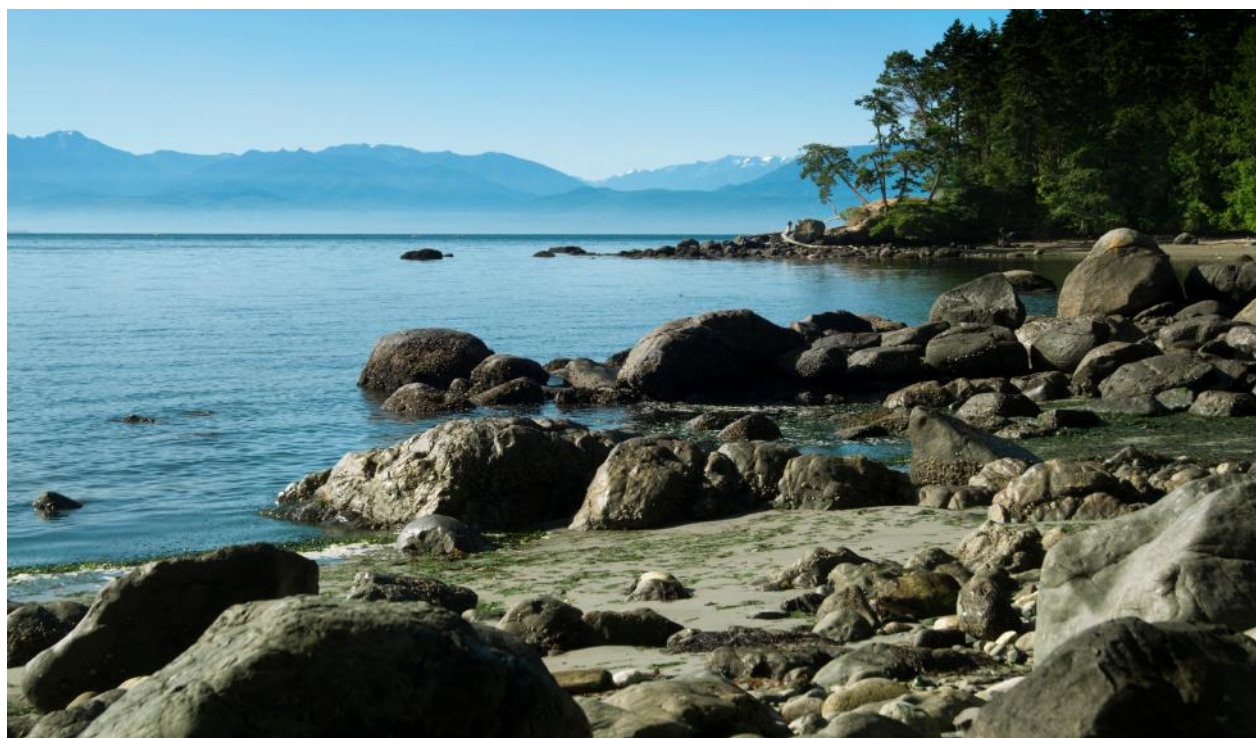


EDUCATING THE WHOLE LAWYER

A Joint Conference of the Association for Canadian Clinical Legal Education & the Canadian Association of Law Teachers

June 8 - 10, 2017 ♦ University of Victoria, Faculty of Law



ACCLE & CALT wish to acknowledge the Lekwungen-speaking peoples on whose traditional territories the university stands and the Songhees, Esquimalt and the W̱SÁNEĆ peoples whose historical relationships with the land continue to this day.

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Welcome

CALT's 69th Annual Conference

Bienvenue à notre conférence annuelle conjointe de l'ACECD et de l'ACPD. C'est à présent la 4^e fois que la conférence l'ACPD se déroule dans la splendide ville de Victoria, et nous tenons à exprimer nos remerciements à l'Université de Victoria de nous accueillir à nouveau. Nous reconnaissons et respectons les peuples d'expression Lekwungen dont les territoires traditionnels abritent l'université ainsi que les peuples Songhees, Esquimalt et W SÁNEĆ dont les relations historiques avec cette terre se perpétuent jusqu'à ce jour. Nous remercions aussi tout particulièrement le doyen Jeremy Webber, la doyenne adjointe Freya Kodar et leur équipe pour leur appui indéfectible et leur assistance afin que cet événement soit une réussite.

La conférence de cette année poursuit en quelque sorte la conversation sur la formation juridique amorcée lors de la rencontre de la Fédération des ordres professionnels de juristes qui s'est tenue au Nouveau-Brunswick en octobre 2016. Cet événement s'est conclu sur le constat que la formation juridique était en pleine période d'évolution et de transformation, bien que cela demeure un aspect occulté du parcours professionnel chez la plupart des professeurs de droit. Nous espérons que des conférences comme celle-là permettront de façonner un nouveau cadre d'apprentissage et inspireront de nouvelles idées que chacun, chacune de vous transmettra ensuite en salle de classe, dans les cliniques et dans le contexte de vos responsabilités administratives.

Welcome to our joint ACCLE/CALT annual conference. This is now the fourth time CALT's conference has been held in beautiful Victoria and we extend our thanks to the University of Victoria for hosting once again. We acknowledge and respect the Lekwungen-speaking peoples on whose traditional territories the university stands and the Songhees, Esquimalt and the W SÁNEĆ peoples whose historical relationships with the land continue to this day. A particular thanks to Dean Jeremy Webber and Associate Dean Freya Kodar and their team for their invaluable support in bringing this venture together.

This year's conference amounts to a continuation of a conversation begun at a Federation of Law Societies event on legal education, held in New Brunswick in October 2016. As that event made clear, legal education is in a period of change and evolution, and yet remains an understudied aspect of most law teachers' professional lives. We hope that conferences like this one will help change that pattern, and inspire new ideas that each of you will take back to your classrooms, clinics, and administrative responsibilities.

Craig Forcese, President CALT

Welcome

ACCLE's 8th Annual Conference

On behalf of the Association for Canadian Clinical Legal Education, I am delighted to welcome you to this conference - ACCLE's 8th Annual Conference and our very first one in beautiful British Columbia. We are delighted to be co-hosting this conference with our colleagues at the Canadian Association of Law Teachers (CALT). This is our second foray into co-hosting and like our experience working with the International Journal of Clinical Legal Education last year, it has been a very positive one, allowing us to gain new perspectives, to diversify our audience and to make new connections.

The conference theme – the whole lawyer and the legal education continuum – is one that naturally brings together our two constituencies. We understand that law school - whether a student will end up in practice, in community, in academia, or in a policy role - is one phase, albeit an important foundational one, in a lifetime of learning. We know that producing the “whole lawyer” requires creating an environment that exposes students to a diverse menu of rich learning opportunities, from which they can select the ones that best nurture their educational and professional goals. This includes learning about substantive law, legal ethics and how to engage in legal analysis. It includes professional skills like advocacy, interviewing and legal drafting. In the context of public interest law, it also requires an examination of the gaps that exist between the law as it appears in textbooks – neutral and unbiased - and peoples' lived experiences with the law and legal systems, which are often anything but. Woven throughout all this learning, we now also know that we need to find ways to encourage the development of what the *Foundations for Practice* Report says are the *most* important skills - **the character quotient**. That's a tall order, but thankfully, we have a terrific program full of interesting discussions with very smart and creative people to get this conversation going.

One very helpful benefit to co-hosting a conference, especially for volunteer-run organizations like ACCLE and CALT, is the ability to share the workload. On that note, special thanks to Craig Forcese, David Wiseman and Annie Rochette of CALT for all their work in putting this conference together - it was a pleasure working with all of you. Thanks to Glenn Gallins of the Law Centre, who first invited us to come to UVic, to Dean Jeremy Webber for his generous support of this conference and to Associate Dean Freya Kodar for all her hard work and on-site coordination.

On a personal note, after four years in role, I am stepping down as President of ACCLE. I would like to extend a heartfelt thank you to all of the Board members I have had the pleasure of working with during my time as President, and to all of you, our membership, for your support for ACCLE. Thanks to your participation, we have managed to build a strong national community of clinicians and people interested in experiential education. I am proud of the work we have done together to build this community and look forward to continuing to nurture and expand these connections in the years ahead.

Lisa Cirillo, President ACCLE

General Information

Welcome to beautiful, picturesque Victoria, British Columbia!

Victoria, known internationally as the “City of Gardens”, has the distinction of having the mildest climate in Canada. Although we have a busy conference schedule, we encourage all attendees to take some time to savor all Victoria has to offer; to enjoy the beauty of the natural environment, the stunning mountain views and the abundant, luscious gardens. For more information about Victoria - history, getting around, places to see, etc. - we encourage you to explore Tourism Victoria’s website at <http://www.tourismvictoria.com/plan/about-victoria>.

CONFERENCE VENUE

On campus, all of the ACCLE/CALT activities will take place in the Fraser Building (Faculty of Law) on McGill Road just outside the ring road. The Fraser Building is a five-minute walk from the campus bus terminal and a 35-minute bicycle ride from downtown. There is a significant parking lot adjacent to the Fraser Building on McGill Road. Parking can be purchase by the hour or day using a credit card or coins. Campus maps are available online at <https://www.uvic.ca/home/about/campus-info/maps/>

GETTING AROUND VICTORIA

On Foot: Victoria is a compact complete community with most attractions being accessible from the walkable downtown area. If visitors cannot walk to an attraction, regular bus service is provided. In addition to the heritage ambiance of downtown, it is the starting place for walks along the Inner Harbour Walkway.

By Bike: Although there are some challenging hills in the City, Victoria has the highest bike commute rate in North America. The UVic campus is 35 minutes from downtown along well-defined bike routes. The biking gem of the region is the Galloping Goose Regional Trail, an old railway right-of-way that provides a gentle grade for travelling through farmland out to Sidney (near the airport and ferry) or into the wilds of Sooke.

By Bus: Bus service in Victoria is regular but not always convenient. It works fine between campus and downtown with the intersection of Fort and Douglas being the main UVic pickup spot. Please allow 45 minutes to travel between downtown and campus. For more information and to access an online trip planner tool, visit BC’s transit’s website at: <https://bctransit.com/victoria/home>

By Taxi: Victoria has a number of taxi companies that operate within the city. Some suggestions are: Bluebird Cabs (250-382-2222) and Yellow Cab (250-381-2222). If you are staying at a hotel, the hotel concierge should be able to assist you in making transit arrangements.

By Car: As with most cities, Victoria is car friendly. Parking downtown can be challenging, but there is abundant parking on campus during the summer months.

LOST & FOUND

At registration table.

WI-FI ACCESS

Conference Participants can access the Wi-Fi by connecting to the network called “ACCLE-CALT”. No password is required. The Wi-Fi is only accessible in the Fraser Building.

SPEAKERS’ GIFTS

ACCLE and CALT wish to thank all of our presenters for their participation in this conference. In lieu of speaker gifts, and in appreciation for the contributions of our keynote speakers and all of our presenters, the organisers will be making a donation to the Together Against Poverty Society (TAPS - <http://www.tapsbc.ca>) and the Victoria Native Friendship Centre (<http://www.vnfc.ca>).

LIBRARY TOURS

The UVic Law Library staff invite all conference participants to visit the library during any of the conference breaks. In honour of UVic Law Centre’s 40th anniversary, staff have put together a display highlighting the faculty’s clinical and co-op programs. The library also boasts an eclectic art collection, which currently includes portraits of the “Famous Five”, on loan from Professor Benjamin Berger, as well as a number of other important pieces.

OUR SPONSORS

This conference is generously supported by the University of Victoria Faculty of Law. We also extend our thanks and appreciation to Thompson Reuters for sponsoring Friday’s lunch. Thompson Reuters has been a consistent supporter of ACCLE’s conferences over the years.

QUESTIONS?

If you have any questions or concerns, please feel free to speak with ACCLE President Lisa Cirillo (lisa.cirillo@utoronto.ca), CALT President Craig Forcese (Craig.Forcese@uottawa.ca) or your local host Associate Dean Freya Kodar (law.assocdean.adm@uvic.ca).

Keynote Speaker

ACCLE and CALT are delighted to welcome Justice Rebecca Love Kourlis, Executive Director of the Institute for the Advancement of the American Legal System (IAALS) as our keynote speaker. Justice Kourlis will discuss the IAALS's recent research and remarkable new report, *Foundations for Practice: The Whole Lawyer and the Character Quotient*.



Justice Rebecca Love Kourlis believes in the foundations of the American legal system and has dedicated her career, both in and out of the courts, to ensuring that the system provides justice for all. She served Colorado's judiciary for nearly two decades, first as a trial court judge and then as a justice of the Colorado Supreme Court.

During her time on the bench, Justice Kourlis witnessed a system increasingly under attack from outside forces—one that was often failing to deliver the justice she swore to uphold. So, in January 2006, she resigned from the Supreme Court to do something about it. She established the Institute for the Advancement of the

American Legal System (IAALS), where she serves as Executive Director.

Her work at the helm of IAALS is resolute in its focus on continuous improvement of the American legal system, and a logical off-shoot of her accomplishments on the bench where she spearheaded significant reforms in the judicial system.

Her legal expertise is rich and diverse. She began her career with the law firm of Davis Graham & Stubbs, and then started a small practice in rural northwest Colorado where she worked in natural resources, water, public lands, oil and gas, and mineral law.

In 1987, she was appointed as a trial court judge with a general jurisdiction docket. She served as Water Judge and later as Chief Judge of the district. In 1994, she returned to Denver and worked as an arbitrator and mediator for the Judicial Arbitrator Group. She was appointed to the Colorado Supreme Court in 1995.

Justice Kourlis has received numerous individual honors, including the 2016 American College of Trial Lawyers' Samuel E. Gates Award, the American Bar Association (ABA) Justice Center's 2012 John Marshall Award, the ABA Judicial Division's 2009 Robert B. Yegge Award for Outstanding Contribution in the Field of Judicial Administration, and the 2008 Regis College Civis Princeps citizenship award. She was honored by the Girl Scouts of Colorado as a 2006 Woman of Distinction, and was chosen by the League of Women Voters of Colorado to receive their 2015 Leader of Democracy award. Justice Kourlis and her husband Tom were named the 2010 Citizens of the West by the National Western Stock Show.

Justice Kourlis earned a B.A. in English from Stanford University with distinction and a J.D. from Stanford University Law School. She and her husband, Tom—a businessman and cattle and sheep rancher—have three children. She is a Colorado native and daughter of former Governor John A. Love.

Plenary Panel

On day two of the conference, we have decided to bring everyone together again for a plenary panel discussion entitled **Towards a Manifesto – Anchoring the Legal Education Continuum in a Vision of the J.D.** This lively roundtable discussion features an all-star line-up of professors and students from a number of Canadian law faculties. Panelists include Jesse Beatson, Benjamin Berger, Sarah Buhler, Gillian Calder, Kate Glover, Sonia Lawrence, Janet Mosher, Michelle Smith and Netta Untershats.

Through an interactive roundtable discussion we seek to ignite conversation about the vital elements of the JD and the methodological approaches from which these elements are derived. This aspiration operates against the backdrop of an intensification of regulatory activity—national accreditation standards, entry level competencies, and currently in Ontario, a consultation on licensing—that is grounded in a particular conception of legal education, one largely derived from lawyer surveys. By contrast, elements of our vision of the JD include conceptual frameworks (ethical, doctrinal, critical, decolonial, historical, etc.) to prepare students to tackle issues of substantive injustice in the world. And to do this, varied pedagogical approaches are required—approaches that are experiential, decolonial, transformative, and that take seriously the therapeutic and anti-therapeutic impacts of law and legal process not only for clients, but lawyers and law students.

ACCLE & CALT wish to extend their thanks again to the roundtable participants, who gamely accepted our invitation to turn their proposed panel into a plenary session.

Conference Program at a Glance

DAY ONE: Thursday, June 8, 2017

8:00 – 8:30 am Registration & Breakfast, Reception Area outside Fraser 159

8:30 – 9:15 am Welcome and Conference Opening, Fraser 159

9:15 – 10:45 am **Opening Keynote Address: Foundations for Practice: The Whole Lawyer & the Character Quotient**, Justice Rebecca Love Kourlis, Executive Director, IAALS

10:45- 11:00 am Health Break, Reception Area outside Fraser 159

11:00 – 12:30 pm Concurrent Sessions

Panel 1A, Fraser 158

- *Competencies for Access to Justice: Perspective from a Community Research Study*, Sarah Buhler
- *Understanding Legal Competencies*, Sarah Marsden
- *Expanding the Whole Lawyer for Greater Access to Justice*, Britney De Costa

Panel 1B, Fraser 152

- *Medical-Legal Partnerships, Law Students and Community Engagement*, Michelle Christopher, Kelsey Forbes & Stephanie Mulligan
- *Collaborative Rounding in Medical-Legal Partnership: a Holistic, Interdisciplinary Teaching Model*, Janet H. Goode & Lauren H. Mutrie

Panel 1C, Fraser 159

- *Connecting, Collaborating and Creating Change: a Role for Clinicians in Systemic Advocacy*, Raji Mangat
- *Street Law – Paving the Way for Community Access to the Law*, Siobhan Cullen & Bronagh Heverin

12:30 – 1:30 pm Lunch, Fraser Lounge

ACCLE will be holding its 2017 Annual General Meeting from 12:45 – 1:30 pm in Fraser 152. All conference participants are welcome to attend.

1:30 – 3:00 pm Concurrent Sessions

Panel 2A, Fraser 157

- *Demystifying Competency-Based Training and Assessment: Designing Programs, Tools and Assessments to Produce the Whole Lawyer*, Lise Rivet
- *Educating the Whole Lawyer in Bar Admission and CPD Programs*, Annie Rochette, Jennifer Flynn, Andrea Johnson

Panel 2B, Fraser 158

- *The Lost Law School: Toward a Truly Transformative Reform on Legal Education*, Jason MacLean & Frances E. Chapman

- *The Hidden Character Curriculum of Canadian Law Schools*, Benjamin Ries & Jacob Shelley

Panel 2C, Fraser 152

Whole Client, Whole Lawyer: Community-based experiential learning and holistic services

Colleen Sym, Guilia Reinhardt, Alison Symington, Tracy Wachmann

3:00 – 3:15 pm Health Break, Fraser Lounge

3:15 – 4:45 pm Concurrent Sessions

Roundtable 3A, Fraser 159

Training Lawyers for Sustainability – the Curriculum and Beyond, Maneesha Deckha, Chris Tollefson, Heather McLeod-Kilmurray & Jeff McEown

Roundtable 3B, Fraser 152

Obstacles and Openings: A Trans-systemic Roundtable on the Guiding Principles of Corporate-Commercial Law and Indigenous Legal Traditions, Clayton Bangsund, Signa Daum Shanks, Freya Kodar, Shin Imai, Carol Liao, Anna Lund, Brock Roe

Roundtable 3C, Fraser 157

Teaching Criminal Law to the Whole Lawyer, Ben Berger, Michelle Lawrence, Nikos Harris, Janet Mosher

Workshop 3D, Fraser 158

Educating the Whole Lawyer through Clinical and Experiential Programs: An Issue of Access? Shelley Kierstead & Martha Simmons

4:45 – 5:15 pm SSHRC Presentation, Fraser 159
Research Trends in Legal Education: An Analysis of SSHRC Insight Grant Applications in Law (since 1992), Marie-Ève Gagné

6:30 – 11:00 pm **Conference Dinner & Dance**, Vancouver Island Ballroom, Grand Pacific Hotel
(Pre-registration Required)

DAY TWO: Friday, June 9, 2017

8:30 – 9:00 am Breakfast, Fraser Lounge

9:00 – 10:15 am Concurrent Panel Presentations

Panel 4A, Fraser 159

- *Decolonial Resistance Pedagogy: Disrupting the Violence of Normative Legal Education*, Patricia M. Barkaskas
- *Putting Law in its Place: Field School Learning and Reconciliation*, Deborah Curran
- *Taking up the TRC at the U of Ottawa Faculty of Law*, Angela Cameron

Panel 4B, Fraser 152

- *Experiential Education for the Pre-Law Student*, Alexandra Flynn
- *Explicit provision for the transferable skill development of undergraduate law students in the Republic of Ireland*, Siobhan Cullen & Bronagh Heverin

Panel 4C, Fraser 158

- *Mapping the Contours of Unbundled Services: A Case Study*, Vandana Sood, Kim Hawkins, Elizabeth Cameron and Jasmine Nielson
- *Lawyers and Self-Represented Litigants : Ethics, Empathy and Whole Lawyering*, Jennifer Leitch

Panel 4D, Fraser 142

- *The Enormous (But Largely Unrealized) Potential of First Year Contract Law to Cultivate the Whole Lawyer*, David Sandomierski
- *What the whole lawyer needs to know about the retention, preservation and spoliation of evidence*, Michelle Lawrence

10:15 – 10:30 am Health Break, Fraser Lounge

10:30 – 11:15 am Concurrent Sessions

Workshop 5A, Fraser 159

Resilience – too vague, elitist, elusive? Maneesha Deckha

Workshop 5B, Fraser 152

Legal Project Management and Group Work in the Clinical Setting and Beyond, Cheryl Milne

Presentation 5C, Fraser 158

Improving refugee law services in Ontario: Mentorship must take into account ‘the whole lawyer’, Kristin Marshall (Legal Aid Ontario)

11:15 – 12:45 am **Plenary Panel: Towards a Manifesto – Anchoring the Legal Education Continuum in a Vision of the J.D.**, Fraser 159

Panelists: Jesse Beatson, Benjamin Berger, Sarah Buhler, Gillian Calder, Kate Glover, Sonia Lawrence, Janet Mosher, Michelle Smith, Netta Untershtats

12:45- 1:00 pm Thomson Reuters Trust Law - Spreading the Practice of Pro Bono Worldwide to Drive Social Change, Bonnie Preece

1:00 – 2:00 pm Thomson Reuters Lunch, Fraser Lounge.

CALT will be holding its 2017 Annual General Meeting from 1:15 – 2:00 pm in Fraser 157. All conference participants are welcome to attend.

2:00 – 3:30 pm Concurrent Sessions

Workshop 6A, Fraser 152

Educating the Whole Lawyer: Transforming Law School Culture and Classrooms Through Humanistic Practices, Susan L. Brooks & Neil Gold

Workshop 6B, Fraser 158

Creating a Mindful Community within Legal Education, Ellen Schlesinger

Workshop 6C, Fraser 157

The challenge of producing the ‘whole lawyer’, Nicola Holness & Cornelia Mazgarean

Panel 6D: CALT Prize Winners, Fraser 159

- *Towards a Coherent Theory of Legal Effectiveness: Law, Limits and the Intersecting Contexts of Inequities in Women’s Healthcare Experiences*, Irehobhude O. Iyioha
- *Deliberation in the Classroom and in Public Law Scholarship*, Hoi Kong
- *Land Regime Choice in Close-Knit Communities: The Case of the First Nations Land Management Act*, Malcolm Lavoie & Moira Lavoie
- *Liberating Legal Education Scholarship: Learning from the Liberal Arts*, David Sandomierski

3:30 – 3:45 pm Health Break, Fraser Lounge

3:45 – 5:15 pm Concurrent Sessions

Panel 7A, Fraser 158

- *Training a ‘Whole Lawyer’ Requires a ‘Whole Setting’: The importance of a holistic practice in a clinical legal education program*, Susan Noakes
- *Legal Educators and Reflective Practice in Canada and Australia: Reimagining Legal Education for the “Whole Lawyer*, Michele Leering
- *Time to Think About What You’ve Done – Instilling Reflective Practice and Character Development Through Clinical Education in the Prison Law Context*, Paul Quick

Panel 7B, Fraser 157

- *Trauma-Informed, Intersectional Approaches to Lawyering Education: Preliminary Study Results*, Gemma Smyth & Dusty Johnstone
- *Teaching Trauma-Informed Legal Services in Clinical Legal Education Settings*, C. Tess Sheldon

Panel 7C, Fraser 152

- *Lost in translation? Moving between languages, cultures and legal systems*, Tamara Amoroso Gonçalves
- *Trans-systemic Research in Graduate School: Indigenous Rights in Natural Resources Decision-making in Brazil*, Rebeca Macias Gimenez
- *Educating polyglot jurists in Canada: Le pourquoi du comment*, Adrien Habermacher

There is no formal conference programming or events Friday evening. All attendees are welcome to attend **UVic Law Centre's 40th Anniversary Party** from 5:00 – 7:00 pm. The celebration will take place at the Law Centre (225-850 Burdett Ave). If you plan to attend, please RSVP to Laura Pringle, Alumni Relations Officer at lawalum@uvic.ca.

DAY THREE: Saturday, June 10, 2017

8:30 – 9:00 am Breakfast, Fraser Lounge

9:00 – 10:30 am Concurrent Workshops / Panel Presentations

Panel 8A, Fraser 158

- *Reforming an undergraduate program in depth: obstacles and challenges*, France Houle, Hoi Kong, Annie Rochette
- *Nunavut Law School Curriculum Development*, Heather Heavin & Martin Philipson

Workshop 8B, Fraser 152

New Modes of Clinical Legal Education: Structural and Pedagogical Challenges and Opportunities, Michael Marin, Michael Litchfield, Geraldine Sadoway

Panel 8C, Fraser 157

- *Why do Law Students need to Study Legal Consciousness?* Qian Liu
- *Learning the Advocate's Art: Reflections on the Doctoral Defense in Law*, Andrij Kowalsky

10:30 – 10:45 am Health Break, Fraser Lounge

10:45 – 12:15 pm Concurrent Sessions

Roundtable 9A, Fraser 152

Building an Inclusive Corporate Commercial Classroom: A Roundtable Discussion, Stephanie Ben-Ishai, Shin Imai, Freya Kodar, Anna Lund, and Virginia Torrie

Panel 9B, Fraser 157

Family Law Needs Feminism because... Gillian Calder, Vanessa Gruben, Mary Jane Mossman & Karen Pearlston

Workshop 9C, Fraser 158

Ensuring the Competency of "Whole" Legal Professionals: Maximizing Experiential Learning Opportunities for Law Students, Michelle Leering, Doug Ferguson, LA Henry, Brea Lowenberger & Gemma Smyth

12:15- 12:30 pm Conference Closing, Fraser 159

Sommaire du programme du congrès

PREMIER JOUR : le jeudi 8 juin 2017

De 8 h à 8 h 30 Inscription et déjeuner, réception devant la salle Fraser 159

De 8 h 30 à 9 h 15 Mot de bienvenue et ouverture du congrès, Fraser 159

De 9 h 15 à 10 h 45 **Discours principal : Les Fondements de la pratique : l'avocat polyvalent et le quotient du caractère**
Juge Rebecca Love Kourlis, directrice générale, Institute for the Advancement of the American Legal System

De 10 h 45 à 11 h Pause santé, réception devant la salle Fraser 159

De 11 h à 12 h 30 Séances simultanées

Table ronde 1A, Fraser 158

- *Les compétences d'accès au système judiciaire : la perspective d'une étude communautaire, Sarah Buhler*
- *Comprendre les compétences juridiques, Sarah Marsden*
- *Expansion du concept d'avocat polyvalent afin de faciliter l'accès au système judiciaire, Britney De Costa*

Table ronde 1B, Fraser 152

- *Partenariats médico-juridiques, étudiants en droit et engagement communautaire, Michelle Christopher, Kelsey Forbes et Stephanie Mulligan*
- *Arrondissement collaboratif dans les partenariats médico-juridiques : modèle pédagogique holistique et interdisciplinaire, Janet H. Goode et Lauren H. Mutrie*

Table ronde 1C, Fraser 159

- *Connexions, collaboration et création de changements : rôle des cliniciens dans la défense systémique des droits, Raji Mangat*
- *Le « droit de la rue » ou comment donner à la communauté un accès aux lois, Siobhan Cullen et Bronagh Heverin*

De 12 h 30 à 13 h 30 Dîner, salon Fraser

L'Association canadienne pour l'enseignement clinique du droit tiendra son assemblée générale annuelle pour 2017 de 12 h 45 à 13 h 30, dans la salle Fraser 152. Tous les participants au congrès y sont invités.

De 13 h 30 à 15 h Séances simultanées

Table ronde 2A, Fraser 157

- *Démystifier la formation et l'évaluation axées sur les compétences : créer des programmes, des outils et des méthodes d'évaluation permettant de former un avocat polyvalent*, Lise Rivet
- *L'éducation multifacettes de l'avocat dans l'admission au Barreau et les programmes d'éducation permanente*, Annie Rochette, Jennifer Flynn et Andrea Johnson

Table ronde 2B, Fraser 158

- *L'école de droit perdue : pour une réforme véritablement transformative de l'éducation juridique*, Jason MacLean et Frances E. Chapman
- *Le programme caché de développement du caractère dans les écoles de droit canadiennes*, Benjamin Ries et Jacob Shelley

Table ronde 2C, Fraser 152

Avocat polyvalent, services complets au client : apprentissage communautaire par l'expérience et services holistiques, Colleen Sym, Guilia Reinhardt, Alison Symington et Tracy Wachmann

De 15 h à 15 h 15 Pause santé, salon Fraser

De 15 h 15 à 16 h 45 Séances simultanées

Table ronde 3A, Fraser 159

Former les avocats à une perspective à long terme – le programme d'études et au-delà, Maneesha Deckha, Chris Tollefson, Heather McLeod-Kilmurray et Jeff McEown

Table ronde 3B, Fraser 152

Obstacles et ouvertures : table ronde transsystémique sur les principes directeurs du droit commercial ou des sociétés et ceux des traditions juridiques autochtones, Clayton Bangsund, Signa Daum Shanks, Freya Kodar, Shin Imai, Carol Liao, Anna Lund et Brock Roe

Table ronde 3C, Fraser 157

Enseigner le droit criminel à l'avocat polyvalent, Ben Berger, Michelle Lawrence, Nikos Harris et Janet Mosher

Atelier 3D, Fraser 158

L'éducation multifacettes de l'avocat dans les programmes cliniques et expérientiels : un problème d'accès? Shelley Kierstead et Martha Simmons

De 16 h 45 à 17 h 15 Présentation du Conseil de recherches en sciences humaines, Fraser 159
Les tendances de la recherche en éducation juridique : analyse des demandes de subventions dans le domaine du droit, dans le cadre du programme Savoir du Conseil de recherches en sciences humaines (depuis 1992), Marie-Ève Gagné

De 18 h 30 à 23 h **Dîner dansant**, salle de bal Vancouver, hôtel Grand Pacific
(inscription préalable obligatoire)

DEUXIÈME JOUR : le vendredi 9 juin 2017

De 8 h 30 à 9 h Déjeuner, salon Fraser

De 9 h à 10 h 15 Présentations simultanées des tables rondes

Table ronde 4A, Fraser 159

- *Pédagogie de la résistance décoloniale : lutter contre la violence de l'éducation juridique normative*, Patricia M. Barkaskas
- *Mettre le droit à sa place : apprentissage sur le terrain et réconciliation*, Deborah Curran
- *La question de la Commission de vérité et réconciliation à la Faculté de droit de l'Université d'Ottawa*, Angela Cameron

Table ronde 4B, Fraser 152

- *L'éducation par l'expérience en études préjuridiques*, Alexandra Flynn
- *Disposition favorisant expressément l'acquisition de compétences transférables chez les étudiants en droit de premier cycle en république d'Irlande*, Siobhan Cullen et Bronagh Heverin

Table ronde 4C, Fraser 158

- *Description des contours des services dégroupés : une étude de cas*, Vandana Sood, Kim Hawkins, Elizabeth Cameron et Jasmine Nielson
- *Les avocats et les parties non représentées : déontologie, empathie et conduite des avocats polyvalents*, Jennifer Leitch

Table ronde 4D, Fraser 142

- *Le potentiel énorme (mais peu exploité) des étudiants de première année en droit des contrats ou comment les transformer en avocats polyvalents*, David Sandomierski
- *Ce que doit savoir l'avocat polyvalent sur la conservation et la destruction de la preuve*, Michelle Lawrence

De 10 h 15 à 10 h 30 Pause santé, salon Fraser

De 10 h 30 à 11 h 15 Séances simultanées

Atelier 5A, Fraser 159

La résilience – trop vague, trop élitiste, trop difficile à définir? Maneesha Deckha

Atelier 5B, Fraser 152

La gestion de projets juridiques et le travail de groupe en clinique, et au-delà, Cheryl Milne

Présentation 5C, Fraser 158

L'amélioration des services juridiques aux réfugiés en Ontario : le mentorat doit tenir compte du concept d'avocat polyvalent, Kristin Marshall (Aide juridique Ontario)

De 11 h 15 à 12 h 45 **Table ronde plénière : Pour un manifeste demandant d'ancrer le continuum de l'éducation juridique dans la vision du doctorat en jurisprudence**, Fraser 159

Participants : Jesse Beatson, Benjamin Berger, Sarah Buhler, Gillian Calder, Kate Glover, Sonia Lawrence, Janet Mosher, Michelle Smith et Netta Untershats

De 12 h 45 à 13 h **TrustLaw de la Thomson Reuters Foundation – internationaliser les services juridiques pro bono afin de favoriser le changement social**, Bonnie Preece

De 13 h à 14 h Dîner Thomson Reuters, salon Fraser

L'Association canadienne des professeurs de droit tiendra son assemblée générale annuelle pour 2017 de 13 h 15 à 14 h, dans la salle Fraser 157. Tous les participants au congrès y sont invités.

De 14 h à 15 h 30 Séances simultanées

Atelier 6A, Fraser 152

L'éducation multifacettes de l'avocat : transformer la culture des écoles et des classes de droit par des pratiques humanistes, Susan L. Brooks et Neil Gold

Atelier 6B, Fraser 158

Créer une communauté pleinement consciente au moyen de l'éducation juridique, Ellen Schlesinger

Atelier 6C, Fraser 157

La difficulté de produire un avocat polyvalent, Nicola Holness et Cornelia Mazgarean

Table ronde 6D : Gagnants des prix de l'Association canadienne des professeurs de droit, Fraser 159

- *Pour une théorie cohérente de l'efficacité juridique : la loi, ses limites et les contextes intersectionnels des inégalités vécues par les femmes dans le domaine des soins de santé*, Irehobhude O. Iyioha
- *Délibérations en classe et dans le cadre d'une bourse en droit public*, Hoi Kong
- *Choix de régime foncier dans les communautés étroitement unies : le cas de la Loi sur la gestion des terres des premières nations*, Malcolm Lavoie et Moira Lavoie
- *Des bourses libératrices en éducation juridique : l'expérience des arts libéraux*, David Sandomierski

De 15 h 30 à 15 h 45 Pause santé, salon Fraser

De 15 h 45 à 17 h 15 Séances simultanées

Table ronde 7A, Fraser 158

- *Pour former un avocat polyvalent, il faut avoir un milieu approprié : l'importance de la pratique holistique dans un programme d'éducation juridique clinique*, Susan Noakes
- *Les éducateurs juridiques et la pratique réflexive au Canada et en Australie : réimaginer l'éducation juridique en vue de former des avocats polyvalents*, Michele Leering
- *Réfléchir aux erreurs commises – créer une pratique réflexive et favoriser le développement du caractère par l'éducation clinique dans le contexte du droit carcéral*, Paul Quick

Table ronde 7B, Fraser 157

- *Approches intersectionnelles axées sur le traumatisme de l'enseignement de l'exercice du droit : résultats préliminaires de l'étude*, Gemma Smyth et Dusty Johnstone
- *L'enseignement des services juridiques axés sur le traumatisme en clinique juridique*, C. Tess Sheldon

Table ronde 7C, Fraser 152

- *Problèmes de traduction? Passer d'une langue, d'une culture et d'un système juridique à l'autre*, Tamara Amoroso Gonçalves
- *Recherche transsystémique au cycle supérieur : le rôle des droits des Autochtones dans la prise de décisions sur les ressources naturelles au Brésil*, Rebeca Macias Gimenez
- *L'éducation des juristes polyglottes au Canada : Le pourquoi du comment*, Adrien Habermacher

La soirée du vendredi est libre et non organisée. Vous pouvez participer aux célébrations du **40^e anniversaire du Centre juridique de l'Université de Victoria**, qui auront lieu de 17 h à 19 h, au 850, avenue Burdett, bureau 225. Si vous comptez être de la fête, veuillez avertir Laura Pringle, agente des relations avec les diplômés, à lawalum@uvic.ca.

TROISIÈME JOUR : le samedi 10 juin 2017

De 8 h 30 à 9 h Déjeuner, salon Fraser

De 9 h à 10 h 30 Ateliers simultanés et présentations simultanées des tables rondes

Table ronde 8A, Fraser 158

- *La réforme en profondeur d'un programme de premier cycle : obstacles et défis*, France Houle, Hoi Kong et Annie Rochette
- *Élaboration du programme d'études de l'école de droit du Nunavut*, Heather Heavin et Martin Philipson

Atelier 8B, Fraser 152

Nouvelles approches de l'éducation juridique en clinique : occasions et défis structurels et pédagogiques, Michael Marin, Michael Litchfield et Geraldine Sadoway

Table ronde 8C, Fraser 157

- *Pourquoi les étudiants en droit doivent-ils étudier la conscience du droit?* Qian Liu
- *Apprendre l'art de défenseur des droits : réflexions sur la soutenance de thèse en droit*, Andrij Kowalsky

De 10 h 30 à 10 h 45 Pause santé salon Fraser

De 10 h 45 à 12 h 15 Séances simultanées

Table ronde 9A, Fraser 152

Conférer un caractère inclusif aux classes de droit commercial ou des sociétés : discussion en table ronde, Stephanie Ben-Ishai, Shin Imai, Freya Kodar, Anna Lund et Virginia Torrie

Table ronde 9B, Fraser 157

Le droit familial a besoin du féminisme parce que..., Gillian Calder, Vanessa Gruben, Mary Jane Mossman et Karen Pearlston

Atelier 9C, Fraser 158

Assurer la compétence des spécialistes polyvalents du droit : optimiser les occasions d'apprendre par l'expérience chez les étudiants en droit, Michelle Leering, Doug Ferguson, LA Henry, Brea Lowenberger et Gemma Smyth

De 12 h 15 à 12 h 30 Clôture du congrès, Fraser 159

Detailed Conference Program

DAY ONE: **Thursday, June 8, 2017**

8:00 – 8:30 am **Registration and Breakfast, Reception area outside Fraser 159**

Conference check-in will take place in the reception area on the main floor of the Fraser Building Faculty of Law. Breakfast will be served in the same location.

8:30 – 9:15 am **Welcome & Conference Opening, Fraser 159**

Welcome from **Jeremy Webber**, Dean of Law, **Butch Dick**, Elder of the Community & Education Liaison of Songhees Nation, **Lisa Cirillo**, ACCLE President and **Craig Forcese**, CALT President.

9:15 – 10:45 am **Keynote Address by Justice Rebecca Love Kourlis, Executive Director, IAALS
The Whole Lawyer & the Character Quotient**

The employment gap for law school graduates is well-documented. Many recent graduates are struggling to find meaningful employment and, even when they do, they often struggle to meet the expectations of their employers. But what exactly new lawyers missing? And how can schools and employers help grads hit the ground running? These questions are at the heart of “Foundations for Practice,” a groundbreaking project led by IAALS, the Institute for the Advancement of the American Legal System. In the most comprehensive effort of its kind, IAALS surveyed more than 24,000 lawyers throughout the United States—across practice settings, specialty, and geography—to uncover the essential attributes of success for lawyers as they launch their careers. IAALS’ findings provide solid outcomes for law schools to set and measure, opportunities for employers to align hiring practices with their needs, and a starting point for thinking critically about admissions and licensing regulations. This presentation will introduce the study and its findings, and provide attendees with interactive exercises that will help them develop ways to use these data to improve their classes and programs.

10:45 – 11:00 am **Health Break, Reception area outside Fraser 159**

11:00 – 12:30 pm **Concurrent Sessions**

Panel A, Fraser 158

Competencies for Access to Justice: Perspective from a Community Research Study, Sarah Buhler (Saskatchewan)

Understanding Legal Competencies, Sarah Marsden (Thompson Rivers)

Expanding the Whole Lawyer for Greater Access to Justice, Britney De Costa (Windsor)

In this interactive session, the three presenters will discuss their respective community-based research projects. Each project seeks in a different way to critically examine, challenge and expand notions of “competencies” for lawyers, with a particular emphasis on what lawyering for access to justice requires in terms of competencies. The presenters will seek to bring their respective research projects into dialogue with each other, and will also engage the audience in the following questions: (1) How should lawyer competence be defined, and by whom? (2) What is the role of law schools in developing lawyer competence? (3) How is lawyer competence connected to access to justice?

Panel B, Fraser 152

Medical-Legal Partnerships, Law Students and Community Engagement, Michelle Christopher, Kelsey Forbes & Stephanie Mulligan (Calgary)

Collaborative Rounding in Medical-Legal Partnership: a Holistic, Interdisciplinary Teaching Model, Janet H. Goode & Lauren H. Mutrie (Memphis)

Medical-legal partnership is an emerging and evolving model in the healthcare, legal services, and law school clinic worlds that offers innovative collaborative and interdisciplinary opportunities. The cross-pollination of approaches in addressing the health and legal needs of vulnerable populations allows students to discover and utilize the framework and tools of other professions while simultaneously learning and honing skills in their respective disciplines. This presentation will explore using collaborative rounding, in which lawyers and law students participate in hospital rounds as part of the diagnostic and treating healthcare team, as an interdisciplinary pedagogical tool. Similarly, we will explore interdisciplinary, experiential approaches to legal case rounds where medical students, residents, and doctors form part of the legal team. Finally, we will consider the ethical challenges of interdisciplinary and cross-cultural work and will invite those attending to participate in sharing experiences and creating a list of best practices.

Panel C, Fraser 159

Connecting, Collaborating and Creating Change: a Role for Clinicians in Systemic Advocacy, Raji Mangat (West Coast LEAF)

As demand for clinical services vastly outstrips supply, it makes sense to seek systemic solutions to the legal issues affecting many clients. But, what does systemic advocacy look like in a clinical setting? Using the setting of the Rise Women’s Legal Centre, a newcomer to Canada’s clinical landscape, this presentation will explore the potential for (and challenges of) educators and

participants to seek systemic solutions through clinic. With a focus on how clinics can connect, collaborate and create change through advocacy on systemic issues of relevance to the communities they serve, the presentation will discuss, among other things, the potential for “scaling up” clinical issues; shifting perspective without losing focus; the challenge of issue and community identification; viable practices for integrating casework; and the impact of clinicians’ learning outcomes.

Street Law – Paving the Way for Community Access to the Law, Siobhan Cullen & Bronagh Heverin (Letterkenny Institute of Technology, Ireland)

This paper will examine the possibilities for community engagement that are fostered by a Street Law programme as well as considering the potential benefits for the local community and in particular young people who are marginalised or disaffected through school exclusion or disengagement. It explores the potential for law students to engage positively with the local community in a mutually beneficial relationship that gives them a significant role within the law and places them at the heart of positive role-modelling for local youth.

12:30 – 1:30 pm **Lunch, Fraser Lounge**

ACCLE will host its 2017 Annual General Meeting from 12:45 - 1:30 pm in Fraser 152. All conference participants are welcome to attend.

1:45 – 3:15 pm **Concurrent Sessions**

Panel A, Fraser 157

Demystifying Competency-Based Training and Assessment: Designing Programs, Tools and Assessments to Produce the Whole Lawyer, Lise Rivet (Ottawa)

Using the presenter’s own professional experiences, this presentation will provide theoretical and practical information on competency-based training and assessment. It will also provide resources and tools (including the Federation of Law Societies of Canada’s National Requirement and National Competency Profile for Entry-Level Lawyers) which professors, trainers and clinicians may find useful when developing courses, programs, and assessments which focus on competencies, and to ultimately produce “the whole lawyer”.

Educating the Whole Lawyer in Bar Admission and CPD Programs, Annie Rochette (LSBC), Jennifer Flynn (Legal Education Society of Alberta), Andrea Johnson (LSS)

In this session, the participants will discuss the integration of some of the soft skills highlighted in the Foundations for Practice report in bar admission and Continuing Professional Development programs. First, there will be an overview of designing educational programs based on competencies, as well as the assessment of these competencies. Then the participants will speak to what they are doing in the different bar admission and CPD programs

to address some of the soft skills and attitudes. The participants will then identify some of the challenges and possible solutions in teaching and assessing these competencies. A general discussion will follow.

Panel B, Fraser 158

The Lost Law School: Toward a Truly Transformative Reform on Legal Education, Jason MacLean & Frances E. Chapman (Lakehead)

Our presentation peers beneath the surface of Lakehead’s controversial Integrated Practice Curriculum (IPC). Although the IPC rehearses aspirational objectives such as reconciliation, access to justice, and enhanced professional preparation, the IPC has overreached and underdelivered. Notwithstanding particular pedagogical successes (especially its initial but quickly-discontinued use of tutorials), the IPC was neither conceived nor implemented as a *transformative* reform of the core curriculum of Canadian law faculties. Rather, the IPC is effectively an *additive* reform – while the IPC adds passive exposure to “Aboriginal perspectives” and the opportunity to practice a narrow selection of technical skills in mandatory courses, it leaves the traditional curriculum unchanged. The IPC fails to envisage – let alone engage – “the whole lawyer.” But perhaps not all is lost. The IPC remains inchoate, but is capable still of developing a transformative vision of both legal education and practice. We conclude by discussing truly transformative reforms of Canadian legal education.

The Hidden Character Curriculum of Canadian Law Schools, Benjamin Ries (Toronto) & Jacob Shelley (Western)

The IAALS’s 2016 identification of character traits such as humility and compassion among its 77 proposed *Foundations for Practice* is framed as chief among the presumed gaps between legal education and employment. As Canadian law schools have simultaneously reflected on the *Calls to Action* of the Truth and Reconciliation Commission, both curricular conversations tend to follow an additive path: from presumed neutral neglect of certain values in the past, to which additional courses and programming might best meet newly-identified needs. Trubshaw’s work in the area of institutional value transmission – drawn from underlying theory in educational sociology and evolutionary psychology – recommends an examination of the values that Canadian law schools already teach (intentionally or not). Course offerings, hiring, tenure, teaching assignments, compensation, and other programming all play a role. Our session begins this critical account of whole Canadian law students, and the roles that whole law schools play in their development.

Panel C, Fraser 152

Whole Client, Whole Lawyer: Community-based experiential learning and holistic services
Colleen Sym (Halton CLS), Guilia Reinhardt (Halton CLS), Alison Symington (PBSC), Tracy Wachmann (UBC)

This session will examine two distinct case studies of projects that are expanding access to justice for low income and marginalized populations. The first — the ID Project — looks at the role of *pro bono* projects and combining legal services with non-legal services to meet the complex needs of a highly marginalized population. The second — the Legal Health Check-up — examines how the shift to delivering legal services in a holistic way led to the transformation of relationships and the emergence of “a new kind of lawyer.” The panel will discuss: the intersectionality of health and legal problems; how fostering community connections creates service pathways for communities who lack access to justice; and non-traditional models of legal service delivery to meet clients’ multiple needs holistically.

3:00 – 3:15 pm **Health Break, Fraser Lounge**

3:15 – 4:45 pm **Concurrent Sessions**

Roundtable A, Fraser 159

Training Lawyers for Sustainability – the Curriculum and Beyond, Maneesha Deckha (UVic), Chris Tollefson (UVic), Heather McLeod-Kilmurray (Ottawa) & Jeff McEown (CELL)

This session will expand and deepen discussions about sustainability and its relevance to legal education, legal practice, and the missions of public universities. The Roundtable will begin with facilitators’ critical perspectives on sustainability and their priorities for how the legal curriculum, law school cultures, and universities can better integrate sustainable thinking/learning/practices. Please come with your thoughts on these questions for discussion:

The Concept of Sustainability

- Should the concept of “sustainability” embrace a critique of anthropocentrism?
- How can legal education incorporate critical thinking about sustainable interspecies relations, particularly the argument that humans have a responsibility toward other species as a matter of justice and/or ethics?

Sustainability in the Curriculum

- Many practitioners need expertise in sustainability. How can sustainability be imbricated into other courses and throughout the law school experience?

Public Interest Environmental Lawyering

- What skills do junior lawyers need to take on public interest litigation?
- How can law schools and profession to work together to deliver this hands-on, experiential training?

Roundtable B, Fraser 152

Obstacles and Openings: A Trans-systemic Roundtable on the Guiding Principles of Corporate-Commercial Law and Indigenous Legal Traditions, Clayton Bangsund (Saskatchewan), Signa Daum Shanks (Osgoode), Freya Kodar (UVic), Shin Imai (Osgoode), Carol Liao (UVic), Anna Lund (Alberta), Brock Roe (Saskatchewan)

This roundtable is intended to create space for a discussion of the guiding principles of corporate-commercial law and an exploration of how they connect (or not) with Indigenous legal traditions. This trans-systemic conversation will invite the roundtable participants and audience members to make explicit the principles that structure corporate-commercial law, examine how these principles are implicitly conveyed in the corporate-commercial curriculum, and consider how the principles may provide openings or obstacles to engaging more fully with Indigenous legal traditions in the corporate commercial classroom.

Roundtable C, Fraser 157

Teaching Criminal Law to the Whole Lawyer, Ben Berger (Osgoode), Michelle Lawrence (UVic), Nikos Harris (UBC), Janet Mosher (Osgoode)

What might it mean to “educate the whole lawyer” about criminal law and process in a contemporary Canadian law school? This roundtable will explore challenges and opportunities arising from key pedagogical issues surrounding teaching criminal law, providing an opportunity for collegial sharing and reflection on approaches to engaging students in a fuller and more critical appreciation of the Canadian criminal justice system. Issues explored will include:

- means by which criminal law instructors might respond to the Calls for Action of the Truth and Reconciliation Commission;
- strategies and experiences related to exploring the relationship between the criminal justice system and sexual violence, as well as the professional and ethical responsibilities of criminal lawyers working in this field;
- challenges in striking a balance between substantive law and criminal process/police powers, given the socio-legal context in which the criminal justice system operates and the circumstances of the individuals and communities most impacted by it;
- how changes in who is attending law school might (or should) affect how we teach criminal law; and
- opportunities for experiential learning relevant to the criminal justice system.

The roundtable will proceed by way of facilitated discussion. Designated participants will be asked to share experiences and ideas about a particular topic, following which all participants will be invited to comment and engage openly on issues of shared interest.

Workshop D, Fraser 158

Educating the Whole Lawyer through Clinical and Experiential Programs: An Issue of Access?, Shelley Kierstead & Martha Simmons (Osgoode)

Many of the results of the *Foundations for Practice* study point to a need to educate “the whole lawyer”. The character traits of integrity, work ethic, common sense and resilience are most aptly reinforced and tested through clinical and experiential education programs in law schools.

With this in mind, we must consider whether the benefits of clinical and experiential education programs are more available to some students than others. Are these programs accessible to the diverse population of law students? Accessibility can take many forms. It can include addressing a range of needs – from financial accessibility to accessibility for equity seeking groups, including students with disabilities. If students are to participate in programs that assist them to develop into “whole lawyers”, these programs must be made accessible in all senses.

This presentation and workshop will examine the accessibility of experiential and clinical programs. Beginning with an outline of issues surrounding accessibility, the session will turn into an interactive program in which participants will be asked to consider their own approaches to legal education and the impact that various barriers may have on student entry and or success.

4:45 – 5:15 pm SSHRC Presentation, Fraser 159

Research Trends in Legal Education: An Analysis of SSHRC Insight Grant Applications in Law (since 1992), Marie-Ève Gagné

This presentation will offer an interesting perspective on research trends in law in Canada; looking more specifically at research application sub-disciplines, socio-demographic components, and the number of proposals received and funded. A SSHRC program officer will also walk you through the program changes and new funding opportunities to be launched in 2017-2018, offer tips and answer your questions.

6:30 – 11:00 pm Conference Dinner & Dance, Vancouver Island Ballroom, Grand Pacific Hotel (Pre-registration Required)

DAY TWO: Friday, June 9, 2017**8:30 – 9:00 am** **Breakfast, Fraser Lounge****9:00 – 10:15 am** **Concurrent Panel Presentations****Panel A, Fraser 159**

Decolonial Resistance Pedagogy: Disrupting the Violence of Normative Legal Education, Patricia M. Barkaskas (UBC)

Normative legal education in Canada perpetuates settler colonial perspectives as part of the ongoing violence of colonization where the law is used as a tool of dispossession and oppression. This presentation contemplates the place of critical decolonial and Indigenous pedagogies in law school courses and curriculum and the contribution this makes in educating the whole lawyer. Educating the whole lawyer requires interrupting hegemonic legal education by engaging with pedagogical approaches that resist dominant discourses about the power and purpose of law. Integrating these approaches in both the academic and practical aspects of legal education intervenes in violent normative legal education and challenges the colonial hegemony underpinning the Canadian legal system. The aim of decolonial resistance pedagogy is to disrupt how students have been taught to think about and practice law by contributing to their knowledge of how colonialism is entrenched in and replicated through the Canadian legal system.

Putting Law in its Place: Field School Learning and Reconciliation, Deborah Curran (UVic)

While there is considerable reflection on the importance of field school education, including for decolonizing education, the discipline and teaching of law is geographically disinterested. The focus on the recall of substantive colonial law also places law at a distance from the Truth and Reconciliation Commission of Canada's Call to Action for "...skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism." To decolonize legal education, John Borrows calls for outdoor experiential education in indigenous communities. After having taught a national field school for five years in the remote Central Coast of British Columbia – the "Great Bear Rainforest" – I interviewed former students to evaluate whether the course developed students' complex interdisciplinary problem-solving skills and understanding of Aboriginal and Indigenous law. The intent of this paper is to describe the impact of that course on the law students, to reflect on what field school methodology could mean for student comprehension of Aboriginal and Indigenous law, and to evaluate the role of field schools in responding to the call for reconciliation training in law schools.

Taking up the TRC at the U of Ottawa Faculty of Law, Angela Cameron (Ottawa)

This presentation will outline the steps we have taken so far at the University of Ottawa Faculty

of English Common Law to comply with the TRC recommendations regarding legal education, and critically examine their success. A recent debrief meeting with the faculty members who participated in last year's pilot have revealed strengths and weaknesses. Going forward we will be including the French Common Law and the Civil Law programs in our plans, raising questions of language (Indigenous languages? English/French) and polyjuridical frameworks that attempt to take into account Indigenous law, Civil law and Common law.

Panel B, Fraser 152

Experiential Education for the Pre-Law Student, Alexandra Flynn (Toronto)

Experiential education gives students the opportunity to apply knowledge to experience in order to develop skills or new ways of thinking (Lewis & Williams, 1994). Existing literature has thoughtfully established the connection between this pedagogical approach and engaged citizenship, civic responsibility, and the importance to students of contributing to the broader public good (Ngai, 2006). In addition, this approach to education enhances professional and graduate school opportunities (Lowenthal & Sosland, 2007), especially for students from marginalized communities who may have fewer avenues to network and build community contacts (Darling-Hammond & Holmquist, 2015).

This interactive presentation contributes to scholarship by exploring selected experiential education tools designed for pre-law students located in an inner-city environment taking into consideration their unique needs, such as balancing part-time and full-time employment and family obligations. The aim of this presentation is to investigate the benefits of such tools for the development of ethical, reflective, reconciliatory, and innovative attributes in students. It also explores the specific advantages for pre-law students, especially those coming from diverse backgrounds. In outlining the effects of experiential education in the pre-law context, the presentation will canvass and present best practices for the creation of briefing notes and briefing books on municipal law issues, including strategies for working in teams, connecting students to community leaders (including members of the urban Indigenous community), and the use of a flipped classroom. Ultimately, I argue that engagement with such tools creates opportunities for a more diverse student body to engage with law, the development of community-university partnerships, and can build important connections for legal educators both in and outside of law schools.

Explicit provision for the transferable skill development of undergraduate law students in the Republic of Ireland, Siobhan Cullen & Bronagh Heverin ((Letterkenny Institute of Technology, Ireland)

The content of this paper will briefly look at legal education in Ireland followed by particular consideration of legal education in the Institute of Technology sector where there is more emphasis on practice. In 2012, as a result of a programmatic review new clinical education models were developed in Letterkenny IT with a view to enhancing the transferable skills of our graduates. This paper will look at one of these models in particular and consider the design,

development, implementation and evaluation of this module to date.

Panel C, Fraser 158

Mapping the Contours of Unbundled Services: A Case Study, Vandana Sood, Kim Hawkins, Elizabeth Cameron and Jasmine Nielson (Rise Women’s Legal Centre, Vancouver, BC)

Rise Women’s Legal Centre is a student clinic which opened in 2016, in response to the serious crisis in access to justice in family law in British Columbia. We take this opportunity to look back at the lessons learned in our first year, the clients who sought assistance from our off-campus clinic, the response from the legal community, and the evolution of the legal services we offer clients. We also describe a case study where our student clinicians supported a self-represented litigant through a multi-week, high-conflict family trial in Provincial Court against experienced opposing counsel.

Lawyers and Self-Represented Litigants: Ethics, Empathy and Whole Lawyering, Jennifer Leitch (Fellow, Canadian Forum on Civil Justice)

Currently, there are almost as many non-lawyers as lawyers handling litigation. The fact alone that self-represented litigants are the overwhelming majority of litigants in some legal settings warrants a serious re-appraisal of the structure and dynamics of the adversarial context, particularly as it relates to the professional and ethical role of the lawyer. As the dominant model of lawyering is intricately linked to traditional conceptualizations of the adversarial system that is itself evolving, it is important to reflect on how lawyering might also need to evolve. Given the new dynamics confronting the lawyer’s traditional role, it is important to look at re-fashioning rules and practices to incorporate better these changes – a process that must begin in law school. In so far as lawyers are now practicing in a system that no longer looks or functions like the traditional adversarial system, there must be a corresponding shift in the approach taken to preparing lawyers for practice in these new contexts. Examining professional requirements in other legal systems can offer some fresh perspectives from which to consider the ethical challenges facing lawyers in adversarial systems and how law teachers might prepare students to address those challenges. However, the conclusion that might be reached is that, “what we may need is not ‘tinkering’ with current rules and practices, but a recognition that new and evolving lawyer roles - that looks at the whole lawyer - requires new rules and modes of practices.

Panel D, Fraser 142

The Enormous (But Largely Unrealized) Potential of First Year Contract Law to Cultivate the Whole Lawyer, David Sandomierski (Toronto)

First year contract law is in principle a fecund site to cultivate the whole lawyer. The lessons from the past century of contract scholarship, if sufficiently translated into practice, could develop a wide range of skills and perspectives about the nature and practice of law. And yet, a homogenous and largely conventional model of legal reasoning predominates in contract law

teaching. This paper draws on empirical research – interviews and course materials from 75 Canadian contract law professors, and a review of the three major contracts casebooks – to demonstrate how contract law teachers espouse a robust and eclectic sense of the *theoretical* possibilities of contract law, but a largely conventional practical methodology. It concludes with some reflections on the institutional, pedagogical, and theoretical factors that might account for this gap between aspiration and reality.

What the whole lawyer needs to know about the retention, preservation and spoliation of evidence,
Michelle Lawrence (UVic)

The whole lawyer should be equipped with the knowledge, skill and judgment to advise clients on the proper management of evidence in anticipation of litigation. This is an aspect of practice of particular significance to business litigators, and those engaged in advisory work as solicitors or in-house counsel. Yet conventional evidence law curriculum tends to focus on the legal doctrines governing the admissibility of evidence in court proceedings, to the neglect of the important rules and practice protocols informing the retention, preservation and spoliation of evidence outside of the adjudicative arena. This presentation will describe instructional materials developed for the purpose of filling this gap, including teachings on the obligations of parties to preserve potentially relevant evidence, the consequences of improper management of evidence, and the important differences between Canadian and American approaches to spoliation of evidence in the civil context.

10:15 – 10:30 am **Health Break, Fraser Lounge**

10:30 – 11:15 am **Concurrent Sessions**

Workshop A, Fraser 159

Resilience – too vague, elitist, elusive? Maneesha Deckha (UVic)

The IAALS's Foundations of Practice study showcases the premium that legal employers place on the resilience-readiness of law students, suggesting that law schools have a role to play in cultivating resilience in their students. The workshop will engage with well-established psychological as well emergent philosophical literature on resilience to consider the extent to which resilience is a character trait that is desirable and feasible for law schools to teach. The workshop will explore two principal questions questioning the value of teaching resilience to law students. First, we will consider whether resilience is a code word for privilege. Are individuals from socioeconomically privileged backgrounds more likely to be resilient? Second, we will also ask whether resilience can be effectively taught to adult learners given that resilience may be most effectively learned in childhood. We will explore the implications of this for learning at the adult level.

Workshop B, Fraser 152

Legal Project Management and Group Work in the Clinical Setting and Beyond, Cheryl Milne (Toronto)

The Asper Centre clinic teaches students through seminars and advocacy projects the practicalities of constitutional rights advocacy. Two key elements to successful completion of often complex projects are effective group work (all of the students work in partnership with other students as well as counsel and outside organizations/clients) and realistic and functional work plans (an adaption of legal project management). This workshop will engage the participants in interactive exercises designed to highlight the key elements of legal project management and effective group collaboration in order to illustrate the ways that the concepts can be purposefully incorporated into experiential education. Case examples will be used to demonstrate how the students in the clinic began to develop these skills and reflect upon their general application to their future legal careers.

Presentation C, Fraser 158

Improving refugee law services in Ontario: Mentorship must take into account ‘the whole lawyer’, Kristin Marshall (Legal Aid Ontario)

Refugees and immigrants are some of the most vulnerable clients LAO serves. Feedback about quality issues with some service providers led LAO to implement a panel standards program in 2015. Lawyers had to have their work assessed to remain on the panel to be able to represent LAO clients. Because of concerns about quality or inexperience, some applicants had to comply with certain conditions, including mentorship.

The presentation will share lessons learned from the mentorship program, including tips for managing conflict and emotion and suggestions for training **both** mentors and mentees, prior to their work together. It will also reflect on the enhancing the potential for character development for both parties through mentorship. It may be of interest to those seeking to develop mentorship programs, both for law students and/or young lawyers. There will be ample time for discussion.

11:15 – 12:45 am ***Plenary Panel: Towards a Manifesto – Anchoring the Legal Education Continuum in a Vision of the J.D.***, Fraser 159

Through an interactive roundtable discussion we seek to ignite conversation about the vital elements of the JD and the methodological approaches from which these elements are derived. This aspiration operates against the backdrop of an intensification of regulatory activity—national accreditation standards,

entry level competencies, and currently in Ontario, a consultation on licensing—that is grounded in a particular conception of legal education, one largely derived from lawyer surveys. By contrast, elements of our vision of the JD include conceptual frameworks (ethical, doctrinal, critical, decolonial, historical, etc.) to prepare students to tackle issues of substantive injustice in the world. And to do this, varied pedagogical approaches are required—approaches that are experiential, decolonial, transformative, and that take seriously the therapeutic and anti-therapeutic impacts of law and legal process not only for clients, but lawyers and law students.

Panellists: Jesse Beatson, Benjamin Berger, Sarah Buhler, Gillian Calder, Kate Glover, Sonia Lawrence, Janet Mosher, Michelle Smith, Netta Unterschats

12:45- 1:00 pm **Thomson Reuters Trust Law - Spreading the Practice of Pro Bono Worldwide to Drive Social Change**, Bonnie Preece, Fraser 159

1:00 – 2:00 pm **Thomson Reuters Lunch, Fraser Lounge**
CALT will be holding its 2017 Annual General Meeting from 1:15 – 2:00 pm in Fraser 157. All conference participants are welcome to attend.

2:00 – 3:30 pm **Concurrent Sessions**

Workshop A, Fraser 152

Educating the Whole Lawyer: Transforming Law School Culture and Classrooms Through Humanistic Practices, Susan L. Brooks (Drexel) & Neil Gold (Windsor)

The groundbreaking study which inspired this conference demonstrates that legal employers are seeking graduates possessing robust professional competencies and character traits, including respect, attentive listening, integrity, and trustworthiness. According to the study, graduates also require a strong work ethic and resilience. It urges educators to rethink legal education and our learning outcomes to ensure law students cultivate these competencies.

Some have questioned whether such competencies and character traits can be taught. The session leaders have identified a set of guiding principles, policies, and practices to support law students' cultivation and enhancement of professional skills and character traits and improve the law school learning environment. This interactive workshop will demonstrate concrete and specific approaches, tools, and techniques that will materially improve law students' daily experiences and overall learning outcomes. The session will also identify challenges legal educators must overcome to achieve these educational goals, and will explore ways to address them.

Workshop B, Fraser 158*Creating a Mindful Community within Legal Education, Ellen Schlesinger (Osgoode)*

This workshop is designed to introduce participants to a course entitled “Creating a Mindful Community”, created by two psychotherapists (and former lawyers), Ellen Schlesinger and Melanie Banka Goela, for law students at Osgoode Hall law school. The non-credit elective course, developed and offered during the 2016-17 academic year, introduced law students to the fundamentals of mindfulness and meditation. Students learned to cultivate awareness and presence through guided meditation, peer to peer connection, and reflective practice. The curriculum was designed to support student mental health. Participants will access the course curriculum and be led through brief mindfulness, meditation, and self-reflection components of the course. It is hoped participants will come away from this workshop refreshed and inspired to integrate these ideas into student programming.

Workshop C, Fraser 157*The challenge of producing the ‘whole lawyer’, Nicola Holness & Cornelia Mazgarean (Osgoode)*

In order to answer the question of whether clinical practitioners are doing the best they can to prepare students to be “whole lawyers,” with a prosperous career, we interviewed a number of stakeholders, and asked them one question: “What qualities make a good lawyer?” We interviewed on video prospective CLASP students, outgoing CLASP students, former CLASP students, community members, lawyers who do not practice in a clinical setting, review counsel at CLASP and the Osgoode Hall Law School wellness counsellor. Some answers were intriguing and challenging. The presentation would like to engage the audience into a discussion regarding the following questions:

- How do we teach “integrity and trustworthiness, conscientiousness, and common sense”?
- Is there a gap between what students want and what students need?
- How do we balance such high expectations from students with their need for self-care?

Panel D: CALT Prize Winners, Fraser 159*Towards a Coherent Theory of Legal Effectiveness: Law, Limits and the Intersecting Contexts of Inequities in Women’s Healthcare Experiences, Irehobhude O. Iyioha (Alberta)*

Although there have been notable advances in the recognition of women’s health rights internationally and in various national regimes, rule-based advances have not translated into

significant health benefits for women. There remains a considerable gap between the goals of advocacy and legislative reform and the lived experiences of millions of women around the world. Drawing on concepts and ideas from diverse fields, this presentation examines the question whether the nominal returns from laws designed to improve women's health can be traced to the conceptual structure of law or to broader contextual factors extrinsic to law. Arguing that limitations to the successful use of domestic legislation and international human rights law to improve women's health are the derivatives of multiple traversing factors, the presentation explores the potentials of a new framework for assessing law's (in)effectiveness in the field.

Deliberation in the Classroom and in Public Law Scholarship, Hoi Kong (McGill)

Land Regime Choice in Close-Knit Communities: The Case of the First Nations Land Management Act, Malcolm Lavoie & Moira Lavoie (Alberta)

Land interests on Canadian First Nations reserves have long been governed by the rigid and paternalistic provisions of the federal *Indian Act*. Yet an increasing number of First Nations have taken advantage of the 1999 *First Nations Land Management Act*, which allows First Nations to adopt a custom land code that replaces most of the reserve land provisions of the *Indian Act* in their communities. This paper seeks to examine how First Nations have chosen to exercise their powers under this Act, focusing especially on provisions relating to the transfer of land interests. The question of the alienation of land interests occupies an ideological fault line involving considerations of economic efficiency and individual autonomy, on the one hand, and community cohesion and traditional culture, on the other. The authors make a number of observations relating to the links between the characteristics of communities and their choice of land regime.

Liberating Legal Education Scholarship: Learning from the Liberal Arts, David Sandomierski (Toronto)

3:30 – 3:45 pm **Health Break, Fraser Lounge**

3:45 – 5:15 pm **Concurrent Sessions**

Panel A, Fraser 158

Training a 'Whole Lawyer' Requires a 'Whole Setting': The importance of a holistic practice in a clinical legal education program, Susan Noakes (UVic)

How as practitioners, educators can we support the law student to be a whole lawyer? This goal cannot be left to one profession namely the legal profession. Not to support the opportunity for several professions to work and train together can leave out pieces for a law student's education, future practice and continued reflective practice. The importance of a holistic clinical law practice assists the law student to become a whole lawyer. Approximately 20 law students

were interviewed to determine those ‘pieces’ that speak to the necessity of teaching and sharing knowledge in an inter-disciplinary practice in a clinical legal education setting. The themes that contribute to making a law student/lawyer ‘whole’ will be discussed.

“Integrated Reflective Practice”: Reimagining Legal Education for the “Whole” Lawyer, Michele Leering (Queen’s)

Reflective practice is a core professional capacity in most other disciplines but it is under-theorized and under-valued in law: it is a learning and developmental strategy uniquely well suited for developing the competencies of the “whole” legal professional. Based on my doctoral research, I propose frameworks for conceptualizing and operationalizing reflective practice in the five phases of the legal professional learning journey. I will highlight theoretical and practical developments in reflective practice emerging from other professional disciplines that have moved to a competency-based model of professional education (such as medicine), and from innovations in Australian legal education. Legal educators are in a powerful position to prepare students to become more reflective learners—nurturing their capacity to become more self-directed, resilient, effective, efficient, creative and collaborative—which will support them in becoming more engaged and responsive legal professionals.

Time to Think About What You’ve Done – Instilling Reflective Practice and Character Development Through Clinical Education in the Prison Law Context, Paul Quick (Queen’s)

In addition to learning-by-doing, ideally, clinical legal education fosters personal and professional growth through structured reflection with mentors and peers. The clinical practice of prison law provides particular opportunities for character development. As students enter prisons to meet with and advocate on behalf of members of a uniquely marginalized population, they come to see the humanity and vulnerable position of prisoners in a way that challenges preconceptions and deepens students’ understanding and respect for diverse life experiences. As witnesses to the potential for abuse of power within the prison system, students develop a personal commitment to the rule of law and the vital role of lawyers. As supervising lawyers, our goal is to optimize client service while providing a supportive educational experience for students. Structured reflection that fosters professionalism and nurtures sustainable compassion helps to bring these two goals out of tension, while promoting the long-term health of the profession.

Panel B, Fraser 157

Trauma-Informed, Intersectional Approaches to Lawyering Education: Preliminary Study Results, Gemma Smyth & Dusty Johnstone (Windsor)

Like clinicians in many disciplines, the co-presenters identified trauma as a central feature underlying clients’ experiences. Working with insights from neurobiology, sociology, psychology and law, the co-presenters developed and tested a three-hour, experientially based workshop that aims to introduce the concept of trauma-informed lawyering. The co-presenters have

evaluated the effectiveness this Module with students, social workers, lawyers and support staff in two clinics in Windsor, Ontario. In this conference presentation, the presenters will briefly introduce existing research and pedagogical approaches to trauma-informed lawyering, describe the Module itself, outline the research methodology and give insights into preliminary results. The presenters will also outline remaining research questions and future directions for research, including critical perspectives on the project itself.

Teaching Trauma-Informed Legal Services in Clinical Legal Education Settings, C. Tess Sheldon (ARCH Disability Rights Centre & Osgoode)

This paper draws on emergent understandings of the value of trauma-informed approaches to the provision of legal services. Training law students to deliver trauma-informed legal services requires attention to the re-traumatizing impact of interactions with inaccessible legal systems. Trauma-informed approaches are relevant to our duty to accommodate clients with disability-related needs, since some kinds of trauma may be recognized as a disability for purposes of human rights legislation. However, contextual understandings of ‘trauma’ must avoid over-emphasis on medicalized diagnoses. The effect of trauma can interfere with clients’ ability to participate in decision-making about their case. Trauma-informed approaches attend to the removal of barriers to the retention of information by clients who have survived trauma. They emphasize the development of relationships of trust, but also recognizing power imbalances in lawyer client relationships. Such training also requires that learners be self-aware and alert to the experience of compassion fatigue or vicarious/secondary trauma.

Panel C, Fraser 152

Lost in translation? Moving between languages, cultures and legal systems, Tamara Amoroso Gonçalves

My research investigates the gender dimensions of the concept of discriminatory advertising in the Brazilian consumer law. My case study was discussed by some governmental institutions that do not exist in Canada and part of my literature is only available in Portuguese. So why am I doing this research here? For one side, I am accessing debates that were not available in Portuguese, deepening and expanding my analysis. On the other, I am bringing to the Canadian context information about the Brazilian legal system, bringing relevant information for future studies. I argue that more than translation of words and institutional practices, my work involves translation of part of the Brazilian legal system itself and promotes a two way dialogue. If this process can be exhausting and challenging, it is also an enriching experience, as it contributes to broaden concepts of law, including its interpretation and enforcement. (UVic)

Trans-systemic Research in Graduate School: Indigenous Rights in Natural Resources Decision-making in Brazil, Rebeca Macias Gimenez (UVic)

In my presentation I will briefly describe Indigenous rights and territories in Brazil, in relation to environmental and natural resources decision-making, highlighting the main differences in comparison to the Canadian system. Although colonization shapes both legal orders, the countries frame Indigenous rights in very different ways. Brazil's civil law system frames rights within a positivistic structure of progressive legislation, but with low levels of compliance and adherence to Indigenous claims. Further, the country has a strong tradition of human rights activism, which, on the one hand, has rendered international visibility to Indigenous fights in regards to land and the environment; but on the other hand, has inhibited a deeper discussion about the need for decolonization and Indigenous peoples' self-determination in state decision-making. I use the example of Belo Monte dam, in the Amazon, to depict the Brazilian legal system's shortcomings. I argue that this trans-systemic analysis encourages new ways of thinking environmental and Aboriginal law in academia.

Educating polyglot jurists in Canada: Le pourquoi du comment, Adrien Habermacher (McGill)

New legal problems and ideas emerge everyday across Canada in diverse languages. In both official languages, certainly, but also in Indigenous languages, as well as foreign languages. Today's, and even more so tomorrow's Canadian lawyers need to engage with more than a single language to best listen to their clients' stories, apprehend the polymorphism of legal thought, and empower their communities. And yet, the large majority of law faculties across the country still only harbor teaching and research in law exclusively in one language, generally English.

This session will invite participants to reflect on why they should and how they could educate polyglot jurists. We will take the time to (re)discover resources that are already present in and around the law faculties to pursue this objective. We will also explore some possibilities offered by experiential learning pedagogies during the initial as well as continuing education of lawyers.

Friday Evening Open Time

There is no formal conference programming or events Friday evening. All attendees are welcome to attend **UVic Law Centre's 40th Anniversary Party** from 5:00 – 7:00 pm. The celebration will take place at the Law Centre (225-850 Burdett Ave). If you plan to attend, please RSVP to Laura Pringle, Alumni Relations Officer at lawalum@uvic.ca.

Day Three: Saturday, June 10, 2017**8:30 – 9:00 am** **Breakfast, Fraser Lounge****9:00 – 10:30 am** **Concurrent Workshops / Panel Presentations****Panel A, Fraser 158**

Reforming an undergraduate program in depth: obstacles and challenges, France Houle (Montréal), Hoi Kong (McGill), Annie Rochette (LSBC)

Since the team of the new Dean has started its term in June 2015, we worked on the preparation of background documentation and consultations on an in-depth reform of our Bachelor Degree programme at the University of Montréal. Our programme did not undergo such a deep rethinking since 1996 and it appeared urgent to our team to act. My presentation will describe the steps we followed to start this thinking process with the colleagues and the reasons justifying the reform. It will also speak of the obstacles and challenges that we are facing to make this project move forward.

Depuis que la nouvelle équipe décanale est entrée en fonction en juin 2015, nous avons travaillé à la préparation des documents justificatifs d'une réforme en profondeur du baccalauréat en droit dispensé à l'Université de Montréal ainsi qu'à des consultations. N'ayant pas été modifié de telle façon depuis 1996, il est apparu urgent à notre équipe décanale d'y réfléchir. Ma présentation portera sur les étapes franchies depuis le début de la mise en place du processus de réforme et les raisons la justifiant. Il sera aussi question des obstacles et défis auxquels nous faisons face pour faire avancer ce projet.

Nunavut Law School Curriculum Development, Heather Heavin & Martin Philipson (Saskatchewan)

Partnering to provide legal education in Nunavut is a tremendous opportunity to prepare professionals to serve Nunavut communities and people that may lack access to justice. A commitment to academic excellence for students requires making intentional decisions about curriculum design. It also requires a commitment to integrated academic, cultural and mental health supports. In this presentation, we will discuss the intentional choices made to offer a law school program that aims to support the success of indigenous and/or Nunavut residents. We will discuss how the Truth and Reconciliation Commission Calls to Action 27 and 28 have influenced our curriculum decisions and unveil what the new Nunavut Law School curriculum will look like for students enrolling in the fall of 2017.

Workshop B, Fraser 152

New Modes of Clinical Legal Education: Structural and Pedagogical Challenges and Opportunities, Michael Marin (New Brunswick), Michael Litchfield (UVic), Geraldine Sadoway (Osgoode)

In this interactive workshop, the experiences of three different clinical programs will serve as the basis for a guided discussion about the unique issues that arise outside the traditional community clinic model. These new modes of clinical legal education have emerged in response to demands for expanded experiential learning opportunities, limited resources, and narrow definitions of "poverty law", which are beyond the scope of the community clinic. Among the issues explored will be the structural challenges of a decentralized clinical experience, in which students are supervised by lawyers outside the law school and work in different settings. In these circumstances, how do program directors ensure that students receive adequate work and supervision? Furthermore, the new modes of clinical legal education have raised more philosophical questions, including the tension between skills development and access to justice, as well as the role of clinical educators within the law school. What are the practical strategies for navigating these issues? The aim of this workshop is to help participants share experiences and identify best practices in non-traditional clinical programs.

Panel C, Fraser 157

Why do Law Students need to Study Legal Consciousness? Qian Liu (UVic)

In my presentation, I will discuss why it is essential for law school students, as future lawyers and court officials, to understand ordinary people's legal consciousness from the perspective of legal pluralism. First, I will provide a brief overview of the present 'legal consciousness' literature, after which I will clarify what I think legal consciousness should encompass. Second, I will emphasize the need for law students to study the legal consciousness of people who have not received legal training by demonstrating that ordinary people may have different understandings of justice, especially when legal pluralism is taken into account. To illustrate the influences of legal consciousness on the legal process, I discuss the studies of women's legal consciousness concerning marriage and family arrangements in China, case screening in the practice of law in rural China, and the interconnections between state law and customary practices regarding injury in Thailand.

Learning the Advocate's Art: Reflections on the Doctoral Defense in Law, Andrij Kowalsky (Wilfrid Laurier)

This talk presents findings from an article (recently published with the Arizona Summit Law Review) which argue that a sound oral presentation of a dissertation can increase the likelihood of the hearing becoming a meaningful discussion among experts, full of formative feedback and advice for the candidate on publishing the study. To that end, the discussion bridges the gap between theory and practice by reflecting on Morris and Murphy's account of examining a

dissertation to assess their argument from a comparative, North American perspective, and offer an oral advocacy approach for conducting the defense. The talk aims to facilitate understanding of the doctoral law dissertation defense as well as invite audience members (as seasoned examiners) to share their perspectives.

10:30 – 10:45 am **Health Break, Fraser Lounge**

10:45 – 12:15 pm **Concurrent Sessions**

Roundtable A, Fraser 158

Building an Inclusive Corporate Commercial Classroom: A Roundtable Discussion, Stephanie Ben-Ishai (Osgoode), Shin Imai (Osgoode), Freya Kodar (UVic), Anna Lund (Alberta), and Virginia Torrie (Manitoba)

Corporate-commercial classes such as bankruptcy, secured transactions, real property, business associations, consumer law, and judgment enforcement deal with many issues affecting marginalized communities and those who lack access to justice. Indeed many of the issues and problems addressed in our classes are not ones that would be eligible for legal aid coverage in most provinces. And yet often the curriculum, the learning objectives and the evaluation methodologies in these classes are not responsive to (1) the legal problems that affect marginalized communities and the socio-economic contexts in which these problems arise; and (2) the lived experiences that students in our classrooms have with these legal problems e.g. indebtedness, evictions, repossession, foreclosures, and debt collection.

This roundtable will be a facilitated discussion about developing curriculum, learning objectives and evaluation methodologies that create a more inclusive corporate-commercial classroom that prepares students to better understand and work within a range of communities.

Panel B, Fraser 152

Family Law Needs Feminism because... Gillian Calder (UVic), Vanessa Gruben (Ottawa), Mary Jane Mossman (Osgoode) & Karen Pearlston (New Brunswick)

Canadian scholars pioneered feminist analyses of family law in the 70s, 80s & 90s. Today presents new challenges, including but not limited to the Truth and Reconciliation Commission of Canada Report. Our format will be engaged and participatory and will address questions including:

- Who is teaching family law in Canada today? Who are our students?
- How inclusive is our teaching of Indigenous families?
- What pressing issues are animating family law debates in scholarship and teaching?

- What pedagogical practices can help our students develop an appreciation of both the complex technicalities and the larger social, political and economic issues that are part of a comprehensive approach?
- How do issues in family law teaching connect to broader debates in legal education?
- What does it mean, in 21st Century Canada, to be teaching family law from a feminist perspective?

Workshop C, Fraser 158

Ensuring the Competency of "Whole" Legal Professionals: Maximizing Experiential Learning Opportunities for Law Students, Michelle Leering (Queen's), Doug Ferguson (Western), LA Henry (Fredericton Legal Advice Clinic), Brea Lowenberger (Saskatchewan) & Gemma Smyth (Windsor)

This interactive and informative workshop will provide a unique opportunity to collaborate to create "best practice" resources to help law students navigate experiential learning opportunities. Participants are invited to bring and share examples of the resources they have created to support experiential education. Members of the Canadian Bar Association's A2J Committee are gathering ideas and insights for creating tailored experiential learning resources to benefit all Canadian law students. According to a study by Smyth et al. (2016), law schools are expanding their experiential education opportunities including simulated learning, volunteer work, work-based learning, externships, and articling, as well as traditional clinical legal education. To learn effectively from experience a reflective process is required which is fundamentally different from and often oppositional to the type of learning students use at law school. Concise, accessible and focussed resources to support learning from experience are needed.

12:15- 12:30 pm Conference Closing, Fraser 159

Presenter Biographies:

Tamara Amoroso Gonçalves is a PhD student at the University of Victoria, BC., a Fellow at the Centre for Global Studies and a research associate at the Simone de Beauvoir (Concordia University). Her research investigates the disputes around the concept of discriminatory advertising in Brazilian consumer law. Her masters focused on women's rights violations presented before the Inter-American Commission of Human Rights. Her work is tuned with 13 years of activism in national and international networks (CLADEM and Rede Mulher e Mídia). She also worked for the Brazilian Federal Government with consumer national public policies and with Human Rights nongovernmental organizations.

Clayton Bangsund is an Assistant Professor at the University of Saskatchewan, College of Law, with expertise in secured finance and debtor-creditor law generally. He analyzed the principles underpinning secured transaction law in his 2015 article, "PPSL Values" (2015) 57(2) Canadian Business Law Journal 184-216.

Patricia M. Barkaskas presently holds the following positions at Allard Law, University of British Columbia: Academic Director, Indigenous Community Legal Clinic (ICLC); Coordinator, Judicial Externship program; and tenure track Instructor. Patricia is a supervising lawyer at the ICLC, provides administrative leadership, and teaches the ICLC course on decolonizing and Indigenizing law. Patricia has practiced child protection, civil, criminal, family, and prison law and produced Gladue reports for all levels of courts in British Columbia. Patricia's research focuses on clinical legal education, decolonizing and Indigenizing legal education, and experiential learning in law. Patricia is Métis from Alberta.

Jesse Beatson is a JD candidate (Osgoode 2019) and will be going into his second year of legal studies in the fall. Jesse has published on law and policy related topics in Canada, including refugee claimant access to healthcare and migrant worker exploitation/coercion. Recently, Jesse received his MSc in Psychiatry from McGill University and was a Gordon Cressy leadership award recipient for his community involvement while an undergraduate at the University of Toronto.

Stephanie Ben-Ishai, a Full Professor at Osgoode Hall Law School, is an internationally recognized expert on insolvency, contract and commercial law. She has received the American Bankruptcy Institute Medal of Excellence, SSHRC and Fulbright fellowships as well as numerous SSHRC Grants. Professor Ben-Ishai is a frequent lecturer and visiting professor around the world and most recently was a Visiting Professor at the University of California, Berkeley School of Law. Stephanie is the author and co-author of six books and over 40 refereed articles.

Benjamin Berger is Associate Dean (Students) and Associate Professor at Osgoode Hall Law School. Prior to joining Osgoode, Professor Berger was an associate professor in the Faculty of Law at the University of Victoria, where he began teaching in 2004. His areas of teaching and research specialization are criminal and constitutional law and theory, law and religion, and the law of evidence. He is the author of *Law's Religion: Religious Difference and the Claims of Constitutionalism*,

the Editor in Chief of the *Canadian Journal of Law and Society*, and is a general editor for the Hart Publishing series *Constitutional Systems of the World*.

Susan Brooks is the Associate Dean for Experiential Learning and a Professor of Law at Drexel University in Philadelphia. She oversees the law school's clinical and public services courses and programs, and also teaches Family Law, along with courses focusing on reflective practice, holistic lawyering, effective communication, and access to justice. Professor Brooks has a background in social work, and has devoted much of her career to importing principles and practices from social work into law. She has written extensively and has conducted workshops in many parts of the globe promoting a relational approach to legal education and practice.

Sarah Buhler is an Associate Professor at the University of Saskatchewan College of Law. Her broad research interests include access to justice, clinical legal education, and community lawyering. Current projects include community-engaged research focused on telephone and visitor access in prisons, and empirical research investigating access to justice in Saskatchewan's housing law tribunal.

Gillian Calder is an Associate Professor and Associate Dean, at UVic Law where she has been teaching Constitutional Law and Family Law since July 2004. Gillian's recent research has focused on questions of critical legal pedagogy, law's regulation of the intact family, and performativity. She is a single-parent, a lapsed rock climber, a five-time UVicLaw teaching award recipient, and when the need arises, is able to connect anything in law to penguins.

Professor **Angela Cameron**'s research is generally in the area of social justice, with a particular focus on the equality interests of women. Professor Cameron's research areas include criminal law, restorative justice, property law, reproductive technologies law, family law, legal theory, sociological approaches to law, and human rights law. She holds the Shirley Greenberg Chair in Women and the Legal Profession, is the Chair of FAFIA (<http://fafia-afai.org/en/>), the administrator of [Bloggingforequality.ca](http://bloggingforequality.ca), and a member of the Boards of the *Canadian Journal of Women and the Law* and the Canadian Association of Law Teachers.

Elizabeth Cameron is student alumna from Rise. Elizabeth helped to shape the clinic's first year, and worked successively on the file used for this case study profiled in Session 4C. She is currently articulated at Jenkin Marzban Logan LLP.

Frances E. Chapman is an Associate Professor at the Bora Laskin Faculty of Law at Lakehead University, and was one of the four founding Professors hired in 2013 to open the newest law school in Ontario in 44 years. She is particularly interested in pedagogy and examining how students learn the law. Her other areas of interest include criminal law, especially the defences of brainwashing, automatism, duress, necessity, and mental disorder. She focuses particularly on false confessions, wrongful convictions, violence against women, and domestic violence.

Siobhan Cullen LLb (Hons) MSc Solicitor is a Law Lecturer at Letterkenny Institute of Technology in Donegal, Ireland. Prior to that she worked as a Solicitor in a legal aid practice in London. Her research interests centre around clinical legal education and in particular clinical placement and Street Law.

Deborah Curran is an Assistant Professor at the University of Victoria in the Faculty of Law and School of Environmental Studies (Faculty of Social Sciences). As the Acting Executive Director with the Environmental Law Centre at UVic, Deborah supervises students working on environmental law projects for community organizations and First Nations across the province. Between 2011 and 2015 she facilitated a national interdisciplinary field course in environmental law and sustainability at the Hakai Beach Institute in the Great Bear Rainforest.

Signa Daum Shanks is a prairie Metis who grew up in Saskatoon . She is currently an assistant professor at Osgoode Hall Law School where she is also Director of Indigenous Outreach. Before that she was a faculty member of University of Saskatchewan's College of Law and regularly taught with USask's Indigenous Studies Dept and at First Nations University of Canada. Besides being a lawyer, Signa also has her PhD in history. She works on projects pertaining to Indigenous trade, s35 rights and historical method . She teaches Torts, Law and Economics, and Indigenous Peoples and Canadian Law.

Maneesha Deckha is Professor and Lansdowne Chair in Law at the University of Victoria. Her research interests include critical animal studies, postcolonial theory, feminist theory, health law, and reproductive ethics. Her scholarship has appeared in *American Quarterly*, *Hypatia*, the *McGill Law Journal*, among other venues, and has been supported by the Canadian Institutes of Health Research and the Social Sciences and Humanities Research Council of Canada. She also held the Fulbright Visiting Chair in Law and Society at New York University. She is currently completing a book project on feminism, postcolonialism and critical animal law.

Britney De Costa is an LLM student at the University of Windsor currently doing community-based research on the role of lawyers in systemic advocacy work. She came to Windsor from Guelph to complete her joint MSW/JD degree, and splits her time between the two communities.

Doug Ferguson, Director of Clinical Legal Education, Western University Faculty of Law. Doug is the Director of Community Legal Services, which provides experiential learning for law students while serving low income persons in the community. His passion is access to justice. He is the Acting Chair of the CBA Legal Aid Committee and special advisor to the CBA Access to Justice Committee. Doug was the founding president of the Association for Canadian Clinical Legal Education, serving from 2011-13 and currently a member of the board. He has written articles and spoken at several conferences on legal education reform in Canada.

Alexandra Flynn is an Assistant Professor in the City Studies program at the University of Toronto (Scarborough), where she teaches and researches in the areas of property law and urban governance. Her doctoral project is entitled, "The Landscape of Local in Toronto's Governance Model" and focuses on the overlapping geographies and governance of city space. She is also involved in a long-term project examining the relationship between indigenous and municipal governments in planning

decisions. In addition to her academic work, Alexandra has over ten years of experience as a lawyer and senior policy official, most recently at the City of Toronto where she focused on intergovernmental relations.

Jennifer Flynn is a leader in continuing education and assessment. Most recently, she has served as Executive Director of the Legal Education Society of Alberta, a Director of the Canadian Centre for Professional Legal Education, and Past President of the Association for Continuing Legal Education (ACLEA). In addition to degrees in Business and Law, Jennifer holds a Master of Arts in Communications and Technology and is a Chartered Professional in Human Resources. Jennifer resides in Edmonton, Alberta where she has been honoured as both a “Top 40 under 40” and as one of the city’s “Top 100 Women in Business”.

Marie-Eve Gagné is a Program Officer, Research Grants and Partnerships Division, Social Sciences and Humanities Research Council of Canada

Kate Glover joined the law faculty at Western University in 2015, where her teaching and research focus on questions of constitutional and administrative law. She holds degrees from Dalhousie, Cambridge, and McGill and was called to the bar of Ontario in 2007. Prior to joining Western Law, Kate served as a law clerk at the Supreme Court of Canada, was a Vanier Scholar and O’Brien Fellow at McGill University, and served as co-counsel for the *amicus curiae* in the *Senate Reform Reference*. In 2015-16, Kate received the Western Law Award for Teaching Excellence and in 2016-17, she was named the law faculty’s Professor of the Year.

Neil Gold, emeritus professor of law and former clinical law director at the University of Windsor (Legal Assistance of Windsor) and the University of Victoria (The Law Centre). Neil was dean of law and provost and vice-president, academic at Windsor. Neil has researched, published, consulted, and spoken on clinical legal education, legal education, professional development and dispute resolution in Africa, Asia, Australasia, Canada, South America, the UK, and the US. Neil is a member of the ACCLE, CALT, CLEA, the ENCLE and participates actively in the work of the *International Journal of Clinical Legal Education*.

Janet Goode is a Visiting Assistant Professor of Law at the University of Memphis Cecil H. Humphreys School of Law and director of the Medical-Legal Partnership Clinic, part of Memphis Children's Health Law Directive (CHILD). Janet previously served as the first Executive Director of Christian Legal Aid of Pittsburgh for which she received the 2013 Lorraine M. Bittner Public Interest Attorney Award and the 2014 Pennsylvania Bar Association Civil Legal Aid Attorney Award. She is a graduate of Stanford Law School and clerked for the Hon. Keith P. Ellison in the United States District Court for the Southern District of Texas.

Vanessa Gruben is an Associate Professor at the University of Ottawa, Faculty of Common Law. Vanessa has written and spoken on the regulation of assisted human reproduction including the constitutionality of Canada’s *Assisted Human Reproduction Act*, the regulation of sperm and egg donation and access to reproductive technologies. Much of her research explores how assisted

reproduction results in new family forms and the role of law in recognizing new families. Vanessa teaches graduate and undergraduate students Family Law, Property and a seminar on Access to Health Care. Together with Mary Jane Mossman, Natasha Bakht and Karen Pearlston, she is a co-author of *Families and the Law*, 2e.

Adrien Habermacher is a doctoral candidate at McGill University's Faculty of Law. His doctoral research focuses on the institutional projects and cultures of different law faculties across Canada as well as the history of legal education in Canada. Adrien's exposure to legal education in several institutions in Paris, New York, Vancouver, and now Montréal sparked his curiosity interest in the domain. Adrien has also pursued this interest through involvement in diverse roles such as student representative and moot coach for several years

Nikos Harris is the Director of Experiential Learning at Allard Law where he oversees the Faculty's clinical and moot programs. He is also appellate counsel who has done many cases before the British Columbia Court of Appeal and Supreme Court of Canada. Nikos teaches in the areas of criminal law and evidence, and has won awards for his teaching and contributions to the Faculty.

Kim Hawkins is the Executive Director for Rise Women's Legal Centre. Kim has previously worked as a staff lawyer at Yukon Legal Services Society, and in South Africa at the Legal Resources Centre.

Heather Heavin is the Associate Dean Research and Graduate Studies, College of Law, University of Saskatchewan. She and her colleague Michaela Keet are the 2016 recipients of the Canadian Institute for the Administration of Justice, Charles D. Gonthier Research Fellowship for their current research focusing on legal risk analysis methodologies. She is currently a member of the Nunavut Law Program Committee at the University of Saskatchewan, which committee is responsible for the development of all aspects of the Nunavut Law Program, including: program design, faculty recruitment, and student-professional relationship building. Heather is currently the faculty advisor for the *Saskatchewan Law Review*, and teaches in areas of trade, business and oil and gas law.

LA Henry is a sole practitioner in Fredericton, and the clinic manager of New Brunswick's only free community legal clinic. She works with student volunteers at the Fredericton Legal Advice Clinic, and has been in partnership with the University of New Brunswick this year on an experiential learning pilot project. Prior to becoming a lawyer she taught English Literature at UNB and SSU.

Brónagh Heverin is a Law Lecturer at LYIT, having formerly practised as a Solicitor for nearly 20 years. She is an enthusiastic advocate of the benefits of the development of Clinical Legal Education in Irish undergraduate legal education and developed and lectures on several of these modules in LYIT where she is also a joint co-ordinator of the Street Law clinic. Her research interests are transferable skill development and clinical legal education.

Nicola Holness has a Masters of Social Work from the University of Windsor, as well as an undergraduate degree in Criminology and Sociology with a minor in Political Science. Currently she works for the Community and Legal Aid Services Programme (CLASP) overseeing the Social Work

Division and doing community development work. Nicola has developed a strong rapport with the community and various organizations. She is a graduate of the United Way City Leaders program, and has been awarded for her commitment to working with youth in conflict with the law.

France Houle is the Vice-Dean Undergraduate Studies, Administration and Reform at the Faculty of Law, University of Montréal. France has been teaching law since 1999 in the areas of administrative law, immigration law and professional law. She is the founder and director of a Research Partnership funded by SSHRC on recognition of qualifications of foreign-trained professionals called PAPRICA (<http://paprica-droit.umontreal.ca/fr/accueil/>) as well as a Legal Clinic for foreign-trained professionals, called Clinique juridique PROFIL (<https://www.facebook.com/Clinique-juridique-Profil-923710334424284/>). On June 15-16, she will host an international & multidisciplinary conference in Montréal entitled : *L'accès aux professions réglementées à l'épreuve de la mobilité internationale*.

Shin Imai is an Associate Professor at Osgoode Hall Law School. In 2016, he developed a new business associations course, trying to find a niche not covered by conventional course readers and texts. One focus of this course was on law that would be encountered in a community-oriented practice – non-profits, co-operatives and small business. The second focus was on corporate accountability- securities act disclosures, shareholders proposals and the analysis of tax laundering and liability avoidance through cascading subsidiary structures. The third focus was on incorporating Indigenous issues, which he did through requiring students to read Thomas King's *Green Grass Running Water* and using the characters throughout the course in made-up legal problems. He also had three classes on business with reserves.

Dr. Irehobhude O. Iyioha is a member of the Faculties of Law and of Medicine and Dentistry at the University of Alberta, and has held policy positions with Alberta Health and the Ontario Ministry of Health. She is co-editor of the book, *Comparative Health Law and Policy: Critical Perspectives on Nigerian and Global Health Law* (Ashgate, 2015). She is the recipient of numerous awards, locally and internationally, including the World Congress on Medical Law Award, the 2016 Canadian Immigrant of Distinction Award for outstanding achievements in professional and service capacities, and the Canadian Association of Law Teachers Scholarly Paper Award, 2017 (co-recipient).

Andrea Johnston, B.Comm, J.D., is the Director of Admissions & Education at the Law Society of Saskatchewan and has served in this role since 2009. She obtained her degrees in both Commerce and Law from the University of Saskatchewan and was called to the Bar in Saskatchewan in 2001. Prior to pursuing a career in legal education, Andrea practiced corporate commercial law in Saskatoon, both in private practice and as in-house counsel. Outside the legal education world, Andrea is actively involved in the sport of ringette and currently sits on the Board of Directors for the Regina Humane Society. Andrea lives in Regina with her husband and two young sons.

Dusty Johnstone is the Sexual Misconduct Response and Prevention Officer at the University of Windsor and is responsible for directing sexual violence education, policy, and support for survivors. For five years Dusty coordinated the implementation of the University of Windsor's Bystander Initiative

to End Sexual Assault. She conducts research on victims' experiences of labelling and disclosing sexual violence, as well as sexual violence education.

Professor **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, completing a Master of Laws degree focusing on this topic at the University of Toronto 1993. Professor Kierstead first taught Legal Research and Writing (LRW) at Osgoode in 1993, and became Director of the LRW program at Osgoode in 2002. In 2005, she completed a doctoral dissertation in the family law area and obtained a Doctor of Jurisprudence degree from Osgoode Hall Law School. 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. Research Interests: Family Law, Legal Process.

Freya Kodar is the Associate Dean, Administration and Research at the Faculty of Law, University of Victoria. She teaches Debtor and Creditor Relations, Pension Law and Policy, Torts, and Law, Legislation and Policy. Her research focuses on the regulation of debt and credit, and pension law and policy. Before she decided to pursue an academic career, she practiced poverty law with two legal aid clinics in BC's Lower Mainland.

Hoi Kong is Associate Professor at McGill's Faculty of Law, where he was Associate Dean (Academic) from September 2014 to September 2016.

Andrij Kowalsky currently teaches as an assistant professor at the Lazaridis School of Business & Economics of Wilfrid Laurier University.

Malcolm Lavoie joined the University of Alberta Faculty of Law as a visiting assistant professor in 2015, and will begin a tenure-track appointment as an assistant professor in July 2017. His research deals primarily with Aboriginal law, property law, and private law theory. He is an SJD candidate at Harvard Law School, where he has been a Frank Knox Memorial Fellow, a Harvard Project on the Foundations of Private Law Fellow, and a Fulbright Scholar. From 2013 to 2014, he served as a law clerk to the Hon. Justice Rosalie Abella of the Supreme Court of Canada.

Maira Lavoie is a JD student at the University of Alberta Faculty of Law. Prior to entering law school, she held several senior policy positions relating to Indigenous affairs. Most recently, she was Consultation Policy Coordinator with the Alberta Department of Indigenous Relations. From 2013 to 2015, she served as the Director of Policy and Regional Affairs in the office of the federal Minister of Aboriginal Affairs and Northern Development. From 2011 to 2013, she was a Policy Advisor in the same office.

Michelle Lawrence is an Assistant Professor at the University of Victoria' Faculty of Law. Her current teaching and research focuses on criminal law, sentencing, and the law of evidence. She previously practiced law as a partner in the Litigation Department of McCarthy Tétrault LLP where she represented clients in a diverse range of matters, including complex regulatory proceedings, corporate

& commercial disputes, and criminal litigation. Michelle holds graduate degrees in law and criminology, including an LL.M. from the University of Cambridge and a Ph.D. (Criminology) from Simon Fraser University. She completed her doctoral work as a Trudeau Scholar.

Sonia Lawrence was appointed to Osgoode's Faculty in 2001, after a joint LLB/MSW at U of T and an LLM at Yale. She served as law clerk for Chief Justice Beverley McLachlin in 2000-01. Working from an intersectional feminist framework, her published research considers gender, culture and judging, the sentencing of "drug mules", the doctrinal development of section 15, "law &" courses in the Canadian legal academy, and diversity on the bench. She usually teaches Constitutional Law and law, gender, equality. At Osgoode, she has served as Associate Dean First Year and is currently the Director of the Graduate Program and the Institute for Feminist Legal Studies. She tweets as @OsgoodeIFLS and @OHLSGradPrgrmDir.

Michele Leering, Executive Director/Lawyer, Community Advocacy & Legal Centre (Belleville, ON) and Ph.D. Candidate, Queen's University Faculty of Law (Kingston, ON) Michele is a second-year PhD Candidate in the Queen's Faculty of Law who is passionate about engaging law students more meaningfully in their professional education through curricular and pedagogical innovation. She is using a comparative multiple-case study approach to explore how reflective practice is understood and implemented in Canadian and Australian legal education. Her research is informed by thirty years of experience engaged in "community lawyering" in a community-based legal clinic as an Executive Director and a lawyer. Law students engage in experiential learning at the clinic in several ways, including a Queen's Law externship course. This experimental course includes seminars exploring how an "integrated reflective practice" can deepen professional learning and knowledge, increase self-direction, and support an "access to justice consciousness". Students are also involved in the clinic through work-study bursaries, independent study programs, summer employment, and articles. Placements are also provided to nursing, occupational therapy, and social work students.

Jennifer Leitch graduated from Schulich School of Law at Dalhousie University and practiced law as a civil litigator at Goodmans LLP in Toronto, Canada. While practicing, she completed her LLM from Osgoode Hall Law School and completed her Doctorate in Law from Osgoode in 2016. Her research involved access to justice, democratic participation and included qualitative research with self-represented litigants navigating the civil justice system. Her fields of interest include access to justice, the adversarial process, legal ethics and professionalism. Currently, she is an adjunct professor at Osgoode Hall Law School and University of Toronto Faculty of Law and a Research Fellow at the Canadian Forum on Civil Justice. In addition to practicing law, Jennifer was actively involved as a pro bono lawyer at LawHelp Ontario (a self-help law centre located in Toronto) and sat on the board of directors of Justice for Children and Youth and the Elizabeth Fry Society in Toronto.

Carol Liao is an Assistant Professor at the Faculty of Law, University of Victoria, where she specializes in business law. She teaches Contract Law and Business Associations, and is the recipient of the 2016 Law Students' Society First Year Class Teaching Award. She is a co-author of the forthcoming textbook, *Business Organizations: Practice, Theory, and Emerging Challenges*, 2nd ed. (with R. Yalden et al) and is

a contributor to the forthcoming Cambridge Handbook for Social Enterprise Law. In July 2017, Carol will be joining the faculty at the Peter A. Allard School of Law at UBC.

Michael Litchfield is the Director of the Business Law Clinic at the University of Victoria and holds a variety of other academic appointments including as an Adjunct Assistant Professor in the School of Public Administration at the University of Victoria, as an Adjunct Professor at the University of British Columbia and as Associate Faculty at Royal Roads University. In addition to his academic roles, Michael is the Managing Director of Thinklab Legal Education and Training and is a member of the Property Assessment Appeal Board and the Civil Resolution Tribunal.

Qian Liu is a Ph.D. candidate at the University of Victoria. Her doctoral dissertation investigates the impacts of both state law and non-state law on women’s choices in family formation. Her research interests include legal pluralism, feminist legal theory, legal consciousness, reproductive rights, gender and China, and qualitative research. Qian passed China’s National Judicial Examination in 2009. Her experience as judge assistant at People’s Court of Siming District enabled her to understand how state law and non-state law work together to shape people’s legal consciousness and how ordinary people’s engagement with state law influences the behaviours of court officials and lawyers.

Brea Lowenberger, LL.M. Candidate, University of Saskatchewan, Access to Justice Coordinator & Director CREATE Justice (Centre for Research, Evaluation and Action Towards Equal Justice), University of Saskatchewan College of Law. Brea is the Saskatchewan Access to Justice Coordinator and the Director of CREATE Justice, a new access to justice research centre at the U of S law school. Brea teaches the Dean’s Forum on Access to Justice, which offers law students a unique experiential learning opportunity to contribute to justice policy alongside leading members of Saskatchewan’s justice system. She has also co-taught Law Reform and Clinical Legal Education courses, and as a guest in the U of S Dispute Resolution program. Brea’s graduate thesis focuses on strategies to operationalize and assess reflective practice in legal education, with a focus on experiential learning environments.

Anna Lund is an Assistant Professor at the Faculty of Law, University of Alberta. She researches and teaches in the areas of bankruptcy and insolvency, debtor creditor law, and civil procedure. A member of the Law Society of Alberta, she continues to practice on a pro bono basis through the Edmonton Community Legal Centre and Pro Bono Law Alberta.

Rebeca Macias Gimenez is a Ph.D. student at the University of Victoria, BC. Her research focuses on environmental decision-making through impact assessment of hydropower developments, particularly analysing the engagement of adversely affected Indigenous communities, using an environmental justice approach. Rebeca has a bachelor degree from the Federal University of Minas Gerais, Brazil, and a Master’s from the University of Calgary. She acted as a lawyer and conflict mediator in shantytowns of Brazil in a state conducted program. After obtaining a masters degree, she practiced corporate environmental law, specifically in Brazilian hydropower assessment and licensing processes. Through her Ph.D. research, Rebeca expects to contribute to environmental laws and policies that integrate a deeper recognition of Indigenous peoples.

Jason MacLean – Bora Laskin Faculty of Law, Lakehead University / University of Saskatchewan College of Law (as of July 1, 2017). Jason MacLean is presently an Assistant Professor at the Bora Laskin Faculty of Law at Lakehead University; on July 1, 2017, Jason will join the faculty of the University of Saskatchewan College of Law. His principal areas of research are Canadian environmental law and policy, energy and climate change policy, and sustainability. Jason also has an abiding interest in transformative legal education, beginning with his co-authored article (with Rod Macdonald) “No Toilets in Park” ((2005) 50 McGill LJ 721) about McGill’s transsystemic B.C.L. / LL.B. programme.

Raji Mangat is the Director of Litigation at West Coast LEAF. In that capacity, she also serves as a liaison to Rise Women’s Legal Centre, BC’s newest clinical education program which is aimed at serving the family justice needs of low and moderate income women. Raji works closely with the staff and clinicians at Rise to identify projects for systemic advocacy. She co-teaches the clinic’s Reflections Seminar course. Raji is a graduate of the University of Victoria’s Faculty of Law.

Michael Marin is Assistant Professor at the University of New Brunswick Faculty of Law, where his teaching responsibilities include oversight of the Clinical Program. Before joining UNB, Michael was a faculty member at the University of Ottawa Common Law Section, where he was founding Academic Director of the Business Law Clinic. His professional and academic background is in corporate law, having practiced in this area at an international law firm in New York City. Michael received an LLM at the University of Cambridge, where he was a Gates Scholar, and clerked at the Supreme Court of Canada. He is a member of New York, Ontario, and New Brunswick bars.

Sarah Marsden is an Assistant Professor at the Faculty of Law at Thompson Rivers University. She is focused on the juncture of legal practice and academic research, particularly with regard to clinical legal education, and making academic work accountable to communities. Her specific fields of concentration are immigration, labour law, and community lawyering.

Kristin Marshall has worked to promote access to justice for over 20 years. She has assumed many roles to assist people to exercise their legal rights: private practice, Refugee Law Office representing refugees and immigrants in detention, design and delivery of training workshops concerning survivors of domestic violence with CLEO, clinical instructor at Downtown Legal Services at U of T, and she is currently Sr. Refugee Law Trainer with Legal Aid Ontario (LAO), setting up mentorships and training to enhance refugee services. Kristin is also working towards an M. Ed. at OISE’s *Social Justice Education* department at U of T.

A law graduate from Romania, **Cornelia Mazgarean** also obtained a *Juris Doctor* degree and a Master of Laws degree, both from Osgoode Hall Law School. She was a division leader and then a senior division leader at the Community and Legal Aid Services Programme (CLASP). She became a Review Counsel at CLASP in 2012, practicing in different areas of law, including criminal law, housing, social assistance, Criminal Injuries Compensation Board cases, human rights, academic honesty and immigration law. Additionally, Cornelia often delivers public legal education workshops on a variety of legal topics, and is involved in community outreach and advocacy.

Jeff McEown is Mentor-at-Law for the Pacific Centre for Environmental Law and Litigation (“CELL”). Jeff is a retired litigator who for over 30 years was a Senior Partner in medium and large downtown Toronto law firms where he specialized in Civil Litigation and Charity Law. He has appeared as senior counsel in the Supreme Court of Canada, all levels of the Federal and Ontario Courts, and before numerous administrative tribunals. He has represented a variety of institutional and individual clients including the Government of Canada, the Law Society of Upper Canada and Lloyds of London. His teaching experience includes being the Downtown Supervisor of students in the Osgoode Hall clinical training programme, and an instructor in the Ontario Bar Admissions Course. As a CELL Mentor-at-Law, Jeff mentors law students and junior lawyers participating in CELL’s experiential learning program, and advises the CELL on its mentoring program.

Heather McLeod-Kilmurray is an Associate Professor at the Centre for Environmental Law and Global Sustainability (CELGS) at the Faculty of Law, University of Ottawa. Her research deals with toxic torts, environmental justice, and food law including GMOs and Industrial Factory Farming. She is co-author of *The Canadian Law of Toxic Torts* with Prof. Lynda Collins, and is currently co-editing *Food Law in Canada* with prof. Nathalie Chalifour and Angela Lee. She teaches Environmental Law, Climate Change and Legal Change, Food Law, Law and Sustainability, Torts and Administrative Law. She is also a part-time member of the Ontario Environmental Review Tribunal.

Cheryl Milne, LLB, MSW, is the Executive Director of the David Asper Centre for Constitutional Rights, Faculty of Law, University of Toronto and teaches the constitutional rights advocacy clinic that is the cornerstone of that Centre. She previously practised at the legal clinic Justice for Children and Youth from 1991 to 2008, where she conducted significant test case litigation furthering children’s rights. She has since represented the Asper Centre at the Supreme Court of Canada, and other courts, in a number of interventions focusing on constitutional law.

Janet Mosher is an Associate Professor at Osgoode Hall Law School. She has served as Associate Dean, as the Academic Director of the Intensive Program in Poverty Law and as co-director of a new clinical program, “Feminist Advocacy: Ending Violence Against Women.” She is currently editor-in-chief of the *Journal of Law and Social Policy* and has served as English language editor of the *Canadian Journal of Women and the Law*.

Mary Jane Mossman is a Professor of Law at Osgoode Hall Law School in Toronto where she teaches family law, among other subjects. She first published a socio-legal casebook on family law in 2004 (Emond Montgomery), and has been involved in two subsequent editions of this book (Captus Press). Her research focuses on family property, access to justice, and gender issues in law, including the history of women lawyers. She published *The First Women Lawyers: A Comparative Study of Gender, Law and the Legal Professions* in 2006 (Hart Publishing).

Lauren H. Mutrie, MD, MSc is an Associate Professor of Pediatrics and Global Health at Le Bonheur Children’s Hospital in Memphis, Tennessee. She is involved in global health curriculum development and is the medical champion for Memphis CHiLD. She previously worked as a pediatric hospitalist at Mass General Hospital for Children in Boston and was a Global Health Corps pediatrician in Swaziland

with the Baylor International Pediatric AIDS Initiative at Texas Children's Hospital. She attended medical school at Emory University and received her MSc in the Control of Infectious Disease from the London School of Hygiene and Tropical Medicine.

Jasmine Nielson is student alumna from Rise. Jasmine helped to shape the clinic's first year, and worked successively on the file used for this case study profiled in Session 4C. She will be returning to UBC in the fall of 2017 to conclude her J.D.

Susan Noakes, BA (Hons.), BSW, MSW is a registered social worker in British Columbia and is on staff at The Law Centre, a clinical legal education program through the Faculty of Law, University of Victoria, BC. She is also a sessional lecturer in the School of Social Work, University of Victoria.

Karen Pearlston teaches and researches family law, gender, sexuality and law and legal history at the University of New Brunswick. She has published work on coverture and its exceptions in 18th and 19th-century England and has recently turned her attention to 20th and 21st-century Canada with an emphasis on lesbian legal history. Her article "Avoiding the Vulva: Judicial Interpretations of Lesbian Sex Under the *Divorce Act, 1968*" will appear in the *Canadian Journal of Law & Society*. Karen is a co-author of *Families and the Law, 2nd Captus edn.*, and an active member of Reproductive Justice New Brunswick.

Martin Phillipson is Dean, College of Law, University of Saskatchewan.

Paul Quick is a Staff Lawyer with the Queen's Prison Law Clinic, a student legal clinic in Kingston, Ontario.

Giulia Reinhardt is a graduate of the University of Ottawa Faculty of Law and has practiced at several legal clinics. She is presently with Halton Community Legal Services. Since April 2016, her practice at the clinic has focused on legal secondary consultation and triage, shifting the approach to holistic client service in the delivery of legal services. She has incorporated the use of the Legal Health Check-up tool into the public legal education and community development activities of the clinic as a way to better reach and serve clients while expanding client access points by building reciprocal relationships with other community and health service providers.

Benjamin Ries has supervised the Housing Law division at Downtown Legal Services since 2014 – the same clinical program of the University of Toronto Faculty of Law where he originally volunteered as a law student until 2009. In the intervening years, Ben articulated with his province's Ministry of Municipal Affairs and Housing, joined the bars of Ontario and New York, completed an LL.M. in low-income housing policy, served as duty counsel at the Landlord and Tenant Board, and practiced housing, social assistance, human rights, and employment law in several community legal aid clinics across Toronto and Hamilton.

Lise Rivet, B.A., B.Ed., LL.B., LL.M. Having experience at various levels of the legal education continuum, Ms. Rivet is currently Policy Officer at the Federation of Law Societies of Canada working

on national ethics and legal education initiatives. Formerly Director of Professional Training at the Law Practice Program at the University of Ottawa, she jointly developed an innovative, experiential, skills-based curriculum and competency-based assessment system for licensing process candidates in Ontario. She has also taught various courses at the Faculty of Law at the University of Ottawa, including practical legal writing workshops, and has experience with JD program evaluations, as well as in designing and developing practical legal training courses for lawyers and judges abroad.

Annie Rochette, BCL, JD, LLM, DCL, is the Deputy Director of the Professional Legal Training Course of the British Columbia Law Society since August 2015. She comes to the Law Society from legal academia where she held positions as a law professor at the Université du Québec à Montréal and UBC. Her doctorate did an empirical study of teaching and learning practices in Canadian law schools. She has facilitated a number of teaching and learning workshops with law professors and law faculties, she was the co-founding editor of the Canadian Legal Education Annual Review, and has served a few times as the President of the Canadian Association of Law Teachers.

Brock Roe was born and raised in Treaty 8 territory in Fort St. John, British Columbia, and is a member of the Bigstone Cree Nation. Brock is Associate Counsel at Woodward & Company where he works with Indigenous peoples with their economic development and governance initiatives. Brock is also a graduate student in the Department of Indigenous Studies at the University of Saskatchewan. He is interested in critically understanding issues that involve governance, economic development, Indigenous peoples, and their lands and resources.

Geraldine Sadoway has practiced and taught immigration and refugee law since 1983. After completing the LLM in international law at Cambridge University, she has also undertaken international human rights work and teaching on behalf of Parkdale Community Legal Services and the Canadian Council for Refugees, appearing before the UN Committee on Economic, Social and Cultural Rights when Canada was examined by the Committee in May of 2006. She was a staff lawyer and clinical law instructor at Parkdale Community Legal Services in Toronto from 1997 to 2015. She is particularly interested in the rights of immigrant and refugee children and persons with disabilities and she is co-author of Canadian Human Rights Law & Commentary, now in its third edition (2016). She is a Senior Fellow of Massey College, University of Toronto and is the Co-Director (with Professor Craig Scott) of the International and Transnational Law Intensive Program at Osgoode Hall Law School.

David Sandomierski is an SJD candidate at the Faculty of Law, University of Toronto. His work focuses on the potential of legal education to cultivate engaged citizens and versatile lawyers, with a special emphasis on contract law. He completed his LLB and BCL at the McGill Faculty of Law, where he was Editor-in-Chief of the McGill Law Journal. He served as law clerk to the Chief Justice of Canada, Beverley McLachlin, and has taught courses in Legal Inquiry, Legal Research and Writing, and Common Law Obligations at McMaster University, the University of Toronto, and McGill University.

Ellen Schlesinger, JD, MA, Registered Clinical Counsellor, Canadian Certified Counsellor. Ellen Schlesinger is a Student Success and Wellness Counsellor at Osgoode Hall Law School, specializing in supporting students experiencing depression, anxiety, and equity issues. Prior to completing a Master

of Arts in Counselling Psychology, she earned a JD from UBC and was called to the Bar of BC. Ellen has served low income clients at the intersections of law, trauma, and addictions within public mental health care. She has been an adjunct instructor of graduate counselling courses at Adler University. Ellen's research on the career transitions of female lawyers has been published in the Canadian Journal of Career Development.

Tess Sheldon will be Visiting Professor at Osgoode Hall Law School, York University and Academic Director of the Disability Law Intensive for 2017-2018. She is a Staff Lawyer at ARCH Disability Law Centre (on leave from 2017-2018).

Jacob Shelley is an Assistant Professor jointly appointed with the Faculty of Law and School of Health Studies at Western University. He works at the intersection of law, health and science, primarily in public health law. His main areas of research are the use of law in the prevention of chronic diseases and the scientific literacy of the legal profession. He has an LLM from the University of Alberta, and is in the final stages of an SJD at the University of Toronto.

Professor **Martha Simmons** is a Visiting Professor at Osgoode Hall Law School and has been the Director of the Mediation Intensive Program and Mediation Clinic since 2012. Professor Simmons, who has JD, LLM and PhD degrees from Osgoode, was the recipient of an Osgoode Hall Law School Teaching Award in 2013 for her work in both the JD and Graduate Programs. Her primary areas of research and teaching are dispute resolution, legal education, innovation and access to justice. She is also active in the community and currently serves as Academic and Policy Committee Co-Chair of the Family Dispute Resolution Institute of Ontario and as a Board member of the Association of Canadian Clinical Legal Education.

Michelle Smith is a soon-to be graduate of Osgoode Hall Law School's JD program (Class of 2017). She completed her undergraduate degree at York University in 2013, majoring in Political Science and International Development Studies. Michelle has a history of community organizing with local and international non-profit organizations that aim to advance the position of marginalized groups. Throughout her time in law school, she has participated in Osgoode's Feminist Advocacy Program with the Barbra Schlifer Clinic, Osgoode's Anti-Discrimination Intensive Program at the Human Rights Legal Support Centre, and Osgoode's International Legal Partnership Program with Defence for Children International in Ghana.

Gemma Smyth is Associate Professor at the Faculty of Law, University of Windsor. Gemma directed a mediation clinic between 2003-2009, was Academic Clinic Director from 2009-2016, and In July 2016, she is transitioning to a new role as Externship Professor. Gemma researches and writes in the areas of clinic law and experiential legal education. Prior to joining the Faculty of Law as a professor, Professor Smyth was Executive Director of University of Windsor Mediation Services and a mediator with an Ontario government ministry.

Vandana Sood is the Supervising Lawyer for Rise Women's Legal Centre. Prior to joining Rise, Vandana was a sole practitioner in family law, child protection law, and immigration & refugee law.

Colleen Sym (B.A. LLB) is the Executive Director and a lawyer with Halton Community Legal Services (HCLS). This is a community legal clinic funded by Legal Aid Ontario. As a lawyer she has represented clients in test cases that have changed residential tenancy law and challenged the government's special diet allowance as being discriminatory under the Ontario Human Rights Code. Community based projects currently underway at HCLS include participation in the Halton Health Links to improve holistic services to consumers of health care services including mental health supports, and Indigenous justice initiatives grounded in the TRC Calls to Action. The Legal Health Check-Up was created in Halton and HCLS is the lead clinic in this transformative approach to the delivery of clinic law services in southwestern Ontario.

Alison Symington (LL.B. LL. M) is the National Director (Acting) of Pro Bono Students Canada (PBSC). With 22 chapters in Canadian law schools, PBSC places approximately 1600 law students with legal clinics and community organizations each year in order to develop the students' lawyering skills while providing services to organizations and clients in need. The ID Project was piloted in Toronto in 2016 and has now expanded to five cities. Alison's background is in social justice and human rights research and policy work, in Canada and at the international level.

Chris Tollefson is a Professor of Law at the University of Victoria. He combines teaching and research on environmental issues with counsel work for various public interest environmental clients. His research interests include access to justice, clinical and experiential learning, environmental assessment and natural resources law. He has appeared as a counsel before all levels of court, including the Supreme Court of Canada, and various regulatory boards and tribunals. He is a former President of Ecojustice, served for over two decades as executive director of the UVic Environmental Law Centre, and is founding executive director of the Pacific Centre for Environmental Law and Litigation ("CELL").

Dr. **Virginia Torrie** is an Assistant Professor at the Faculty of Law, University of Manitoba, where she teaches Bankruptcy and Insolvency, Corporate Law, and Legal Research and Writing. She is completing a certificate program in university teaching and is interested in developing innovative strategies for teaching law school courses. Virginia uses legal history methodologies to study Canadian bankruptcy and insolvency law. Her PhD research on historical Canadian corporate reorganization is the subject of a book contract with the University of Toronto Press/Osgoode Society for Canadian Legal History. Virginia is currently researching 1930s farm insolvency law on the Canadian Prairies.

Netta Untershats is a 2017 JD Candidate who just completed her studies at Osgoode Hall Law School. In her active involvement with Law in Action Within Schools and the Environmental Justice and Sustainability Clinic, Netta co-developed a public legal education workshop for high school students based on a theoretical overview of pedagogical approaches to public legal education. Having attended law school both in Canada and on exchange abroad, Netta looks forward to help facilitate a discussion on approaches to legal education and licensing from a variety of angles.

Tracy Wachmann (B.A. LL.B) is the Public Interest Coordinator at the University of British Columbia's Allard School of Law. Tracy works with law students interested in pursuing a career in public interest or incorporating public interest into a more traditional private practice and conducts extensive outreach to determine the needs of the public interest legal community and their clients. As part of her role, Tracy is the On-Site Supervisor for the UBC Chapter of Pro Bono Students' Canada (PBSC). Through this program, volunteer PBSC law students work under the supervision of lawyers to provide free legal services to communities in need. Law students from all years of study are matched with public interest organizations, community groups, government agencies, legal clinics and *pro bono* lawyers. As a lawyer, Tracy has practiced since 1997 in a number of public interest areas with the intention of providing a holistic approach to meeting the needs of her clients.

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