniques have been introduced to workplaces to address this issue. The current clinical landscape needs to develop its own techniques to ensure that law students are fully engaged in their practice. Based on a short discussion of new techniques being recommended, we will conduct an interactive workshop. Attendees will be challenged to bring a new method of teaching to clinic practice. We will explore nine recommended techniques to determine whether they can be practically incorporated into clinical practice and assist with attention management. Through a series of task orientated exercises, attendees will be divided into subgroups and we will attempt to apply some of the nine

recommended techniques. A summary discussion will follow with the goal of having attendees leaving inspired and confident to try something new in their clinic practice.

#### **Session 4B**

*Beyond Individual Client Service: The Challenges of Pursuing Community Justice through Clinical Education*, David Wiseman (University of Ottawa)

This presentation will examine ‘lessons learned’ from an effort to enable law students to contribute, via an experiential learning course, to a community justice campaign relating to a mass eviction and large scale residential rental redevelopment in Ottawa. The presentation will briefly describe the eviction/redevelopment situation and the various activities that students engaged in and with during the course, including generating affidavits for a human rights complaint, door-knocking on maintenance issues, and researching municipal planning regulations and best practices on community benefits agreements. The presentation will then offer reflections on the challenges that arose in this effort to move beyond individual client service to engage broader community justice issues and processes. The presentation will conclude with an assessment of the potential to incorporate community justice work into the future of clinical legal education.

*Community-Based Impact Lawyering in a Clinical Setting*, Nicole Hallett (University at Buffalo School of Law)

In the United States, clinical legal education began in the 1960s and 1970s utilizing a “legal services” model, in which students worked closely with clinical supervisors on small, discrete matters on behalf of indigent individuals. As clinical legal education has grown and flourished, an alternative model – in which clinics have become high-impact public interest organizations with social change missions housed at universities – has provided an alternative vision of what clinics can be.

In this presentation, the presenter will use the example of the clinic they founded and direct, the Community Justice Clinic (CJC) at the University at Buffalo School of Law, to explore the pros and cons of this newer clinical model. In addition to teaching skills and doctrinal law, CJC aims to teach law students to think about lawyering in a different, more dynamic way, while also choosing projects that have the capacity to transform the broader community.

The presenter will discuss how to accomplish the pedagogical goals of clinical education in this type of clinic, and how to handle common problems with the model, such as tackling politically charged projects and adapting years-long advocacy projects into the semester schedule.

#### **Session 4C**

*Threaded the Needle while Building the Haystack: Serving Clients and Students in a New University-Based Law Clinic*, Christine Laing (Public Interest Law Clinic)

The session will look back at the first three years of a nascent Canadian clinical legal



education program, and reflect on a new clinician's experience with meeting student needs and client needs while navigating the delicate balance of existing faculty and institutional needs. The session will reference and draw from the scholarship of Canadian authors Gemma Smythe and Neil Gold (among others), as well as relevant American scholarship by Sameer M. Ashar, Peter A. Joy, Robert R. Kuehn, and David F. Chavkin (and, to a lesser extent, the work of David Luban and Robin L. West).

Building from that base, the presenter will apply their experience as a practicing clinician to touch on the major ethical, administrative, and pedagogical challenges the Public Interest Law Clinic has met and answered, if imperfectly, in the past two years. Specifically, I will reflect on our approach to incorporating new technology into the clinic, developing client service standards, adapting case intake procedures to meet the clinic's institutional mandate and program timing, and introducing reflective practice into performance measures for student work.

The presenter will posit that the challenges their clinic faced while establishing itself can be generalized to provide insight for clinicians and directors across a variety of programs, and they will further posit that the lessons we learned forecast future challenges for Clinical Legal Education in Canada.

Day Two: Friday, June 13<sup>th</sup>, 2019

**Concurrent Sessions Block 5 (10:45 – 11:45 am)**

**Session 5A**

*Experiential Learning and the City: Teaching Litigation in Politicized Spaces*, Peter Dalglish Terra Duchene, Luigi Iantosca & Anneke Smit (University of Windsor)

The session will discuss a “pop-up” practice-based course in Municipal Law offered at Windsor Law during Winter Term 2019. The course was based around an appeal to the new Local Planning Appeals Tribunal (LPAT) by a grassroots organisation challenging a 2018 Windsor City Council decision to locate a new hospital, along with an additional 1000 acres of residential and commercial development, on agricultural land past existing city limits. The plan has been highly contentious in the Windsor-Essex region for reasons related to access to health, sustainable urban planning (and climate change response), active and public transit, and insufficient community consultation.

Five students, selected by application for their experience and interest in municipal law, land use planning, and related areas of law and policy, worked under the joint supervision of the supervising lawyer on the file and a supervising faculty member. Students’ contributions to the file both allowed the appellant organisation to present a strong appeal record on a limited budget and provided students with experience in real-life administrative tribunal lawyering skills. Students also had a front-row view of the politicization of the legal proceedings, including questions raised about their own role in the case. This presentation will reflect both on the specific challenges of experiential learning for law students in the municipal setting, and the challenges of law schools’ experiential learning programmes engaging in legal work which may be politically contentious.

**Session 5B**

*The Challenges of Action Research in a Human Rights Clinic*, Mirja Trilsch (Université du Québec à Montréal)

This presentation will be looking at a number of challenges that clinics may face when they undertake action research of the kind that is commonly being conducted in Human Rights Clinics. Today, the methodology for conducting this type of clinical work is well developed, and many such clinics have existed for many years, if not decades. However, the fact that Human Rights Clinics are nowadays better known and that their work receives more attention brings with it a number of other challenges.

The presentation will address three types of current challenges:

- 1) The CIDDHU being an academic activity, our work has to conform itself to ethics rules for research involving humans. These rules have become considerably stricter in recent years. How can clinics obtain ethics approval for their action research projects without drowning in paperwork or making their work ineffective?

- 2) Human Rights Clinics have, to some extent, become the new NGOs. At least that is how they are being perceived and, oftentimes, expected to operate. To what extent can we fulfill these expectations?
- 3) Human Rights Clinics are also being more widely solicited, for example, by international organizations or national governments. Should a Human Rights Clinic accept such proposals ?

These three issues go to the core of what Human Rights Clinics can do or be in the future.

*Looking Back and Future: Role of Clinical Legal Education in Brazil*, Fernanda Brandao Lapa (University of the Region of Joinville)

Brazil did not begin the movement in clinical legal education (CLE) during the 1990s, as happened in other countries from Latin America. In 1994, there was a reform at the Brazilian legal education guidelines and there was a new mandatory program for legal practice: “núcleos de prática jurídica”/EMAJ. After that, all law schools were supposed to implement its EMAJ and the idea of CLE was not developed. In the 21st century (2007), the first legal clinic was founded in the south of Brazil and started to widespread a new approach for the legal practice. Since then, nearly thirty clinics have been created in Brazil with different objectives, funding and approaches. Five years ago, a Brazilian CLE association was established and, with that, the opportunity to exchange experiences with others experiential learning programs within the country. This presentation seeks to look back to these twelve years (2007-2019) in order to share our challenges and some solutions we founded to keep moving forward. Besides that, in 2018, after four years of a curriculum reform, new legal education guidelines were approved and, for the first time, the document expressly mentions the name clinics as an option for legal practice in the university. Finally, there are some challenges for the role of legal clinics to reflect, such as: the amazing number of law schools in the country (aprox. 1,300); the different experiential learning programs in the curricula; and, the role of the legal clinics to develop useful/important skills for the law professions nowadays.

## Session 5C

*Community Partnerships in Criminal Law: Expanding the Practice beyond Traditional Representation*, Karen Bellinger (Downtown Legal Services)

This presentation will focus on two projects initiated at Downtown Legal Services (DLS) that have broadened our Criminal Law practice beyond representation at the Ontario Court of Justice and have strengthened our bonds with both the legal community and the communities in which we practice.

Our Appeals Project began 7 years ago at the request of a Superior Court Judge who had created a special court for unrepresented litigants whose appeals were stalled at early stages. DLS students, in partnership with volunteer lawyers from the Criminal Lawyer’s Association, provide summary advice and, where there is merit to an appeal, full representation on Summary Conviction appeals.



In our Record Suspension Project, we have created a partnership with the City of Toronto wherein we attend local Employment and Social Services offices. There we meet with their OW and ODSP clients with criminal justice involvement to help determine whether they qualify for a Record Suspension. If they do qualify, our students then help them through the process of applying.

The benefits of these projects to both the students involved and the communities affected and the challenges in creating/managing them will be discussed.

*The Best Parts of Law School? Trying to Bring Insights from Clinical Legal Education to a Refugee Law Lecture Course, Amar Bhatia (Osgoode Hall Law School)*

The presenter share their attempt at bringing some insights from their positive experiences as a student and teacher in clinical and intensive programs into the classroom in a traditional lecture course on Refugee law. They will discuss with like-minded folks who also struggle with trying different approaches to legal education in the face of the curve or marking profile.

### **Concurrent Sessions Block 6 (1:00 – 2:00 pm)**

#### **Session 6A**

*Responding to Bill C-75 and Other Political Crises Facing Legal Clinics in Canada, Johanna Dennie (Legal Assistance of Windsor) & Jillian Rogin (University of Windsor)*

Legal Clinics across Canada are facing multiple political challenges that have and will continue to require coordinated responses. Bill C-75, which precludes law student representation in criminal courts and provides for increased incarceration of already marginalized clients of legal clinics, will likely be enacted into law. In Ontario, the current provincial government is taking steps to dismantle the clinic legal service model that has been in place for decades. These and other dramatic changes to the legal clinic landscape have the potential to alter (or even eradicate) legal clinics.

This workshop will provide a space for discussing two main themes: 1) debriefing ACCLE's response to Bill C-75; and 2) developing coordinated responses to these and other political challenges faced. The presenters, both of whom were heavily involved in ACCLE's response to Bill C-75, will outline some of the details of these challenges and will review the relevant Clinic Scholarship relating to transformative change, client-centred political work, and the decolonization of clinic work. With these guiding principles in mind, they will then facilitate a brainstorming session with attendees the purpose of which is to generate ideas about possibilities for coordinated responses to the various political challenges faced by clinics across Canada.

The workshop will focus on creating frameworks for action plans to ensure that legal clinics are able to remain responsive to political challenges faced without losing sight of the guiding principles that have animated legal clinic work for decades.



## Session 6B

*Introducing the CBA's Experiential Learning Guide*, Gemma Smyth (University of Windsor) & Doug Ferguson (Community Legal Services, Western University)

The presenters will introduce audience members to the finalised experiential learning guide, "Learning in Place," published by the Canadian Bar Association. The lead author, Gemma Smyth, will take audience members through the Guide and suggest possible ways to incorporate it in clinical and experiential learning spaces. She welcomes audience feedback on the Guide and ways to support producing more resources for clinicians and academics working with law students.

*A Comparison of Pedagogies: Are Professional Legal Ethics Better Taught in the Clinic or the Classroom?* Nora Parker (Osgoode Hall Law School)

This presentation sets out to examine the current pedagogical approach to teaching professional legal ethics in Ontario law schools. Building on a previous paper where the presenter suggested that the current pedagogical framework of law school courses is ill-suited and even antithetical to the goals of fostering adherence to a professional code of ethics, this presentation will suggest first, an expansion of the instruction of legal ethics beyond the strict focus on compliance with professional codes, and second, pedagogical alternatives to achieve this more robust educational goal. Subject to the results of an ongoing survey of SLASS students, this presentation will suggest that the clinic experience – with its emphasis on reflective practice – better equips the law student to engage deeply with complex ethical situations.

The first section will consider the various theoretical approaches to professional legal ethics and its instruction. The second section will introduce and analyze the results of a survey of students at SLASS clinics. This survey aims to uncover how well students believe these divergent pedagogical approaches prepare them to practice law ethically. The third section, subject to the results of my survey, will involve proposing alterations to the way professional ethics are taught in Ontario law schools, drawing from what I anticipate the study will show are the benefits of clinical legal education regarding the pedagogy of professional legal ethics.

**Closing Plenary (2:15 – 3:45 pm): *Accommodations in Clinical Legal Education Programs***

*The Accessibility of Clinical Legal Education and Externships for Law Students with Disabilities*, Roxanne Mykitiuk (Osgoode Hall Law School) & Tess Sheldon (University of Windsor)

Students with disabilities are entitled to meaningful access to the range of experiential programs on offer. Nevertheless, law students with disabilities confront barriers to academic and social inclusion in law school: navigating inaccessible classrooms and corridors, contending with stigmatizing attitudes about extended time and test taking, and waiting for materials in accessible formats long after they have been taken up in class.



These are often usual occurrences notwithstanding the existence of university academic accommodation policies and procedures, and in some provinces, provincial accessibility legislation.

This presentation focuses on the accessibility of clinical/externship programs that are offered as part of the academic curriculum. They are often performed off site and most often by including the law student in the work and workplace of a public or private institution, where the issues of accessibility and accommodation become more complex.

What are the requirements of accessibility and accommodation in these contexts? Who is responsible for accommodation and accessibility in externships? Who is required to pay for accommodations? What are the essential requirements of the placement? To whom does a student appeal in the event that requested accommodation in the placement is denied? The aim of this presentation is to provide a resource to academic and non-academic clinic directors, clinical legal education directors, law students, disability accommodation and accessibility officers and others who are responsible for ensuring the accessibility of clinical placements and the accommodation of students with disabilities in externships.

*Disability in Experiential and Clinical Legal Education: Some Initial Data, Shelley Kierstead & Martha Simmons (Osgoode Hall Law School)*

This session will present to attendees the initial findings of a research study about disability in experiential and clinical legal education. It will highlight important data from which to draw conclusions about accommodation and pedagogical needs. The session will also provide an opportunity to discuss challenges and opportunities for ensuring accessible programs.

*Accessibility in Clinical Legal Education, David Lepofsky (Accessibility for Ontarians with Disabilities Act Alliance)*

This presentation will outline best practices, challenges and perspectives on both accommodating and including accessibility issues and discussions in clinical legal education with a mind towards creating curriculum and programs that are inclusive and fully equipped to serve persons with disabilities. It will invite attendees to ask specific accommodation-related questions which can be addressed in the question-and-answer period

## Presenter Biographies

**Lilian Bahgat** joined CLA as Review Counsel in 2015. Her primary areas of practice are consumer protection, employment and housing law. Lilian's practice always revolved around advocating for the vulnerable members of the community. Prior to joining CLA, Lilian worked in private practice primarily on civil, employment, estate and elder abuse litigation. She conducted research on the topics of battered wife syndrome, patient rights and elder abuse. Lilian fostered this interest in advocating for vulnerable individuals by assisting in the creation of the I-Decide program at Legal Assistance of Windsor and is a Steering Committee Member. Lilian is also a regular course instructor at the Elder College.

**Karen Bellinger** received a B.A. Hons. from Queens University in 1997 with a major in psychology. She attended law school at the University of Toronto, where she spent the majority of her time as a volunteer, shift leader, credit student and summer student at Downtown Legal Services. She articulated at Greenspan Humphrey Lavine and was called to the Bar in July 2003. Since her call, Karen practised criminal defence law as an associate of Di Luca Barristers. Karen has conducted trials at the Ontario and Superior Courts of Justice and has argued appeals at both the Superior Court of Justice and the Court of Appeal for Ontario. She joined DLS as a staff lawyer in the summer of 2007.

**Amar Bhatia** is an Assistant Professor at Osgoode Hall, teaching property, refugee, and migration law; Co-Editor-in-Chief of Journal of Law & Social Policy; Co-Director of Intensive Program in Aboriginal Lands, Resources, & Governments; Board Member at Parkdale Community Legal Services.

**Sarah Buhler** is an Associate Professor at the University of Saskatchewan College of Law. Her research interests include access to justice, clinical legal education, community lawyering, and housing law.

**Harpreet Burmy** is Review Counsel for the Family Law Practice Program and housing law at Community Legal Aid (CLA), University of Windsor. She has always been dedicated to working with marginalized individuals in the community and primarily involving family breakdown. Harpreet has a strong focus on empowering individuals to resolve their family law matters and minimize conflict. She has conducted public legal education presentations and workshops. After earning both her joint US and Canadian law degrees at the University of Windsor and University of Detroit Mercy, Harpreet worked in private practice primarily in areas of family law, civil and estates litigation. During her law school years, she was a caseworker, litigator and group leader at CLA. Harpreet was also a past co-presenter at the Joint Conference of the International Journal of Clinical Legal Education and the Association for Canadian Clinical Legal Education.

**Lisa Cirillo** is the Executive Director of Downtown Legal Services (DLS), the University of Toronto Faculty of Law Community Legal Clinic. Lisa is a feminist lawyer and has practiced in the areas of human rights, education, housing and family law in a wide variety of social justice organizations including DLS, ARCH and the Ontario Human Rights Commission. In



addition to her legal work, Lisa has extensive experience in public legal education and community outreach. Lisa is the Past President for ACCLE (Association for Canadian Clinical Legal Education) and is a long-serving member Legal Aid Ontario's Clinic Advisory Committee and the National Association of Women and the Law's Steering Committee. She also sits on the Ontario Human Rights Commission's Community Advisory Board.

**Peter Dalglish** recently completed his second year at the University of Windsor Faculty of Law. He holds a BA from McGill University. An active member of his law school's community, Peter serves on the Admissions Committee and the Academic Planning Committee. He is an organizer with the Mental Health Initiatives group, and sits on the Steering Committee that will oversee major renovations to the law school's building. Peter has received special distinction for his first-year moot and was ranked as a top-12 oral advocate in the first year class. He also works as a student advisor for the Career Services Office and volunteers as a peer mentor.

**Johanna Dennie** is the Staff Migration Lawyer at Legal Assistance of Windsor (LAW), a Community Legal Clinic in Windsor, Ontario that provides legal services and social work support to low-income residents of Windsor and Essex County. LAW also serves as a teaching clinic for law and social work students at the University of Windsor. Johanna provides representation and supervises students in the areas of Immigration, Refugee, and Citizenship Law. Johanna has co-taught the Clinic Seminar at the University of Windsor, for law students who are enrolled in the Clinic Practice Program, and currently teaches Access to Justice to law students. Johanna is a graduate of the University of Ottawa Law School. As a law student, she was a caseworker in the Women's Division of the University of Ottawa Community Legal Clinic. She joined LAW after summering and completing her articles in Toronto with the Barbra Schlifer Commemorative Clinic, a specialized clinic which provides free legal, counselling, and interpretive services to women who have experienced violence. Johanna has spent her legal career in the clinic system, and cannot imagine practicing law in any other context.

**Stephanie Dickson** joined LAW as a staff lawyer in 2018. She is a graduate of McGill University and was called to the Ontario Bar in 2009. Stephanie has been working in Ontario's legal clinic system since 2012. Through LAW's I Decide Project, Stephanie helps individuals with intellectual disabilities to assert their decision-making rights.

**Terra Duchene** is a third year student at Windsor Law, graduating May 2019. She received her BA at the University of Western Ontario before working in Ireland and managing a restaurant. At Windsor Law she held positions including Editor-in-Chief for the Windsor Review of Legal and Social Issues, Senior Editor of the Canadian Bar Review, Community Legal Aid volunteer, co-organizer of two food law panels, president of the Environmental Law Society and Cycling Association of Windsor Law, Transnational Environmental Law Clinic, and board member of the Campus Community Garden.

**Jennifer Fehr** graduated from Osgoode Hall in 2007. Prior to law school, Jennifer worked at the human rights non-profit, the Centre for Education and Counselling of Women in Zagreb,

Croatia. Following law school, Jennifer represented grievors at arbitration tribunals on behalf of OPSEU. In 2016, Jennifer launched the Employment Law Division at Downtown Legal Services which has been representing clients at the Human Rights Tribunal, Small Claims Court and Ministry of Labour ever since. She is a member of the Association of Human Rights Lawyers and Worker's Rights Action Group.

**Doug Ferguson** is Director of Community Legal Services at Western and founder of ACCLE where he served as the inaugural president until 2013. He has served as Chair of Access to Justice for the CBA, and is a columnist at Slaw.ca. He has spoken on access to justice and clinical legal education at numerous conferences. Doug was a past president of London's Covent Garden Market, and a past president of the Liberal Party of Canada. He received Western Law's Alumnus of Distinction Award in 2009 and the Access to Justice Award in 2011 from the Middlesex Law Association. In 2012 he received the Queen Elizabeth II Diamond Jubilee medal. He is a board member of the Trillium Gift of Life Network.

**Patrícia Galvão Ferreira** is an Assistant Professor in Transnational Law. She teaches Environmental Law and International Environmental Law and is the Academic Director of the Transnational Environmental Law Clinic.

**Nicole Hallett** is an Assistant Clinical Professor of Law at the University at Buffalo School of Law. She directs the Community Justice Clinic, which represents low-income residents of Buffalo on issues relating to workers' rights, consumer justice, immigration, housing, and civil rights. Her research focuses on the intersection between immigration, labor, and employment law, specifically how the decline of the labor unions has spawned experimentation by immigrant workers into new forms of organizing, collective bargaining, and worker protection. She is also broadly interested in how law either promotes or impedes collective action and power-building in subordinated communities. In her practice, she specializes in creative lawyering through complex litigation and multi-pronged advocacy.

**Dr. LA Henry** is a practicing family law and criminal defence lawyer with offices in Fredericton and Harvey, and the Executive Director of the Fredericton Legal Advice Clinic (FLAC) and the Youth Access to Justice Clinic and Outreach Program. She teaches the Community Clinic Course at UNB Law. She is the 2016 recipient of the E. Neil McKelvey Q.C. Pro Bono and Volunteer Service Award from the Canadian Bar Association, New Brunswick branch. LA articulated at the New Brunswick Court of Appeal in 2010-2011. Prior to studying law at UNB, she was a professor of Literature at St. Stephen's University and an instructor in the Department of English at UNB. B.A. University of Ottawa, 1984; M.A. University of Ottawa, 1986, Ph.D. University of New Brunswick, 1997; L.L.B. University of New Brunswick, 2010.

**Luigi Iantosca** will begin his third year of law school in September 2019. He received his BA at York University in 2016. At Windsor Law, he is the co-president of the Windsor Italian Law Association and former clinic student at Legal Assistance of Windsor's I-Decide Project. He is currently a summer law student at the Ministry of the Attorney General: Ministry of Agriculture, Food and Rural Affairs, Legal Services Branch where he has been



able to implement the experiential and practical learning he has been fortunate to have had exposure to during his time at Windsor Law.

**Beverly Jacobs**, C.M., LL.B., LL.M., PhD is a member of the Mohawk Nation of the Haudenosaunee Confederacy, Bear Clan. Beverly is an Assistant Professor at the Faculty of Law, University of Windsor. She lives and practices law part-time at her home community of Six Nations of the Grand River Territory in Southern Ontario. She recently completed an interdisciplinary PhD at the University of Calgary that includes Law (Human Rights and Indigenous Legal Traditions), Indigenous Wholistic Health and Indigenous Research Methodologies. Bev obtained a Bachelor of Law Degree from the University of Windsor in 1994 and a Masters of Law Degree from the University of Saskatchewan in 2000.

**Matthew Jantzi** is currently completing his JD degree with the University of Windsor, Faculty of Law. He is a student with the Environmental Law Clinic and a student representative on the Clinical and Experiential Learning Committee at Windsor Law.

**Chantelle Johnson** has been the Executive Director (ED) of Community Legal Assistance Services for Saskatoon Inner City Inc. (CLASSIC) since 2012. She has sociology and law degrees from the University of Saskatchewan. Chantelle's work experience is varied and ranges from:

- private practice,
- the Indigenous Law and Justice Branch of the Australian Department of Justice and Attorney General (policy),
- the Child Sexual Exploitation Unit in Alberta (policy),
- Crown Prosecutions in BC (trial lawyer),
- the Saskatchewan Human Rights Commission (policy and legal research), and
- consultant to First Nations' Trust.

Chantelle believes all people deserve respect and dignity and knows CLASSIC's clients have far more to teach the students and staff than the other way around. Chantelle thinks we often take ourselves too seriously and believes that philosophy has helped her survive as ED of a non-profit.

**Dr. Shelley Kierstead's** research interests lie in the areas of family law, access to justice, and dispute resolution. She has also conducted research in the conflict of laws area. Professor Kierstead first taught Legal Research and Writing (LRW) at Osgoode in 1993, and became Director of the LRW program at Osgoode in 2002. Since 1997, Professor Kierstead has also coordinated a parent education program for separating parents entitled the "Parent Information Program." This program is an initiative of Osgoode's Centre for Public Law and Public Policy.

**Christine Laing** is the Acting Executive Director of the Public Interest Law Clinic (PILC) at the University of Calgary Faculty of Law. PILC is a teaching program that combines representational work on public law matters with course-based student work under the supervision of practicing clinicians. PILC began operating in 2016. Christine served as the PILC's first Staff Lawyer before assuming her current role. She also serves as a sessional

instructor for the clinic's paired full-year credit courses: Public Interest Law: Theory and Public Interest Law: Clinical. Before becoming a clinician, Christine practiced commercial litigation at a national firm.

**Fernanda Brandao Lapa** is a lawyer with a Bachelor and Master's in Law from the Federal University of Santa Catarina (UFSC) and a PhD on Education from Pontifícia Universidade Católica de São Paulo (PUC/SP). Post-doctorate (ongoing) at University of Quebec a Montreal (UQAM). Professor of human rights at the Law School of the University of the Region of Joinville (Univille). Founder and coordinator of the human rights clinic in 2007, the first legal clinic in Brazil. Author of the first book about legal clinics in the country and of many articles regarding legal clinical education. Executive Director of the Institute for Development and Human Rights (IDDH)

**David Lepofsky** graduated with honours From Osgoode Hall Law School with a Bachelor of Laws. He obtained a Masters of Law from the Harvard Law School in 1982. Since his admission to the Ontario Bar in 1981, he has practiced law in the Ontario Public Service in the areas of constitutional, civil, administrative and most recently, criminal law. Since 1991, he has also served as a part time member of the University of Toronto Faculty of Law, where he teaches an advanced constitutional law seminar on freedom of expression and press.

Awards include investiture in the Order of Canada (1995), the Order of Ontario (2007), and the Terry Fox Hall of Fame (2003), honorary doctorates from Queen's University and the University of Western Ontario, and awards from other organizations including e.g. the City of Toronto, the Law Society of Upper Canada, the Ontario Bar Association Public Lawyers Section, the Advocates Society, the Ontario Crown Attorneys Association, the Ontario March of Dimes and Community Living Ontario.

He is the author of one law book, and the author or co-author of 30 law journal articles or book chapters on topics including constitutional law, criminal law, administrative law, human rights, and the rights of persons with disabilities. He has lectured on topics including these across Canada, and in the U.S., Israel, Ireland, Denmark and Belgium.

**Dr. Kara L Mitchelmore** DBA, BA, FCPA, FCMA, CMRP has a breadth of experience in professional education. Her credentials include:

- CEO of The Canadian Centre for Professional Legal Education. The CPLED Program is the bar admission course in Alberta, Manitoba, and Saskatchewan Canada.
- Co-chaired the Education Steering Committee responsible for development of the new CPA Certification Program.
- Past President and CEO of CMA Alberta.
- Past CEO of the Marketing Research & Intelligence Association.

**Roxanne Mykitiuk** is a Professor at Osgoode Hall Law School, where she teaches in the areas of Disability Law, Health Law, Bioethics and Family Law. She is the founder and Director of the Disability Law Intensive clinical program and the new Director of Osgoode's

part-time LLM program specializing in Health Law. Professor Mykitiuk is also the Faculty Co-Chair of Enable York.

**Nora Parker** is a second-year JD student at Osgoode Hall Law School. She completed a Bachelor of Humanities with Highest Honours at Carleton University and a SSHRC-funded Master of Arts in English at the University of Toronto. Nora is an Administrative Law Division Leader at Osgoode's student legal clinic and also works as a research assistant for Professor Sara Slinn. Her interests include labour, constitutional, and administrative law. Though she left her previous career in publishing behind, Nora remains an avid reader of contemporary fiction.

**Jillian Rogin** (BA Hons, Trent University), (MES, York University), (LLB University of Windsor), LLM (Osgoode Hall, York University) is a practicing criminal defence lawyer. She joined the University of Windsor, Faculty of Law, in 2017 as Assistant (Clinic) Professor. Prior to her appointment she was duty counsel (criminal) and then worked as a Review Counsel at Community Legal Aid (CLA), a SLASS clinic in the Windsor-Essex region. She teaches criminal procedure and clinic law and her research interests include judicial interim release, evidentiary issues in sexual assault law, feminist/post-colonial theory, and legal ethics. She and her partner Andrew are the proud parents of a vivacious three year old.

**Tess Sheldon** is an Assistant Professor and the Externship Director at the Faculty of Law at the University of Windsor. She writes, presents and teaches extensively on a variety of mental health, access to justice, disability and human rights topics. She recently completed her doctorate at the University of Toronto, exploring the legal issues raised by the covert administration of medication in psychiatric settings. She has practiced exclusively with Ontario's legal clinic system, including at ARCH Disability Law Centre and Justice for Children and Youth.

**Dr. Martha E. Simmons** is the Academic Director of the Winkler Institute, and as such serves as the Winkler Professor in Dispute Resolution. Professor Simmons, who has JD, LLM and PhD degrees from Osgoode, teaches in both the JD and Graduate Programs. Her primary areas of research and teaching are dispute resolution, legal education, innovation and access to justice.

**Anneke Smit** is an Associate Professor in the Faculty of Law, University of Windsor. Her research and teaching focus in the areas of municipal law and urban planning, property law and theory, and refugee law. She holds an LLB from McGill University and a PhD in Law from the University of Reading, UK, and has worked and/or consulted for international organisations (including UNHCR and OSCE), NGOs and the Canadian government. Dr. Smit is a founding member of the national steering committee for Scholars at Risk Canada. Her books include *Public Interest, Private Property: Law and Planning in Canada* (UBC Press, 2015).

**Gemma Smyth** is Associate Dean (Academic) and Associate Professor at the Faculty of Law, University of Windsor. Gemma is the soon-to-be Past President of the Association for





Canadian Clinical Legal Education. Over her career, Gemma has worked in various clinical and experiential roles including as Academic Clinic Director and Mediation Clinic Director. She researches and writes in the areas of clinic law, legal education and dispute resolution. She is also active in various activist groups in the Windsor-Essex community.

**Mirja Trilsch** is a law professor at the University of Quebec in Montreal (UQAM). Since 2011, she is the Director of UQAM's International Clinic for the Defence of Human Rights (CIDDHU in its French acronym). Mirja has directed clinical projects in collaboration with numerous Human Rights organizations around the world. She holds a law degree from the University of Düsseldorf (Germany) and a Master's degree from McGill University (2001). In 2007, she obtained her PhD with distinction from the University of Düsseldorf, her thesis dealing with the justiciability of Economic, Social and Cultural Rights. Mirja is an ACCLE Board member.

**David Wiseman**, Associate Professor in the Faculty of Law, University of Ottawa. Faculty coordinator of Access to Justice Experiential Learning initiatives and co-teacher of the Access to Justice Lab.

## Acknowledgements

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*Thank you* to Thomson Reuters for generously sponsoring the cocktail refreshments at Thursday's Conference Dinner and Friday's lunch, as well as printing the conference program. We are very grateful for Thomson's consistent support for our annual conferences.

Finally, *a special thank you to all of you*, our conference participants and members, for joining us for this special anniversary conference.

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ACCLE is comprised of a group of individuals and clinics interested in supporting clinical legal education in Canada. The organisation shares best practices, pedagogies and other information related to clinical legal education. ACCLE encourages the promotion and improvement of clinical legal education in Canadian Law Schools, promotes clinical pedagogy and research, and facilitates the dissemination of information pertaining to clinical legal education to clinicians in Canada.

