

Queen's Law

REPORTS



Supreme justice

Queen's Law celebrates Tom Cromwell, our first Supreme Court appointee

Business class

Queen's business law program is on the rise

Bala gala

Faculty pays tribute to leading scholar and beloved teacher

SUMMER 2009



Queen's Law

REPORTS

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ON THE COVER

Canada's newest Supreme Court judge, Justice Thomas Cromwell, Arts '73, Law '76, on February 16, 2009, the day of his official welcoming ceremony.

Photo by Philippe Landreville



This is a particularly special year for Queen's Law, with the appointment of our first graduate to the Supreme Court of Canada, Justice Thomas A. Cromwell, Arts '73, Law '76.

In this year's Queen's Law Reports, you will read about Justice Cromwell's distinguished career and his long and faithful attachment to Queen's University. In April 2009, at our annual Toronto alumni event, we held a gala celebration of Justice Cromwell's appointment in the dazzling new wing of the Ontario Art Gallery. Justice Cromwell will visit the law school this September to speak to our students — his first return to Queen's Law as a member of the Supreme Court of Canada. No doubt, this will be a marvellous occasion for the law school.

2009 also marks a number of other great events in the life of Queen's Law.

- This spring, the Queen's Board of Trustees voted to rename our neighbouring Policy Studies Building in honour of alumnus Robert Sutherland, the first black person to graduate from Queen's (in 1852), the first black lawyer in Canada, and the first major donor to the University (upon his death in 1878). A formal renaming ceremony will be held on October 3.

- Our business law program continues to grow, with the launch of the new Osler, Hoskin & Harcourt LLP Distinguished Lectures in Business Law, supported by a generous \$200,000 gift from the firm, and the launch of the Queen's Business Law Clinic, with a \$150,000 grant from the Law Foundation of Ontario.

- Among the many conferences held this year, the "Bala Gala" held in the spring was a great occasion to honour one of the school's most respected teachers and scholars, Professor Nick Bala, Law '77.

- Other alumni highlights include the groundbreaking publication of a new family law book, *Tug of War*, by Justice Harvey Brownstone, Law '80, one of the first books written by a judge for a broad audience, in which Justice Brownstone aims, in his typically engaging manner, to demystify family law and encourage litigants to seek alternatives to using the courts.

In this year's Queen's Law Reports, you will also find a report with updates on the progress made towards achieving the goals in our *Strategic Framework, 2005–2010*, highlighting our school's many impressive outcomes. Among other highlights, our overall donor support is up 27 per cent over the past four years, topping \$1.1 million in 2008–09. During this period, our individual donor support has more than doubled. I would like to thank all of you who have generously contributed to our school, and I look forward to continuing to work with all of you in support of Queen's Law.

Bill Flanagan
Dean of Law

Queen’s Law marks a milestone year for excellence in research, teaching and scholarship

Professor Metcalf invited to inaugural Harvard-Stanford forum



Bernard Clark

Professor Cherie Metcalf, Artsci '90, Law '02

A panel of world-wide senior legal scholars invited **Professor Cherie Metcalf, Artsci '90, Law '02**, to present her most recent paper at the inaugural Harvard-Stanford International Junior Faculty Forum. The conference, held October 16–18 at Stanford Law School, brought together the next generation of leading legal scholars from across the globe.

Metcalf, who also holds M.A. and Ph.D. degrees in economics from UBC and an LL.M. from Yale, was one of only 12 junior law professors whose paper was selected for presentation by the distinguished panel in a highly rigorous process. The competition, for academics with fewer than seven years of teaching experience at a law school outside the United States, is a new joint venture between the law schools at Harvard and Stanford.

Metcalf presented her paper "The

(Ir)relevance of Constitutional Protection for Property Rights: Compensation for Takings in Canada and the U.S." In it, she examined various interests related to efficiency and fairness that are served by requiring the government to pay for property it takes. She then uses a theoretical framework based on law and economics analysis to assess the broader consequences of choosing a constitutional rule to protect property. A close, comparative examination of Canadian and American law serves to test the theory.

Senior scholars provided commentary and led a general discussion.

"The discussions were challenging, but supportive," Metcalf says. "I was thrilled with the positive response, thoughtful comments and questions I received on my paper, from my commentators and other participating faculty and presenters."

— Lisa Graham

LSS salutes outstanding teaching

The Law Students’ Society (LSS) announced the recipients of the 2008 teaching awards at a reception on April 8.

LSS Awards for Teaching Excellence

Professor Hoi Kong won the 2008 winter term award for Municipal Law. "I would like to thank my students for being so great and thank the LSS for the award," Kong said.

For the 2008 fall term, **Professor Tanya Monestier** won the award for Commercial Law. "There is no greater satisfaction than hearing from one of my former students that something they learned in my class assisted them in the real world," Monestier said.

LSS Special Lecturer (Sessional) Teaching Awards

Mary-Jo Maur, Law '85, LLM '93 (Family Law), won the award for the 2008 winter term. "If I'm a good teacher,



Greg Black

Professor Hoi Kong and Mary Jo Maur, Law '85, LLM '93, two of the four 2008 LSS teaching award recipients, with Dean Bill Flanagan and LSS President Dylan Kerr, Law'09

it's because I'm a product of mentoring. I was mentored by what I always call 'the Great,'" said Maur, naming **Professors Nicholas Bala, Don Stuart** and the late **Venkata Raman**.

For the 2008 fall term, **David Stratas, Law '84**, a partner at Heenan Blaikie LLP, won his seventh award, breaking his own record for the most teaching awards received. "What a year

it was in Advanced Constitutional Law!" Stratas said. "The seminar discussions crackled with brilliance and energy. Courtrooms in the Supreme Court of Canada and the Ontario Court of Appeal echoed with the best oral advocacy from students that I've seen in some of the 15 years I've taught this course."

— Lisa Graham

Legal journals publish three student papers

Recent graduates distinguished themselves in 2008 with the publication of their student papers in leading academic and professional journals.

Author: Lauren Wihak, Law '08

Publication: *Windsor Yearbook of Access to Justice*

Paper: "Quiet Contributions: Re-examining the Benefits of a Restorative Approach to Sentencing in the Aboriginal Context"

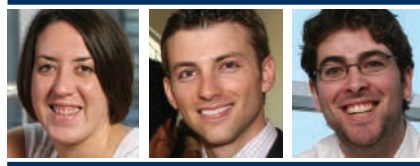
Lauren decided to use her paper, originally a term essay for a 2006 course with **Professor Malcolm Thorburn**, as a writing sample for a clerkship. "Although it is crucial to have absolutely top marks in law school...it is also necessary to show a talent for research and writing," says Thorburn about Wihak's pursuit of a career in academia. "Lauren has made great strides in that direction already."

Author: Christopher Slade, Law '08

Publication: *Advocates' Quarterly*

Paper: "Intentional Infliction of Mental Suffering: Reconsidering the Test for Liability"

Christopher wrote the paper for an individual supervised project for **Professor Rosemary King, LL.M. '92**, which was later reviewed by **Professor Erik Knutsen**. "I expect that this paper will be cited by academics and courts



Lauren Wihak, Law '08; Christopher Slade, Law '08; Mathew Good, Law '09

alike who are faced with the timely, practical and challenging issues that it addresses," Knutsen says.

Author: Mathew Good, Law '09

Publication: *Advocates' Quarterly*

Paper: "Non-Pecuniary Damage Awards in Canada -- Revisiting the Law on Caps, Compensation, and Awards at Large"

Professor Erik Knutsen reviewed the paper, which Mathew had written for an advanced torts class taught by **Professor Rosemary King**. "Mathew's paper revisits an area of the law that puzzles practitioners and academics alike," King says. "Particularly novel and striking is the painstaking research done on the theoretical tenets of awarding damages and the pros and cons involved. It makes for very exciting reading."

— Robert Marks

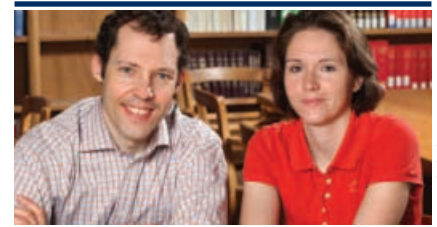
BLG Research Fellowship now \$12,000

Thorburn project selected for summer 2009

Alison Barclay, Law '11, was selected to assist **Professor Malcolm Thorburn** this summer as the 2009 BLG Research Fellow at Queen's Law. The two are working on a project entitled, "Police Powers and the Rule of Law: New Challenges in the Age of Privatization."

The Faculty selected Thorburn's research project to receive the \$12,000 award allocated to Queen's from Borden Ladner Gervais LLP's \$1.2-million national Research Fellowship Program. The program, which was extended for an additional five years in 2009 with a 20-per cent increase in annual funding, provides students with opportunities to conduct research under the direction of a professor.

— Lisa Graham



Professor Malcolm Thorburn and Alison Barclay, Law '11

Laskin win tops successful moot season

The Queen's Law team brought the winning trophy home from London, Ontario, on February 28, placing first in the national Laskin Moot competition out of 19 law schools. **Erica Maidment, MPA '08/Law '11**, also placed second in the category of Best Oralist.

"We're thrilled with our results at this year's Laskin Moot," says team researcher **Erin Collins, Law '09**. "All four mooters withstood some very tough questioning and performed brilliantly. The win was very much deserved!"

Other highlights of Queen's Law's 2008-09 moot season included top three finishes for three additional teams, factum awards for three teams, and oralist awards for four mooters.

— Alexandra Manthorpe, Law '10



Queen's Law's 2009 Laskin Moot team accepts the first-place trophy in the national competition: (l-r) Erica Maidment, MPA '08/Law '11; Erin Collins, Law '09; Jean-Emmanuel Beaubrun, Law '09; Erin Pleet, MPA'08/Law '11; Adrian Di Lullo, Law '10; and Associate Dean (Academic) Stanley Corbett, Law '95.

ACADEMIC EXCELLENCE

Clerkships in 2010–11

Eleven Queen's Law students have been appointed to clerk at Canadian courts in 2010–2011, two of them at Canada's highest court.

Supreme Court of Canada

Mathew Good, Law '09
(Chief Justice Beverley McLachlin)

Michael Perlin, Law '09
(Justice Rosalie Abella)

Court of Appeal for Ontario

Andrea Bolierio, Law '10
Natalia Rodriguez, Law '10

British Columbia Court of Appeal

Paul Todd, Law '10

Federal Court of Canada

Erin Collins, Law '09

Superior Court of Justice — Toronto

Gerard Kennedy, Law '10
Shannon O'Connor, Law '10
Sarah Fountain, Law '10

Superior Court of Justice — Newmarket

Alana Daley, Law '10

Tax Court of Canada

Birute Luksenaitė, Law '10

Mathew's and Michael's clerkships at the Supreme Court will be their second opportunity to assist appellate judges.

"I felt that a second clerkship was a chance to get comfortable with and master the language and the techniques that make for a good judge and a good legal thinker," says Mathew, who will spend 2009–2010 as a clerk at the British Columbia Court of Appeal. "Only by clerking with both courts would I be exposed to the full gamut of appellate jurisprudence in Canada."

"Clerking offers a unique way for a law school graduate to see the inner workings of the judiciary," says Michael, who will clerk at the Court of Appeal for Ontario in 2009–10. "In a practical sense, I hope that clerking will provide me an overview of different practice areas and will help me decide more specifically which areas of law I would like to focus on."

— Robert Marks



Bernard Clark

Ten of the 11 Queen's Law students who were appointed to clerkships for 2010–11: Gerard Kennedy, Andrea Bolierio, Erin Collins, Shannon O'Connor, Paul Todd, Sarah Fountain, Mathew Good, Natalia Rodriguez, Michael Perlin and Alana Daley. Absent: Birute Luksenaitė

Two Law '09 students win national essay prizes

Julie Lowe, Law '09, won the 2008 TitlePLUS Essay Prize, which was founded by the Lawyers' Professional Indemnity Company (LAWPRO) to recognize exemplary legal scholarship in real estate law.

In her award-winning essay, "Fraud and the Land Titles System: Deferred Indefeasibility," written for Professor George Alexandrowicz' Land Transactions course, Julie explores theories of indefeasibility with respect to victims of title fraud.

Julie received her prize, which included \$3,000 cash, during a ceremony at LAWPRO'S offices in Toronto on May 31, 2008. "Given the ongoing incidence of title fraud and the need for awareness, we thought Julie's essay was very topical," says Stephen Freedman, director of compliance risk and chief privacy officer.

Mathew Johnson, MPA '06/Law '09, is the first winner of the Essay Competition established by the Office of the Privacy Commissioner of Canada (OPC). Mathew wrote the paper, "Protecting Privacy in Public: The Need for Public Surveillance Regulation in Canada," in which he examines surveillance from a legal standpoint, under the supervision of Professor Arthur Cockfield, Law '93.



Juris Kornets

Kathleen Waters (right), President and CEO of LAWPRO, presents a cheque for \$3,000 to Julie Lowe, Law '09, winner of the 2008 TitlePLUS Essay Contest.

Mathew received \$2,500 for his winning essay and he is eligible to receive an additional \$2,500 in research funds from the OPC to further develop his essay into an article for scholarly publication.

"The potential erosion of privacy rights is an important concern," says Privacy Commissioner of Canada Jennifer Stoddart. "Mr. Johnson approached this issue with a humanitarian perspective, looking at the consequences of surveillance on the lives of Canadians."

— Robert Marks and Lisa Graham

First-year student makes it to top six on 'Next Great Prime Minister' show

Self-described “political junkie” **Chris Horkins, Law '11**, finished in the top six in CBC-TV’s “Canada’s Next Great Prime Minister,” a show in which young adults compete for the title, an internship and a \$50,000 prize.

Though he didn’t make it to the final four debate before a national audience on March 18, he did participate in two days of “political boot camp” after beating more than 100 other contestants. There, Chris dealt with a mock crisis, staged a press conference, and solved Canadian trivia quizzes, interacting with host Alex Trebek and former prime ministers Joe Clark and Kim Campbell.



Chris Horkins, Law '11, with former prime minister Joe Clark during the “political boot camp” for the CBC-TV show “Canada’s Next Great Prime Minister.”

Chris based his platform on creating a second charter in the *Constitution* to guarantee such social and economic rights as health care and post-secondary education, and his on-line forum discussion “turned out to be pretty big.”

Chris, who applauds the contest as “a really good initiative,” attributes his success in part to his political science background and his Queen’s Law education, which familiarized him with the *Charter* and law in general.

— Mindy Rose Caterina-Neufeld, Law '11

Queen’s building renamed to honour early black benefactor

As part of Black History Month in February, the Queen’s Board of Trustees voted to rename the Policy Studies Building in honour of alumnus **Robert Sutherland**. The first black man to graduate from Queen’s College in 1852, Sutherland was also the first black lawyer in Canada and Queen’s University’s first major alumni supporter, bequeathing his entire estate.

Although the formal renaming ceremony will take place on October 3, the building is already being referred to as Robert Sutherland Hall. Sutherland’s previous honours include the dedication of a room in the John Deutsch University Centre (1997),

a Grant Hall plaque unveiled by the Jamaican Ambassador (1970s), and academic prizes and a visitorship in his name.

“Honouring Robert Sutherland as an excellent student and major benefactor in this way is a major step forward for Queen’s,” says **Frank Walwyn, Law '93**, President of the Canadian Association of Black Lawyers. “It is initiatives such as these, supported by various segments of our shared communities, that will eventually result in widespread recognition of the enormous contributions that black people have made to Canada.”

— Robert Marks



Students share the Community Partnerships Award from the CCS: (l-r) Courtney Petch, Law '09; Emma Parsons; Principal Tom Williams; Lori Goldberg, Law '09; V-P (Advancement) Sean Conway; V-P (Academic) Patrick Deane; Melissa Ward; Larry Cardiff, FLA President, CCS; and Shelby Fawcett.

Record cancer fundraising recognized with award

Whether running, dancing or setting up school bake sales, students have set a new Queen’s Law record in fundraising for cancer research. This year’s events raised \$13,212 and resulted in an award from the Canadian Cancer Society (CCS).

Co-presidents of the Queen’s Law Cancer Society (QLCS), **Lori Goldberg and Courtney Petch of Law '09** accepted the Community Partnerships Award (made to the whole Queen’s community) on March 31. “Four student groups were cited as the main reason for that award, and one of them was Queen’s Law,” Courtney says.

This year has seen students Running for the Cure, enjoying baked goods, under arrest at the Jail ‘n’ Bail, and putting on Cabaret for a Cure, a show with law students performing lively self-choreographed dance routines. “The Cabaret was particularly meaningful because Professor Bala allowed the proceeds to be donated in his name,” Courtney says.

Lori adds, “People bought tickets to support the event even if they weren’t planning to come.”

The co-chairs say the support from Queen’s Law has been “astounding” at every event and thank their team of eight dedicated volunteers from all three years. The QLCS was also awarded the LSS camaraderie prize.

— Chris Missiuna, Law '10



Philippe Landreville

Tom Cromwell: “A lawyer’s lawyer... a judge’s judge”

Queen’s Law graduate appointed to highest court

By Hugh Winsor

I, Thomas Cromwell, do solemnly and sincerely promise and swear that I will duly and faithfully, to the best of my skill and knowledge, execute the powers and trust reposed in me as one of the judges of the Supreme Court of Canada, so help me God.

It speaks volumes about **Justice Thomas A. Cromwell, Arts '73, Law '76**, that the first time he took this oath on January 5, 2009, to become the 80th puisne judge and first Queen's Law graduate to be appointed to the Supreme Court, it was in the private chambers of Chief Justice Beverley McLachlin, not the stately, panelled court room of the Beaux-arts/Classical Moderne edifice that houses the country's highest court.

Of course, he took the oath again very publicly a month later, donning his scarlet and ermine robes in the company of his peers, former teachers, fellow law professors, former students, former colleagues on the Nova Scotia Court of Appeal, former law partners, family and friends with all the panoply the state can muster.

But since an election had delayed his appointment until two days before Christmas, leaving the Court short a judge for many months, he recognized Chief Justice McLachlin

needed help quickly. Thus he began work immediately and had sat on 11 panels before he was formally welcomed into his new position on February 16.

It is a poignant illustration of the sense of duty, diligence, service, penchant for hard work and practicality that has marked his career from law student, through private practice, academe, and appellate court, all the way to the top of his profession.

“Tom brings to our school great honour, and to each of us, great pride.”

— Greg Richards, Law '79

His is a truly remarkable story. And he has lived it with a mixture of intellectual brilliance, multiple accomplishments and honours, all infused with generosity, a down-to-earth modesty and a sometimes puckish sense of humour. And there has been a universal endorsement of Justice Cromwell's qualifications for the job.

Photo above: Justice Thomas Cromwell (right), Law '76, at his official welcome ceremony at the Supreme Court of Canada on February 16, 2009, with Chief Justice Beverley McLachlin, Justice Louis LeBel and Justice Morris Fish

“Justice Cromwell has long been a tremendous friend and supporter of Queen’s Law. All of us at the Faculty are simply thrilled with this appointment.”

— Dean Bill Flanagan

New justice lauded for intellect, abilities and common sense

Justice Minister Rob Nicholson, when announcing the appointment, said Justice Cromwell “exhibits the highest level of proficiency in the law, superior analytical and writing skills, as well as the qualities of decisiveness and sound judgment.”

Dean Bill Flanagan described Justice Cromwell as a distinguished academic and jurist whose writings are admired throughout the country and predicted he would make great contributions to the work of the Court. Equally important, “Justice Cromwell has long been a tremendous friend and supporter of Queen’s Law. All of us at the Faculty are simply thrilled with this appointment.”

But the iconic description of Justice Cromwell came from Professor Philip Girard, a long-time colleague of his at Dalhousie Law School, who described him as “a lawyer’s lawyer, a professor’s professor and a judge’s judge.”

At the formal welcoming ceremony, Chief Justice McLachlin described a career that has touched on every aspect of the legal profession and praised his contributions to legal and judicial education and his gains in improving access to justice. She added that he is also “the kind of guy who bags his own groceries.” And when he gets those groceries home, according to friends and colleagues, he is an accomplished chef with an exquisite taste for matching his culinary creations with appropriate wines.

Queen’s was the launching pad for his storied scholastic, intellectual and personal accomplishments. And Justice Cromwell continues the association, an association underlined by the alumni reception Queen’s Law held in his honour in Toronto in April. Introducing him, Greg Richards, Law ’79, noted the many contributions Justice Cromwell



Justice Tom Cromwell does an “oil thigh” at the Sopinka Cup awards banquet hosted by the Supreme Court of Canada with Queen’s Law team members Martin Park, Law ’09, coach Michael Mandelcorn, Law ’85, Adam Freedman, Law ’09, and coach Robert Goddard, Law ’90.

has made to Queen’s Law, but said the appointment to the Supreme Court tops everything. “Tom brings to our school great honour, and to each of us, great pride.”

In response, Justice Cromwell said four words summed up his Queen’s experience — “individual attention,” “confidence” and “quality.”

While at Dalhousie, he continued to be involved with Queen’s, both as a member of the University Council, from 1984 to 1990, and on the Advisory Council of the Law Faculty from 1994 to 1998.



Philippe Landreville

Justice Tom Cromwell and son Thomas Cromwell Jr., Artsci ’09, at the Supreme Court welcome in February

The enthusiasm over Justice Cromwell’s appointment is not limited to faculty and alumni. In March, he hosted the Queen’s Law team at the Supreme Court dinner after the Sopinka Cup trial advocacy competition — and to say the mooters were thrilled is an understatement. “This was a big deal!” was the way Martin Park, Law ’09, put it. “It is not every day law students get to dine with jurists of the highest accomplishments.” Martin found Justice Cromwell to be humble and genuinely friendly. When Martin asked if the Queen’s team could be photographed with him, Justice Cromwell agreed, but only on the condition the picture be taken while they all did an “Oil Thigh” (the university’s traditional song and dance).

The Queen’s-Cromwell tradition continues with son Tom Jr. graduating this spring with an honours degree in history.

Justice Cromwell’s first studies at Queen’s were in music, graduating in 1973 with first-class honours. But as he put it many years later, “I learned that I was over-ambitious and under-talented” in music, and he decided to try his hand at law.

He is far too modest, according to Law ’76 classmate, Annemarie Bonkalo, who is now Chief Justice of the Ontario Court of Justice. “He was a very successful musician and his organ playing was superb.” At age 19, he was choir master and director of music at St. Margaret’s United Church in Kingston, and he continued with music part-time while in law school.

One of his choristers was a nursery school teacher, **Judy Millard, Law '80**, who says she became a "Cromwell groupie" in the choir, not only because of his musicianship, but because he also sparked her interest in law. Indeed he inspired her so much, she decided to go to law school and he helped her prepare for the LSAT exam so well that she aced it.

"I cannot imagine that I would have gone there without Tom." It was the beginning of a friendship that's lasted more than 30 years.

Chief Justice Bonkalo remembers that at law school, "Tom was very modest...but whenever the prof asked him a question, he always had the answer." It soon became apparent to his classmates, professors and colleagues that Justice Cromwell had an astute legal mind.

Valuable lessons learned from pioneering correctional cases

One of Justice Cromwell's formative experiences at Queen's was his participation in **Professor Emeritus Ron Price's** Correctional Law and Legal Assistance Project, which pioneered correctional law in Canada and provided legal assistance to inmates in Kingston-area institutions. The students in the project were involved in test case litigation on prisoner rights, some of which reached the

"Tom was very modest...but whenever the prof asked him a question, he always had the answer."

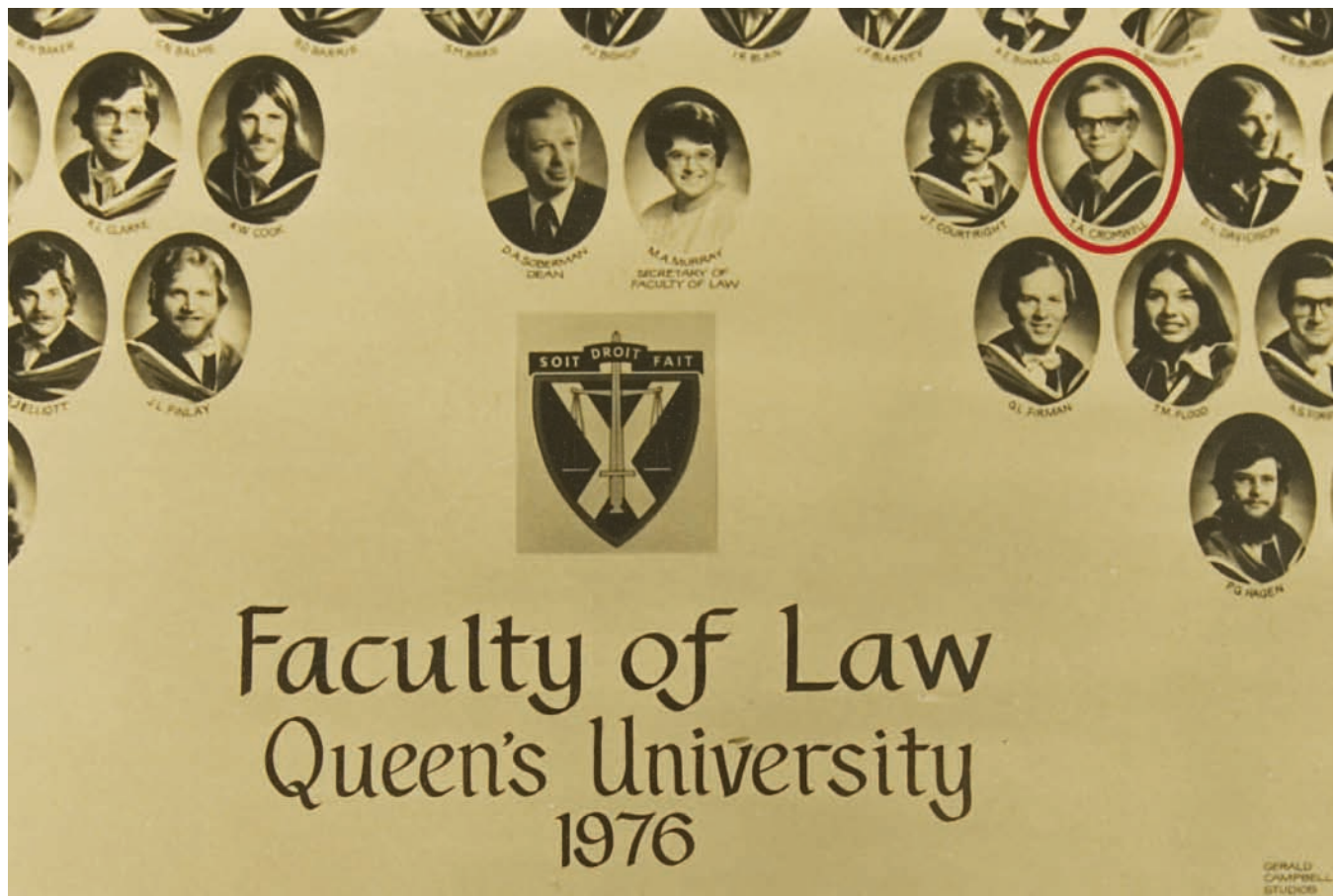
— Chief Justice Annemarie Bonkalo, Law '76

Supreme Court. In addition to assisting inmates as a legal auxiliary, Justice Cromwell got a summer job teaching introductory law in the area prisons.

"I've never had a more engrossed class," he told the audience at his ceremony in February, speculating he may be one of the only Supreme Court appointees to spend time in a penitentiary.

Price also gives Justice Cromwell much credit for a seminal article in the summer 1977 issue of *Queen's Law Journal* titled, "Habeas Corpus and Correctional Law." The article was, and still is, "a superb and valuable piece of work," Price says. Although it was written under his supervision and drew upon work completed for the Project, Price says a substantial part of it reflected Justice Cromwell's original and independent research. "The article served to clarify aspects of the law that were not widely understood. The writing certainly was his, and it has been cited widely."

Justice Cromwell's early self-confidence and mastery of his material were demonstrated when he and his teammate **John Hollander, Law '76**, were representing Queen's at a moot court competition for the Gale Cup. As Price recalls,





Alumni, friends, faculty and staff applaud Justice Tom Cromwell's appointment to the Supreme Court of Canada at the Queen's Law alumni reception held in his honour on April 29, 2009, in Toronto.

"I perceive him to be an incredibly balanced and fair guy."
— Tim Wilkin, Law '77

Justice Cromwell was one of the appellants. And when the respondents had argued, it was the appellants' turn for rebuttal. "Tom got up and with a self-confidence that I have never seen from anyone else, simply said that 'We do not consider that we have anything to rebut' and sat down." It worked, and the Queen's team was awarded first place.

After Queen's Law, he was off to Exeter College, Oxford and a Bachelor of Civil Law (First Class) in 1977, and articles at Weir and Foulds in Toronto. That's where he met up again with **Tim Wilkin, Law '77**, a symbiosis that brought them both back to Kingston to set up a law firm with another storied and much-admired Queen's grad, the late **Terry O'Hara, Law '75**.

"I very quickly came to the realization and have repeatedly said over the years, he was by far, the brightest guy I had ever met," Wilkin noted. "Tom's ability to analyze problems was way ahead of his years of experience."

Wilkin rejects commentary at the time of the Cromwell appointment suggesting he is a conservative likely to come down on the side of the state: "I would say Tom would come down on the side of common sense." Instead of "right wing" or "left wing," Wilkin says, "I just perceive him to be an incredibly balanced and fair guy."

Indeed, cases he took on at O'Hara, Cromwell and Wilkin would also challenge the conservative label. In one that received a lot of publicity, he took on the Kingston Taxi Commission on behalf of a taxi driver who wanted to put advertising on his cab, and won. Wilkin also remembers his tenaciousness on behalf of a woman whose physician husband was refusing to pay support.

At the time of Justice Cromwell's return to Kingston, Della Stanley was an assistant professor of history at Queen's. Romance in the "Limestone City" led to their marriage in June 1980.

Accomplished teaching career begins at Queen's

Queen's beckoned again that year when then Dean **Bernie Adell** invited him to teach at the law school. "Civil Procedure teachers with strong scholarly interests were hard to



After delivering opening remarks, Dean Bill Flanagan (right) congratulates Justice Tom Cromwell at the alumni reception.

find and I was delighted by Tom's immediate and enthusiastic acceptance to teach a course in that area." Adell noted that from his first day in the classroom he was a great favourite of the students. "We tried hard to get him on to the regular faculty, but our friends at Dalhousie were unfortunately able to make him a more attractive offer." Justice Cromwell taught at Dalhousie Law School from 1982 until he was appointed to the Nova Scotia Court of Appeal in 1997, with the exception of a three-year assignment to the Supreme Court of Canada as Executive Legal Officer to then Chief Justice Antonio Lamer from 1992 to 1995.

At Dalhousie, he established a reputation both as a prodigious scholar and highly regarded teacher. According to Dalhousie Law School Dean Phillip Saunders, "he was one of the two or three best teachers I have ever seen, very well prepared and effective in the classroom, able to explain complex issues very clearly." Dalhousie students agreed, voting him the first recipient of the Dalhousie Law Students' Society and Dalhousie Law Alumni Association Award for Excellence in Teaching.

After his appointment to the Nova Scotia Court of Appeal in 1997, he continued his interest in legal education, helping to establish a student internship program at the court and returning to judge moot competitions. Another appreciation for his teaching comes from the National Judicial Institute (NJI), where judges would see him as one of the primary educators in the country, according to **George Thomson, Arts '62, Law '65**, who headed the Institute for several years and who taught Justice Cromwell family law at Queen's. "He has been one of our remarkable teachers, especially on evidence and ethics."

Chief Justice Bonkalo, who attended the NJI after she was appointed a judge, agrees. "He shared his knowledge very generously. You always had the feeling he was there for you."

On the Nova Scotia Court of Appeal, Justice Cromwell was widely admired for the quality of his writing. According to Saunders, Cromwell judgments were considered to be among the most clearly written of all judgments coming out of the courts of appeal across the country. "He approaches things with a fresh mind, applies legal analysis to it in a very rigorous manner and then writes so clearly."



Peter Emmerson Photography

Law '76 classmate Bob Watkin catches up with Justice Tom Cromwell at the alumni reception.

Land claims, admissibility decisions display legal mettle

A glimpse of the approaches Justice Cromwell may take to the Supreme Court can be gleaned from some of the cases he dealt with at the Nova Scotia Court of Appeal, where he was regarded as an intellectual heavyweight. The case in which Stephen Frederick Marshall and several other members of the Mi'kmaq nation were charged with unlawfully cutting logs on Nova Scotia Crown lands, for instance, drew him into the often complex constitutional issues around aboriginal treaty and aboriginal title claims.

The case turned on what constituted sufficient Mi'kmaq "possession" or "occupation" of Crown land to entitle them to claim timber rights. Justice Cromwell reexamined the common law concept of "possession" and adopted an interpretation consistent with the aboriginal cultural perspective on "possession" or "occupation." He argued that limiting the definition of possession to the traditional European concept would not achieve the goal of "reconciliation" that lies at the heart of Canadian law on aboriginal rights.

According to **Associate Dean (Graduate Studies and Research) Mark Walters, Law '89**, Justice Cromwell's reasoning was bold and fair. "It was grounded in the sort of lawyerly concern for common law precedent that lies at the centre of our legal tradition. But Justice Cromwell



Peter Emmerson Photography

Justice Gloria Epstein (left) and Geraldine Tepper, Law '60, chat with Justice Tom Cromwell at the alumni reception.

“After all, it is in those daily encounters between law and people where our system of law and justice has to prove itself every day and not in theory or in rhetoric, but in what happens on the ground.”

— Justice Thomas Cromwell

interpreted the common law in a manner that fit the principles of equality, legality and reconciliation that give our law its forward momentum.”

A majority of the members of the Supreme Court disagreed with him, however, adopting a narrower view of land possession. Walters thinks Justice Cromwell’s reasoning was right and hopes that, over time, he will convince a majority of his new colleagues to realign the law of aboriginal title.

Professor Don Stuart and Professor Nick Bala, Law ‘77, believe the Cromwell approach in the case of Richard Oickle, a Nova Scotia firefighter who confessed to setting a number of fires after taking a lie detector test and aggressive questioning by RCMP officers, set out important limits on the admissibility of confessions and on the conduct of police investigators. Justice Cromwell and his colleagues threw out the confession and quashed Oickle’s conviction on the basis the police used unacceptable techniques and held out misleading inducements to get the confession.

The Supreme Court eventually reinstated Oickle’s conviction. But Stuart and Bala think Justice Cromwell’s decision at the Nova Scotia Court of Appeal level raised important concerns about the limits on police and prosecutors that will have an impact on the evolving relationship between the state and individuals.

Justice Cromwell will, in Stuart’s view, bring a needed balance “and I think he may surprise people.” Practitioners who feel strongly about criminal law, he said, “will be very pleased to have Tom Cromwell there.”

Long-term goal to instill public confidence

In the few months since Justice Cromwell’s appointment to the Supreme Court, it is too early to determine his impact, but he has already telegraphed the values that will underlie his approach. At the Queen’s Law reception in April, he talked about service to clients and society and quoted the line that Padre Marsh Laverty used to repeat at Queen’s convocations: “From those to whom much has been given, much is expected.” The other recurring theme is the need to promote public confidence in the judicial system. “After all, it is in those daily encounters between law and people where our system of law and justice has to prove itself every day and not in theory or in rhetoric, but in what happens on the ground.”

He came back to the theme of confidence at his Supreme Court welcoming ceremony when he promised “to do everything I can properly do to promote public confidence in my impartiality and independence. I do not think I can promise to do any more than that, but neither should I promise to do any less.”

QLR



Justice Tom Cromwell addresses the crowd at the alumni reception.

Peter Emmerson Photography

The increasing globalization of legal transactions prompts exciting international initiatives at Queen's Law

Student interns with Clinton Global Initiative

When Alex Patrick, Law '10, bought a magazine with former U.S. president Bill Clinton on the cover, he had no idea it would lead to meeting Clinton himself. After reading about the Clinton Global Initiative (CGI), which facilitates cross-sector partnerships with the goal of improving the lives of citizens worldwide, Alex decided he wanted to contribute. He spent the summer of 2008 in New York City, interning at CGI.

CGI works to build a network of philanthropists, non-governmental organizations, governments and heads of state to address global social and political issues, such as poverty, energy and climate change. Its work culminates each fall in an annual meeting where participants gather in New York to address pressing problems and network with others working in similar fields.

"I knew I had to be a part of CGI," Alex says, "so I applied and wrote an essay about how what they are doing affected me — that it was better business, a better way of doing things and a better way of making a difference."

What sparked Alex's interest was the program's rational way of approaching current issues. By proposing profitable solutions, the CGI model contributes to economic growth, while assisting those in need.

"The Clinton Foundation was able to broker a deal with Indian pharmaceutical manufacturers for daily HIV medication for Africa," Alex says. "This is what interested me; it avoids the waste commonly associated with giving foreign aid, and instead creates a profitable situation for pharmaceutical companies while still serving the public good."

During Alex's internship he was responsible for researching potential speakers and panellists for the annual meeting. He was able to finance his



Clinton Global Initiative

Former U.S. president Bill Clinton shakes hands with Alex Patrick, Law '10, at the Clinton Foundation office in New York City during Alex's summer 2008 internship.

summer with a grant from the Torys Public Interest Summer Internship Award program.

At the end of summer, Alex was given the extraordinary opportunity to participate in the annual meeting, where the speakers included now-President Barack Obama, Al Gore and Bill Gates and where he met public figures including Bono and Muhammad Ali.

Alex attributes the critical and analytical skills he used in the internship to his Queen's Law education.

"Queen's teaches me to think critically and analytically in areas in which I am not an expert," he says. "I was able to consider the information I had and make rational judgments."

The opportunity to be constantly learning was a highlight of the internship for Alex, as was experiencing the urban culture of New York City. However, the greatest moment came when he was able to witness the results of his efforts at the annual meeting.

"Seeing so many people come together, seeing all the people I was researching in action, was the most amazing thing I could ever conceive of happening," Alex says. "It has moved me to consider a career in public service."

— Mindy Rose Caterina-Neufeld, Law '11

See the international internship programs, supported by Torys LLP and our alumni, to which students devoted the summer of 2009 at <http://law.queensu.ca/international/internshipPrograms.html>

New developments at the Bader International Study Centre

by Chris Missiuna, Law '10 and Mindy Rose Caterina-Neufeld, Law '11

Queen's launches new Global Law Program

Twenty law students spent this spring in England at Queen's Herstmonceux Castle, comparing legal systems around the world. They completed the new Comparative Law Program, which joins the popular Global Law Programs in international public and international business law.

The new program responds to student demand for international programs and increases in the globalization of legal transactions. "We no longer operate within our own borders or legal systems," says Professor Martha Bailey, who planned the new program. "It is impossible to have any work in law without at least some interaction with other legal systems."

Academics from Canadian and British universities teach students three courses. The first compares legal traditions around the world, one focuses on common and civil law, and one covers the law of the European Union.

Commenting on the program's field trips, Laura Redekop, Law '11, says, "It was an invaluable experience for us to visit and witness first-hand the institutions and frameworks, such as the Council of the European Union and the European Court of Justice, bringing to life abstract structures from the pages of our textbooks. I strongly believe that the concepts of legal traditions, convergence and conciliation of laws that we have been formulating in our courses will be extremely relevant to any area of law in which I find myself working."



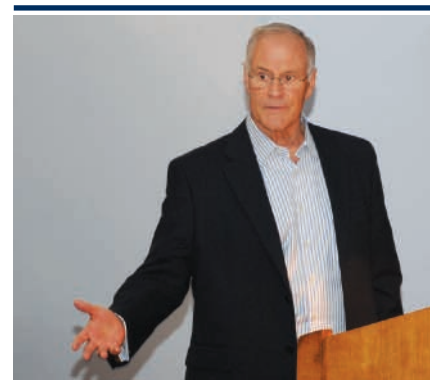
Professor Martha Bailey, LL.M. '88, and 2009 Comparative Law Program students at the Bader International Study Centre

Former Cabinet minister is Global Law Programs' first scholar-in-residence

The Honourable Bill Graham, P.C., Q.C., was the Global Law Programs' inaugural Scholar-in-Residence at the Bader International Study Centre (BISC) this summer. A former MP, foreign affairs and national defence minister, and interim leader of the Liberal party of Canada, Graham has degrees in history and law from the University of Toronto and a doctorate in law from the University of Paris. He practised law and was a faculty member at the University of Toronto. Graham is currently the Chancellor of Toronto's Trinity College. During his visit to the Global Law Programs at the BISC, June 13–18, Graham gave an evening lecture to students titled "A Lawyer's Life in Politics."

"The essence of what I'm trying to tell you is that there is a Canadian identity [and] the essence of our identity is our ability to reach out to the other," Graham told his audience.

"Nothing is a greater privilege than to represent your peers or your country — making a contribution not only to your country but also to the world." He also shared his expertise in international and EU law with five classes.



The Honourable Bill Graham, the BISC Law programs' inaugural Scholar-in-Residence, delivers a lecture to students on "A Lawyer's Life in Politics" on June 17.

Distinguished international law scholars visit Queen's Law



Professor Jagdish Bhagwati of Columbia University presented a lecture titled "Containing the Protectionist Threat Today" on April 3.

International Speakers Series launched

In 2008, Queen's Law increased students' exposure to international issues and opportunities with the new International Speaker Series. The series, organized by Professor Darryl Robinson, brings activists, practitioners and academics to Queen's Law to discuss current topical issues in international law. Professor Jagdish Bhagwati of Columbia Law School, one of the world's foremost experts on globalization and international economics, and His Excellency Omar Samad, the Ambassador of Afghanistan to Canada, were among the speakers this year.

Worldwide experts address relevant topics

The Faculty's Visitors Committee, chaired by Professors Malcolm Thornburn and Tsvi Kahana, continues to host lectures for students and faculty by leading authorities worldwide on a broad range of relevant topics. This year's speakers included professors Leslie Green from Oxford University, Richard Fallon from Harvard Law School and Joshua Dressler from Ohio State University.

(See the roster of 2009–10 visitors at <http://law.queensu.ca/events.html>)



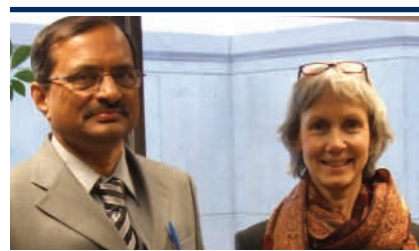
Professor Joshua Dressler of Ohio State University, the Stuart and Gretchen Ryan Visitor, spoke of "Critical Reflections on Feminist Law Reform Proposals" on March 16.

Visitors bring specialized global perspectives

During their two weeks in residence at Queen's Law this year, two prominent scholars introduced students to specialized topics in international law and engaged with faculty members on common research interests.

Dr. Ishwara Bhat, Dean of Law at India's University of Mysore, taught a seminar course focusing on Asian laws during his visit, January 17–31, and discussed the relevance of Indian law to Canadian lawyers.

Dr. Chuma Himonga, Queen's Law's biannual visitor from the University of Cape Town, taught the seminar "Family and Customary Law in South Africa" (including children's rights) during her visit, February 22–March 8. She was also a panellist at the International Conference on Feminist Constitutionalism co-hosted by Queen's Law and Tel Aviv University.



Dr. Ishwara Bhat, Dean of Law at the University of Mysore, India, with Professor Martha Bailey, LL.M. '88, on January 23

New study opportunities in Israel and China

Queen's Law students will have two new opportunities to study abroad in 2009–10.

Two students each year will spend a term at Israel's premier law school at Tel Aviv University (TAU), which is renowned for high academic standards.

Queen's Law began creating ties with TAU last year, when Professor Daphne Barak-Erez visited the Faculty. She and colleague Professor Yofi Tirosh were both involved in the International Conference on Feminist Constitutionalism, which was held in Kingston in February and co-sponsored by TAU Law.

Queen's J.D. students will also have the opportunity to participate in a unique study-abroad agreement with the School of Law at Tsinghua University in Beijing. Tsinghua is the first university to offer an LL.M. program in Chinese Law taught entirely in English for international students. Two Queen's students per year will be able to attend the fall semester, when most of the compulsory and basic courses are offered, and may return within two years to complete the winter/spring semester and be awarded an LL.M. degree.



Dr. Chuma Himonga (right) of the University of Cape Town participated as a panellist in the session on Feminist Critiques of Current Rights Discourse at the International Conference on Feminist Constitutionalism, held at the Donald Gordon Conference Centre on March 1.

Spotlight on business law

Our business law program features a number of exciting additions this year, including major funding to support a world-class lecture series and a new business law clinic, and opportunities for the growing number of students enrolled in our combined J.D./MBA program



Dean Bill Flanagan (middle) with Osler, Hoskin & Harcourt LLP partners John Groenewegen (left) and Clay Horner

Osler, Hoskin & Harcourt LLP funds Distinguished Lectures in Business Law

A \$200,000 contribution from one of Canada's leading-business law firms will provide ongoing support for a new Queen's Law lecture series featuring internationally renowned scholars in the field.

The series began as a pilot program in winter 2009, bringing world-class scholars and practitioners to Queen's Law to engage participants in lively discussions on contemporary business law. This new gift will enable this series to continue for the next five years.

"This lecture series is a cornerstone of our growing business law program, and the school is most grateful to Osler, Hoskin & Harcourt LLP for this leadership gift," says **Dean Bill Flanagan**.

Each year, five internationally recognized academics will come to Queen's Law to discuss their scholarly papers in business law. The session will feature commentary from Queen's Law faculty members and prominent business law practitioners from Osler, followed by a wine and cheese reception. Alumni are welcome to attend the lectures, or watch them via webcast.

Osler's renewed commitment follows the success of the pilot program, which featured lectures by Professors William Bratton (Georgetown University Law Center), Roberta Romano (Yale Law School) and Robert H. Sitkoff (Harvard Law School) on the history and future of corporate legal theory, prospects for the *Sarbanes-Oxley Act*, and commercial trusts, respectively.

"The tremendous success of these first lectures confirmed to us that the lecture series will make a major contribution to furthering the study of business law at Queen's for years to come," says John Groenewegen, a partner at Osler.

The pilot program, directed by **Professor Paul B. Miller**, received stellar reviews. "At a time when the economic future seems hazy, vigorous academic discussion is vital for students who will have their turn shaping the legal landscape," says **Patrick Welsh, Law '10**. "The lectures have pushed our classroom discussions far beyond the confines of the textbook."

"These lectures add a real level of dynamism to business law study and networking," adds **Amelia Miao, Law '11**.

Queen's will also offer students the opportunity to enrol in an intensive seminar course taught by Miller and based on the lecture series, the Osler Business Law Symposium.

For more information about the series and the 2009–10 Distinguished Lecturers, see <http://law.queensu.ca/events/oslerDistinguishedLecturesInBusinessLaw.html>

— Lisa Graham



J. Alexander Moore, counsel for BCE Inc. and Bell Canada; Markus Koehnen, counsel for Group of 1997 Debentureholders; John Finnigan, counsel for Group of 1976 and 1996 Debentureholders; and Professor Dan Thornton, Queen's School of Business

Panel examines landmark BCE case

On April 8, Queen's Law marked a major legal development, as counsel from *BCE v. 1976 Debentureholders* came together in a packed room in Robert Sutherland Hall to talk about one of the most important Supreme Court of Canada business law cases in history.

"The panel provided a unique opportunity," says **Morgan Jarvis, Law '09**. "We were able to see inside the development of a case that would otherwise only be experienced at an academic level."

"I really enjoyed hearing the 'war stories' of the lawyers who worked on the file," says **Aaron Libbey, Law '09**.

Professor Paul B. Miller organized the panel. The moderator, Professor Christopher Nicholls of Western Law, will be a visiting professor at Queen's Law in 2009–10.

J.D./MBA students capitalize on interdisciplinary studies

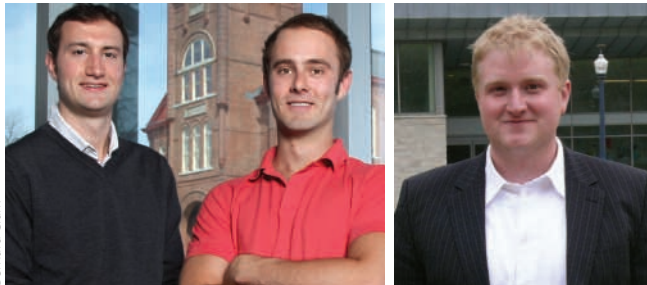
By Anne Kershaw

"I saw law and business as a great combination. Whether you're going to choose a business-oriented career in law or work with law in some other capacity, it's a great differentiator."

— Michael Lees, MBA '08, Law '09

When **Michael Lees, MBA '08, Law '09**, enrolled at Queen's Law, he had no idea that he would soon find himself making a presentation to the CFO of Shell Canada about the critical importance of national emissions reduction.

But Michael's chance participation in an environmental law project sparked an early interest in team-oriented business law. He is now one of three students from his Queen's Law class who have opted to pursue an MBA at Queen's along with a J.D.



Jeffrey Lulham, Law '08, MBA '09; Michael Lees, MBA '08, Law '09 David Kramer, Law '08, MBA '09

Michael says he decided to expand his education to gain a deeper understanding of the legal issues facing corporate clients, while acquiring a competitive edge for employment. "I saw law and business as a great combination," he says. "Whether you're going to choose a business-oriented career in law or work with law in some other capacity, it's a great differentiator."

Through Michael's participation in an interdisciplinary course project called TEAM (Technology, Engineering and Management), based in the Queen's Faculty of Applied Science, he and his team of fellow students were handed the assignment of developing an emissions reduction strategy for Shell Canada.

As part of the project, the company flew the team to the Fort McMurray tar sands and back to Calgary to present the team's recommendations to senior management. Michael's Shell TEAM project would later take first prize at the Ontario Centres of Excellence Discovery '07 Connections Program in a competition with 233 project teams from across Ontario.

These experiences reinforced Michael's interest in developing his team-building skills and pursuing a more cross-disciplinary approach to his education. After completing two



Michael Lees meets Ontario's environment minister, John Gerretsen, Law '67, at the Commerce and Engineering Environmental Conference Michael co-organized in March.

years of law, he enrolled in the MBA program in the Queen's School of Business. In 2008–09, he returned to Queen's Law for his final year.

Michael believes his experience with both the TEAM project and the MBA gave him an advantage to land his current position with Stikeman Elliott, which has recently established its Emissions Trading & Climate Change practice group. Given the emergence of complex legal issues associated with climate change, he believes there are "real opportunities for young people like me."

Similarly, soon after arriving at law school, **Jeffrey Lulham, Law '08, MBA '09**, found himself drawn to business law. "The Queen's MBA was a very natural extension of my law studies. It gave me the opportunity to come back to something I had always been interested in."

Once in the MBA program, Jeffrey gravitated toward a focus on new business ventures. He participated in the school's Tricolour Venture Fund program, which gives selected students hands-on experience in investigating companies, assessing investment opportunities, and making recommendations about how to manage the program's \$3-million investment fund. Jeffrey hopes to capitalize on these experiences while articling with Dale and Lessmann, a corporate-focused Toronto firm with some emphasis on venture capital finance.

Jeffrey admits he's found it challenging to adapt to the more team-oriented learning environment in the MBA program, but he says his legal training prepared him to take more of a leadership role. "I found I was good at setting up and framing an argument. In law school, you learn to be very explicit with your meaning and in identifying the essence of an issue."

After completing a Bachelor of Commerce degree at the University of Saskatchewan, **David Kramer, Law '08, MBA '09**, decided that "business isn't really complete without law" and that he could benefit from a better understanding of the regulatory environment.

When Queen's Law forged a partnership with the University's MBA program in 2007, David saw it as a chance to meld his interests.

"It's a wonderful experience being a law student in the business school," says David, who found he could learn from his peers as well as his professors. "With some legal training, you can really add a lot to the classroom environment."

David, who is articling with Blake, Cassels & Graydon LLP, believes his legal clients will be well served by the

experience he gained through the MBA program. "It enables me to understand where my clients are coming from, and how corporations are managed. I'm going to be a better problem-solver and a better lawyer," he says.

Queen's Law, a leader in providing students with interdisciplinary study opportunities, offers combined degrees with graduate programs in a wide range of disciplines, including business, economics, public administration, industrial relations, and in 2010, urban and regional planning.

New Queen's Business Law Clinic to open this fall

By Lisa Graham

"The Queen's Business Law Clinic is the heart and soul of what you do as a business lawyer."

— Kathryn Houlden, Law '09

Queen's is prepared to launch its first Business Law Clinic in the fall of 2009, thanks to a \$150,000 grant from the Law Foundation of Ontario. The clinic will provide legal assistance to small start-up businesses and non-profit organizations in eastern Ontario under the direction of **Peter Kissick, Law '88, LLM '98**, Associate Professor and Distinguished Faculty Fellow in Business Law at the Queen's School of Business. It will begin with eight students and eventually expand to 18, providing each of these students with hands-on, clinical opportunities to develop business law skills.

"The clinic is a major part of our strategy to build a first-class business law program at Queen's, a program that includes our new J.D./MBA combined degree launched in 2007, our new \$200,000 Osler, Hoskin & Harcourt LLP Distinguished Lectures in Business Law series to be launched this fall, and a new faculty member in business law in 2010," says **Dean Bill Flanagan**.

The Queen's Business Law Clinic (QBLC) began as a pilot project in winter 2009, after four Corporate Law and Investment Club executive members submitted a proposal to Flanagan in 2008. **Amaan Gangji, Kathryn Houlden, Matthew Lui and Andrew Spencer of Law '09** became the first student caseworkers to serve clients in the new clinical program. "We soon found a real niche in Kingston for the clinic to assist start-up companies and entrepreneurs," Kissick says.

Indeed, Jan Dines, manager of the Kingston Economic Development Corporation's Entrepreneurship Centre, says she found "great value in having the QBLC in Kingston," and referred several clients to the pilot clinic. "Given the low-cost nature of the clinic's services, our clients now have a legal resource to turn to that for many did not previously exist," Dines says.

Kissick was impressed with his students' ability to fill this legal gap. "Amaan, Kathryn, Matt and Andrew were professional and thorough, and they displayed an innate ability to empathize with their clients' needs."

Students who participate in the clinic earn more than just academic credit. "I obtained invaluable, practical legal skills, exposure to the business side of running a law practice and a wealth of substantive legal knowledge, all while helping clients achieve their goals," Kathryn says. "The Queen's Business Law Clinic is the heart and soul of what you do as a business lawyer."

Clinic to establish ties with local Bar

In an effort to expand the business law community in eastern Ontario, the QBLC aims to create a network linking local lawyers with clinic resources and future clients. Kissick will also maintain the clinic's relationship with groups such as Pro Bono Students Canada, recognized for performing valuable work with non-profit organizations.

Alumni and other lawyers from eastern Ontario interested in joining the QBLC network should contact Professor Kissick, PKissick@business.queensu.ca

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QBLC director Professor Peter Kissick (second from right), Law '88, LLM '98, with winter 2009 pilot project student caseworkers Amaan Gangji, Matthew Lui, Kathryn Houlden and Andrew Spencer of Law '09

Greg Black

Queen's Law conferences bring together experts to discuss and debate

Kant Law Symposium: An International Symposium on the Legal and Political Philosophy of Immanuel Kant

October 17, 2008

Canadian and American philosophy and law professors discussed University of Toronto law professor Arthur Ripstein's new book, *Force and Freedom*, on the influential German philosopher Immanuel Kant.



Allison Josselyn

Conference organizer Professor Malcolm Thorburn and featured guest Professor Arthur Ripstein of the University of Toronto

International Conference on Feminist Constitutionalism

February 28–March 1, 2009

Sponsored by the Law Foundation of Ontario, Queen's Office of the Principal and Office of Research Services, Queen's Law, Tel Aviv Law, and Feminist Legal Studies Queen's

Leading international feminist scholars explored the way constitutions seek — and either succeed or fail to protect — women's issues domestically and internationally.



Randy deKleine-Stimpson

Standing (l-r): Moderator Professor Rosemary Cairns Way, LLM '93 (University of Ottawa); panellist Professor Diana Majury, Law '76 (Carleton University); conference co-organizer and panellist Professor Tsvi Kahana; moderator Professor Margaret Denike, LLM '06 (Carleton University); and conference co-organizer and panellist Professor Beverley Baines, Law '73. Seated (l-r): Moderator Mary Eberts, LLD '92; and panellist Professor Sheila McIntyre, Law '84 (University of Ottawa)

Junior Scholars Conference

January 23, 2009

Sponsored by the Law Foundation of Ontario and Queen's Law

Pre-tenure and early-career scholars from Ontario and Quebec law schools presented and discussed their research on a variety of topics, building a professional network for the newest generation of legal academics.



Greg Black

Participants in the 2009 Junior Scholars Conference: back row (l-r) Robert Leckey (McGill), Mark Antaki (McGill), Andrew Botterell (Western), Marie-France Bureau (Sherbrooke), and Helge Dedek (McGill); front row (l-r) Erik Knutsen (Queen's), Hoi Kong (Queen's), Vanessa Gruben (Ottawa), Larissa Katz (Queen's), conference organizer Cherie Metcalf (Queen's), and Dayna Scott (Osgoode). Missing: Malcolm Thorburn (Queen's)

Twelfth Colloquium on the Legal Profession: The Independence of the Bar and If It Matters

March 10, 2009

Presented by the Chief Justice of Ontario's Advisory Committee on Professionalism

Academics, practitioners and judges examined the effect of a variety of issues on the independence of the legal profession.



Aimee Burtch

LSUC Treasurer Derry Millar, Chief Justice of Ontario Warren K. Winkler, and Dean Bill Flanagan

Women, Equality and Fiscal Policy: Gender Analysis of Taxes, Spending and Budgets

March 7, 2009

Funded by the Law Foundation of Ontario and Queen's Law

At this first of a series of planned annual workshops, leading Canadian experts in law and economics from academia, government agencies and non-governmental organizations explored how women can best claim their rights to fiscal equality.



Greg Black

(L-R): Presenter Professor Louise Langevin, Laval University Faculty of Law; Charlotte Thibault, Présidente, Conseil des Montréalaises; Beth Atcheson, co-founder and former chair of LEAF; panellist Professor Lorna Turnbull, University of Manitoba Faculty of Law; panellist Professor Faye Woodman, Dalhousie University Faculty of Law; conference co-organizer Professor Bitá Amani, Queen's Law; and conference co-organizer and panellist Professor Kathleen Lahey, Queen's Law

Elder Law: Theory and Practice

June 12-13, 2009

Sponsored by Queen's Law and the Frontenac Law Association

Academics and practitioners discussed the latest developments across the country in the emerging area of elder law.



Randy deKleine-Simpson

The Honourable Flora MacDonald, LLD '81, delivers the keynote address.

Conference co-organizer Mary-Alice Thompson, Law '92, and panellist Wendy Griesdorf, Kingston practitioners and sessional instructors at Queen's Law

For more information and photos from these events, see <http://law.queensu.ca/events/recentConferences.html>

Celebrating Professor Nicholas Bala: An Exceptional Career of Teaching & Scholarship

May 8, 2009

Judges, lawyers, scholars and mental health professionals with expertise in areas of special interest to Professor Bala spoke about issues in family law, child protection law, youth justice and child witnesses, and child evidence. Alumni panellists included Justice Anne Trousdale, Law '76, and Martha Downey, Law '81.



Greg Black

Family Law Protection panellists Justice Jennifer Mackinnon, Law '76, Mary-Jo Maur, Law '85, LLM '93, and Professor Nicholas Bala, Law '77



Child Witnesses and Evidence panellist Susan Miklas, Law '68



Greg Black

Youth Justice panellist Justice Brian Scully, Law '71

Newest graduates and Law '09 scholars celebrated

Family, friends, faculty and staff watched proudly as the Class of Law 2009 received degrees in historic Grant Hall on June 12. Law graduate Jock Climie, Artsci '89, Law '94, a partner at Emond Harnden, former Queen's Gaels football star and CFL player, and now an analyst on TSN's "CFL Live" show, delivered the convocation address. Another distinguished Law graduate, Associate Dean Mark Walters, Law '89, represented the Faculty on behalf of Dean Bill Flanagan, who was at the Bader International Study Centre in England participating in the Global Law Programs. Convocation was followed by a reception and awards ceremony in Ban Righ Hall.



Greg Black

Associate Dean Mark Walters, Law '89 (second from left), and Law Medal winners (l-r) Paul Quick (highest standing), Michael Perlin (second highest) and Mathew Good (third highest). The medals, awarded to the three graduates with the highest cumulative averages, were presented during the Grant Hall ceremony.



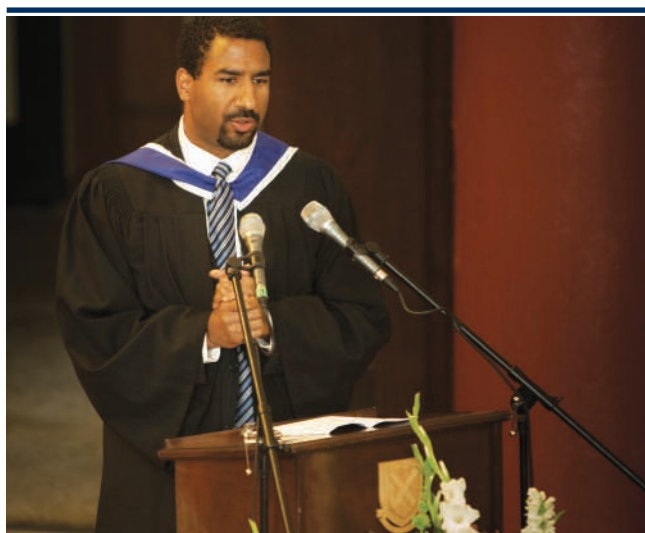
Greg Black

Associate Dean Walters (left), representing Dean Bill Flanagan, with the recipients of the Dean's Scholar awards: Amaan Gangji (Dean's Bronze Scholar), Michael Perlin (Dean's Gold Scholar), and Mathew Good (Dean's Silver Scholar). The awards for the three graduates with the highest third-year averages were presented at the reception in Ban Righ Hall.



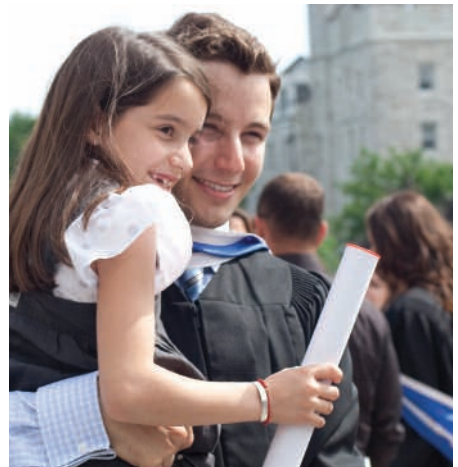
Greg Black

Associate Dean Walters with Dean's Key recipient Michael Perlin. Presentation of the Dean's Key for the graduate who best embodies community, collegiality, professionalism, service and academic excellence was part of the Ban Righ Hall ceremony.



Greg Black

Guest speaker Jock Climie, Artsci '89, Law '94, advised Queen's Law's newest graduates on how to succeed in their careers, based on fairness, teamwork, preparation and other characteristics of what he called his "top ten list" of the ways in which law and football intersect.



Photos by Greg Black



“Bala Gala” pays tribute to a renowned scholar and gifted teacher

By Alec Ross

As a teenager, **Nicholas Bala** got his first lessons in law working in programs to help troubled youth. Many of these young people had abusive parents or had been through the courts, and Bala’s experiences with them left a lasting impression about the way the legal system affects and interacts with children. Bala’s father, meanwhile, knew the value of a formal education: he had practised law in his home country of Czechoslovakia before the Second World War, and had come to Canada as a refugee; he was pleased when Nick entered Queen’s Law in 1974.

Neither could have known that the son would become not only a respected teacher and researcher at the university, but an internationally recognized expert in family, children’s and contract law. Most recently, the Law Society of Upper Canada chose to honour Bala’s scholarly contributions to these fields with the presentation this September of its prestigious Law Society Medal for outstanding service, reflecting the highest ideals of the profession.

Bala’s reach extends far and wide. On May 8, an academic conference was held at Queen’s to examine how his research has influenced legislation, litigation and legal thinking in Canada and abroad on such diverse issues as child witnesses, child support, family violence, the legal status of polygamy, and the sentencing of young offenders. That night, some 200 friends, colleagues, family members and students past and present gathered in the Ban Righ dining hall at Queen’s to honour his prolific and impressive career. His publication record includes 15 books, more than 130 articles and book chapters, and numerous government reports. He has received a number of professional distinctions, such as the Ontario Bar Association’s 2009 Award of Excellence in Family Law.

“Nick’s love and respect for the law, his energy and professional excellence make him a model for his students and colleagues,” says **Dean Bill Flanagan**. “We’re delighted he’s won this award. But frankly, it comes as no surprise; it’s richly deserved.”

“We all know that as a scholar, Nick is brilliant, innovative and prodigious in his output,” says **Justice Harvey Brownstone, Law ’80**, who emceed the dinner, fondly referred to as the “Bala Gala.” Justice Brownstone, an Ontario judge, knew Bala in his student days. “He has a way of disarticulating the law into bite-sized chunks to make it understandable and applicable to our daily work.”

Beloved teacher faces personal hurdles

While the evening’s mood was celebratory, it was also bittersweet. Bala has made no secret of the fact that he has fourth-stage metastatic melanoma, an unpredictable form of cancer; aggressive treatment precluded him from teaching for half of the last academic year. While he continues to receive monthly treatments, he is looking forward to teaching full-time in 2009–10. He is hopeful for the future, and filled with energy and enthusiasm.

A week after the gala, he was looking fit and claimed he was “firing on all cylinders.” Although his plans include more vacation time than usual this summer, he shows no

Photo above: Professor Nicholas Bala, Law ’77 (third from left), with speakers at the gala dinner held at Ban Righ in his honour on May 8: **Brahm Siegel, Law ’93**; **Justice Jim Williams**; **Philip Epstein, Q.C.**; **Justice Harvey Brownstone, Law ’80**; **Justice Jennifer Blisshen, Law ’77**; **Dr. Rachel Birnbaum, AFCC**; and **Patti Cross, AFCC**. Missing: **Ann Merritt, Law ’77**

signs of slowing down. Following this interview, for instance, he set off to finish an analysis of a Supreme Court of Canada decision on adult sentencing of young offenders, *R v D.B.* (2008). Bala's writings are quoted extensively in this decision and helped to guide the court's thinking. He was also finishing his preparations for a presentation on parental alienation he was to give in Kelowna for judges of the British Columbia Supreme Court the following week. He is supervising a number of upper-year students over the summer, and has just submitted a book manuscript on youth justice.

To those who know him, this hectic pace and prolific output is the stuff of legend. And, in addition to his ferocious intellect, it's a big reason why, within the Queen's academic community and in family law and youth justice circles, Bala's reputation always precedes him. "I don't have time' or 'I'm already overcommitted' is not in his lexicon," says **Justice Alison Harvison Young**, who stepped down as dean of Queen's Law in 2004. "I never heard these words from him in my six-and-a-half years as dean."

Peers recall natural desire to help

Bala's commitment to legal education is nothing new. As a student at Queen's Law from 1974 to 1977, he was a member of the Student Legal Aid Clinic executive and the first classmate his peers turned to when they didn't understand something. Then, as now, he freely shared what he knew. As exams approached, classmates would eagerly seek out photocopies of his handwritten course summaries, dubbed "Nicky Notes."

"In a very real sense, Nick began his career as an educator by providing his notes to anyone in need of them, and mentoring those both above and below him," recalls **Justice Jennifer Blishen, Law '77**, a classmate of Bala's, who also spoke at the gala. "His generosity was astounding."



On June 10, Professor Nicholas Bala received the Award for Excellence in Family Law from Tom Dart, chair of the Family Law Section of the Ontario Bar Association.



Greg Black

Professor Nicholas Bala addresses his well-wishers at the gala dinner in Ban Righ Hall on May 8.

After graduation, Bala articulated at the Ottawa law firm of Burke-Robertson, Chadwick and Ritchie, where his appetite for knowledge and working earned him the nickname "The Whirlwind." After articling, he spent a year at Queen's teaching and supervising students in the Legal Aid Clinic, and then travelled to Boston to complete a year of graduate education at the Harvard Law School. These experiences gave him an appreciation of the symbiotic interplay between the practice of law and its conceptual underpinnings, an understanding that would later infuse his teaching and research.

"We all know that as a scholar, Nick is brilliant, innovative and prodigious in his output."

— *Justice Harvey Brownstone, Law '80*

One of Bala's most popular courses is Clinical Family Law: "It's a tremendously valuable experience for students to be involved with real clients and real lawyers and real cases, because there are some things you can't teach people in a classroom," he says. "At the same time, you can teach a lot in a classroom, and you have to be in a classroom before you can get into the clinical setting. You get value by reflecting outside of the clinical setting on what you've learned. It's certainly very important to see what happens in the courtroom and in people's lives."

Teachings rooted in everyday life

Indeed, one of the things that make Bala unique is the way he incorporates the real world into his teaching and research. He sees the law as a multifaceted, organic entity; and, therefore, a multidisciplinary approach to its scholarly

study makes perfect sense. Since joining the Queen's faculty full-time in 1980, Bala has worked with a range of professionals, including criminologists, psychologists, sociologists and doctors. He aims to identify outdated or faulty assumptions in the law and to address these shortcomings, so the system works better for all citizens.

"It's important not just to read the decisions of the courts, but to see them in a historical context, to understand their economic and social implications," Bala says. "In contract law, as well as in family and children's law, I take an interdisciplinary approach both in my teaching and research. That's valuable, important and interesting, and I think my students and readers appreciate it."

Indeed they do. "With careful planning, excellent structure and the perfect mix of theory and practice, you made contracts and family law come alive," **Brahm Siegel, Law '93**, a former student who now practises family law in Toronto, told the audience at the gala. "I remember so clearly the excitement I felt once I grasped a legal concept for the first time. It seemed so simple, so fair, so straightforward. But that was nothing to how jazzed I felt when you made us see how that same concept, turned on its head and viewed from different perspectives could have such different and vast implications for everyday Canadians."

The legal system's direct connection and value in the lives of regular people – a reality he first witnessed when he worked with troubled kids – is a prime reason why Bala chose to focus his research on family and children's law. "People in our society are more likely to come into contact with lawyers for issues related to their families and children than for anything else," Bala says. "Other areas, such as corporate and constitutional law, are obviously very important. But in my view, family law merits the same attention. It's certainly been a privilege to be able to teach in this area at Queen's and to contribute to the evolution of this field of law." **QLR**



Professor Bala displays a mug presented as a gift from Justice Jim Williams.

Greg Black

"In a very real sense, Nick began his career as an educator by providing his notes to anyone in need of them, and mentoring those both above and below him."

— Justice Jennifer Blishen, Law '77



Justice Harvey Brownstone, Law '80, master of ceremonies for the gala dinner, embraces Professor Bala after delivering opening remarks.

Greg Black



Law Society of Upper Canada

Professor Bala to receive Law Society Medal

Treasurer W. A. Derry Millar will present the Law Society Medal to Professor Nicholas Bala at a ceremony at Osgoode Hall on September 23. Established in 1985, the Law Society Medal is given to outstanding Ontario lawyers whose service reflects the highest ideals of the profession. The award recognizes outstanding service, whether in a particular area of practice, in the academic sphere, or in some other professional capacity.



Greg Black

Queen's Law and the AFCC establish awards to honour Professor Bala

Queen's Law is fundraising to support a student award called the Professor Nick Bala Fund for Family Law. Please contact Dianne Butler, butlerd@queensu.ca, for further information.

A second award in Bala's honour, sponsored by the Association of Family and Conciliation Courts Ontario, has been created to support a law and/or social work student. Those who wish to contribute to the Professor Nicholas Bala Award in Excellence in Children and Family Law can contact Patti Cross at afcco@gmail.com



Professor Sharryn Aiken is a refugee law expert and much of her current scholarship explores the impact of national security measures on asylum seekers and refugees. She presented several conference papers on the subject this year and contributed a chapter to the book *Les migrations internationales contemporaines: Une dynamique complexe au coeur de la globalisation*. She also co-organized the international conference "Israel/Palestine: Mapping Models of Statehood and Paths to Peace" held at York University in June.

Her own book, *State Agency and the Patenting of Life in International Law: Merchants and Missionaries in a Global Society*, was published this summer.



Professor Martha Bailey co-teaches Civil Law and Common Law Traditions at the Bader International Study Centre, part of the new Comparative Law Program launched this spring at Herstmonceux Castle (see page 13). Professor Bailey also teaches and researches family law, conflicts of law and contracts.

cheered by messages from alumni (including Law '77 classmates), colleagues, staff, and students as he underwent treatment for metastatic melanoma this year (see page 22). He did some teaching and continued supervising students. Professor Bala also completed work, as co-author, on a new edition of *Youth Criminal Justice Law*, published this summer. He is currently involved in interdisciplinary projects involving youth justice, alienation of children following divorce, judicial interviews with children, and child witnesses.



Professor Kevin Banks redesigned Queen's core Labour Law course to integrate new perspectives on human rights and international and transnational dimensions. He participated in a roundtable on the future of the North American Agreement on Labour Cooperation (Montreal), presented "The New Labour Law Constitutionalism" to the Canada-U.S. Law Institute (Cleveland, OH) and spoke on "Trade, Labour and International Governance" to the Law and Society Association (Denver, CO). He also coached the students who placed second at the Mathews Competitive Labour Arbitration Moot.



Professor George Alexandrowicz continued to be involved in Queen's Law's 2008-09 moot program, supervising and coaching students in the Niagara and Fasken competitive international law moots. He teaches courses in international law, wills and trusts, and land transactions.



Professor Beverley Baines was reappointed Head of Women's Studies in the Faculty of Arts and Science. This spring, she co-hosted the International Conference on Feminist Constitutionalism at Queen's (see page 18), where she presented "Polygamy's Fate: What will four women on the Supreme Court of Canada decide?" Professor Baines also contributed articles to *Feminist Legal Studies* and *The Lawyers Weekly*. She is a faculty representative on the Queen's Board of Trustees.



Professor Bitá Amani's research includes intellectual property, biotechnology, regulatory diversity and feminism. This year, she authored one of six articles selected for a book commissioned by The National Network on Environments and Women's Health.



Professor Nicholas Bala was greatly



Professor Arthur Cockfield continues to research tax, privacy, and law and technology theory. Three of his works in these areas were recently reprinted in books in India. He also co-authored

FACULTY FOCUS

a project in the Netherlands to modify the OECD model tax treaty. He wrote a commissioned report entitled “Examining Policy Options for the Taxation of Outbound Investment” for the federal Finance Department and the Advisory Panel on Canada’s System of International Taxation, and a paper for the C.D. Howe Institute. He also edited the forthcoming book *Globalization and Its Tax Discontents*, which honours the memory of former Queen’s tax law professor Alex Easson.



Professor Stan Corbett has completed the first year of his two-year term as Associate Dean (Academic). He teaches Constitutional Law, Human Rights, Public Law, Administrative Law, and International Law. Overseas, he also teaches Public International Law at the Bader International Study Centre.



With research interests that focus on criminal law, procedure and evidence, **Professor Lisa Dufraimont** recently won the David Watson Memorial Award for her article “Regulating Unreliable Evidence: Can Evidence Rules Guide Juries and Prevent Wrongful Convictions?” in the *Queen’s Law Journal*. She also contributed a piece on mandatory minimum sentences to the *Supreme Court Law Review* and her article on the common law confessions rule was included in the book *The Charter and Criminal Justice: Twenty-Five Years Later*, edited by Jamie Cameron and James Stribopoulos.



Along with Criminal Law, **Professor David Freedman** teaches Trusts, Wills and Estates, and Elder Law. This year, he co-organized the conference “Elder Law: Theory and Practice” held at Queen’s in June. He also delivered a report to the Law Commission of Ontario on this developing area of law and presented his paper “Update and Issues in Trustee Discretions” at two Ontario Bar Association conferences.



Professor Lynne Hanson’s research interests include mental health funding issues and capacity and addictions. She teaches Torts, Contracts, Mental Health Law, Health Law, and Law, Gender and Equality.



Professor Tsvi Kahana teaches Public Law, Constitutional Law, Legislatures and Legislation, and Social and Economic Rights. This year, he co-edited a book on feminist constitutionalism with faculty colleague Beverley Baines and Professor Daphne Barak-Erez, visiting from Tel Aviv University. He co-holds an SSHRC grant to study “Employer Speech: Effects and Limits of Employer Anti-Union Campaigns During Union Organizing.”



Professor Larissa Katz was a visiting research fellow at the John Fleming Centre for the Advancement of Legal Research at the Australian National University last fall. In the past year, she has presented papers at conferences and workshops in Israel, the U.S. and Quebec. She also wrote the article “Red-tape and Gridlock” forthcoming in the *Canadian Journal of Law*, and chapters for two forthcoming books: one on Justice Bertha Wilson and another on Peruvian development economist Hernando de Soto.



This year, **Professor Rosemary King** co-taught the new Animal Law course and served as Competitive Moot Committee Chair. She also provided hands-on instruction to many students for their Individual Supervised Projects. Some of the resulting papers were published in the *Advocates’ Quarterly*.



Professor Erik S. Knutsen’s expertise in torts, civil procedure and insurance had him on the move this past year. He presented his work in England, Florida and California, and participated in a panel discussion about confidential settlement agreements at the

Cornwall (Ontario) Public Inquiry. He is contributing several sections to the new edition of *The Civil Litigation Process: Cases and Materials* and is co-author of the upcoming Canadian and American editions of *Principles of Insurance Law*.



Professor Kathleen Lahey has been involved in gender budget analysis, which examines the gender impact of tax, spending, and budgetary systems. This spring, she received a major SSHRC grant to fund research into comparative and international tax policy affecting women as a second class. Her book about New Brunswick's tax system was fast-tracked for publication by that province's Advisory Council on the Status of Women. She provided extensive background research to the House of Commons Standing Committee on the Status of Women and delivered papers in New Brunswick, at the United Nations, in Israel and in Spain.



Professor Charlene Mandell directs the Faculty's Correctional Law Project. She teaches Clinical Correctional Law, and has updated the course's in-house casebook with staff lawyer Kathryn Ferreira, Artsci '98, Law '01. Her research includes inmate discipline, conditional release and detention. Professor Mandell is a longstanding member of Legal Aid Ontario's Prison Law Advisory Committee.



Professor Allan Manson teaches courses in criminal law, sentencing and evidence. He co-authored — with Patrick Healy, Justice Gary Trotter, Dale Ives and Julian Roberts — the second edition of *Sentencing and Penal Policy in Canada*, which was published last September.



Professor Nancy McCormack received a grant from the Canadian Association of Law Libraries to study job satisfaction in Canadian law libraries. The results will be published in the *Canadian Law Library Review* and the *Canadian Journal of Information and Library Studies*. Professor McCormack is the 2009 editor of the Canadian Association of Law Libraries' national journal and is working on a book on legal research and writing for Thomson Carswell.



Along with Constitutional Law and a seminar on Law and Economics, **Professor Cherie Metcalf** taught Property Law this year — a great match with her current research. She presented her work at the Stanford-Harvard International Junior Faculty Forum (see page 2), the Canadian Law

and Economics Association meetings, the Society for Environmental Law and Economics meeting and at Emory Law School. She also organized this year's Canadian Junior Legal Scholars Conference at Queen's and helped establish a new combined J.D./M.A. (Economics) degree program that has been approved by the province.



Professor Paul B. Miller teaches Business Associations and Property. He is the founding director of Queen's Law's new Osler, Hoskin & Harcourt LLP Distinguished Lectures in Business Law. Professor Miller contributed two chapters to the book *The Limits of Consent: A Socio-ethical Approach to Human Subject Research in Medicine* and he is co-investigator on a Canadian Institutes of Health Research grant titled "Conceptual Problems in Research Ethics."



Much of **Professor Bruce Pardy's** work focuses on environmental law, ecosystem management and climate change. He recently published the fifth part of his dialogue on ecosystem management with U.S. Professor J.B. Ruhl in the *Pace Environmental Law Review*, and he challenged orthodoxy on climate change policy in *The Windsor Review of Legal and Social Issues*. He also investigates legal and governance issues at universities and contributed a piece on the topic to *The Rutgers Journal of Law and Public Policy*. Professor Pardy sits part-time on the Ontario Environmental Review Tribunal.

FACULTY FOCUS



Health law expert **Professor Patricia Peppin** developed a new course on public health this year. Her paper on pharmaceutical advertising, presented at the International Academy of Law and Mental Health Congress in New York this summer, was published in the *International Journal of Feminist Approaches to Bioethics*. She also delivered a paper on gender equity in Canadian clinical trials at the University of Sydney. Professor Peppin's article, "Vaccines: Public Health Law and Public Policy Challenges," was published in *Public Health Law and Policy in Canada*.



Professor Michael Pratt's research encompasses law and philosophy. His primary interests are in contract law and contract theory, the philosophy of promising, civil remedies and the philosophy of private law. He has written chapters on the doctrine of consideration and the law of mistake in the new edition of *Contracts: Cases and Commentaries*, as well as a paper on damages in *Remedies: Praxis and Pedagogy Throughout the Commonwealth*, which is being published in Canada and Australia.



Professor Darryl Robinson teaches courses in international law and criminal law. This year, he prepared a report on transitional justice in fragile states for the Department of Foreign Affairs. He helped review and confirm a controversial course on 20th-century genocide for Toronto high schools. He spoke at the annual conferences of both the Canadian and American Societies of International Law. Along with an article in the *Leiden Journal of International Law*, Professor Robinson contributed to the book *Future Perspectives on International Criminal Justice*.



Professor Don Stuart may be 65 now, but he assures alumni and students that he has no intention of retiring. He enjoys teaching too much, as well as writing books and editing *Criminal Reports* and the *N.J.I. Criminal Essentials* e-letter for judges. He also presented "The McLachlin Court's First Decade: Criminal Justice — Many More Kudos than Brickbats" to the Canadian Bar Association's June conference in Ottawa.



In fall 2008, **Professor Malcolm Thorburn** was a visiting research fellow at the John Fleming Centre for

the Advancement of Legal Research at the Australian National University. He was also co-awarded an SSHRC grant to study "The fiduciary constitution of the rule of law." Professor Thorburn also received a Borden Ladner Gervais LLP Research Fellowship (see page 3). In the coming months, he will present papers in the U.S., the U.K. and Canada, and he is contributing chapters to three forthcoming books on criminal law theory, as well as articles to several legal journals.



Professor Mark Walters, Associate Dean (Graduate Studies and Research), focuses his research on constitutional law, legal history and legal theory. This year, he presented a paper on administrative law at a Hong Kong conference and a paper on aboriginal legal history at a conference in Italy. He also contributed a chapter on the emergence of indigenous rights law in Canada to the new book *Indigenous Peoples and the Law: Comparative and Critical Perspectives*.



Professor Mark Weisberg is co-writing a book aimed at helping university teachers become more reflective about their teaching. It springs from his research into pedagogy, ethics and professionalism. He teaches courses in legal ethics, legal imagination, legal pedagogy, and images of doctors and lawyers.

— Peter Jeffrey

International commercial law specialist welcomed

Joshua Karton, an international commercial arbitration law expert, joined Queen's as an assistant professor in July.

"I am delighted to welcome Josh to Queen's Law," says Dean Bill Flanagan. "His research and teaching interests, which include international commercial arbitration, commercial law, and contracts, will make a major contribution to our business and international programs (including our spring programs at Herstonceux Castle). He also speaks Mandarin Chinese, and this will assist us in attracting top international law students to our graduate program."

A Ph.D. candidate at the University of Cambridge, where he supervised undergraduate students in Conflict of Laws, Professor Karton is completing a thesis titled "International Commercial Arbitration and the Evolution of Contract Law." With research interests encompassing the clashes and synergies that occur upon the confrontation of different legal cultures, he has written articles published in the *Vanderbilt Journal of Transnational Law*, the *Berkeley Journal of International Law*, and *International and Comparative Law Quarterly*.

He holds a B.A. in International Relations and Humanities from Yale



Bernard Clark

Professor Joshua Karton

University and a J.D. from Columbia Law School, where he was solicitations editor of the *Columbia Journal of Transnational Law*. For the Willem C. Vis International Commercial Arbitration Moot competition, he has been an award-winning team member, captain and coach of the Columbia team. Having practised in the New York and Hong Kong offices of Cleary Gottlieb Steen & Hamilton LLP, he also brings practical international law experience to the classroom.

"This is a great time to be coming to Queen's Law," he says. "I can't think of another law school that has the same mix of an energetic and intellectually ambitious faculty, a genuine dedication to teaching, and an incredibly warm and welcoming community."

— Lisa Graham

Second judicial appointment for former professor

Justice Gary Trotter was appointed a judge of the Superior Court of Justice of Ontario and judge ex officio of the Court of Appeal for Ontario in February 2008. Prior to this appointment, the former professor and acting dean of Queen's Law served as a judge on the Ontario Court of Justice for more than two years.



Peter Emmerson

Justice Gary Trotter at the alumni event in Toronto on April 29

Professor Hoi Kong departs

Professor Hoi Kong has left Queen's for a teaching position at the McGill University Faculty of Law. During his time at Queen's, he won a teaching excellence award, published several well-regarded articles and made many contributions to the institutional life of the school. Faculty, staff and students wish him well in his future endeavours.



Bernard Clark

Professor Hoi Kong



To find out more about Queen's Law faculty members, see the faculty web pages at

<http://law.queensu.ca/facultyAndStaff/facultyAndStaffDirectory.html>

Queen's Law thanks alumni and friends for their generous support

A helping hand

From neighbours to students, Jim Parks, Law '71 has spent a lifetime changing lives

By Christine Ward

Jim Parks learned about giving and helping others at an early age. While he was growing up on a farm in southwestern Ontario, the 1971 Queen's Law graduate spent time after school, on weekends and during summers working with his family. In a farm environment, Parks learned early that giving neighbours a helping hand when they needed it was part of life.

"It was just what you did, living in the country," he remembers. "You were expected to help each other in hard times."

The sentiment stuck. Since 1984, Parks has been a regular donor to Queen's Law, supporting students, Macdonald Hall and the Dean's Excellence Fund. "I'm not helping by using a fork or a shovel anymore," he says with a laugh. But he's changing lives just the same.

Parks' leadership support of the David Mullan Entrance Scholarship in 2007, for example, is helping to ensure that the Faculty continues to recruit and retain the best students. The prestigious scholarship offers \$5,000 a year to two outstanding entering students with another annual \$5,000 in their second and third years if the recipients maintain a high academic standing. With more than \$1.2 million in pledges to date, the endowed scholarship will be able to support up to six Mullan scholars at Queen's Law.

During his years at Queen's in the '70s, Parks relied on student loans and summers spent working in a chemical factory during the day and on the family farm on weekends and after coming home from the factory (for board, but no pay) to finance his degree. He credits his degree from Queen's with opening the door to a job at Toronto's Cassels Brock & Blackwell LLP, where he became the founding



Teddy Melvin

Jim Parks, Law '71, a partner at Cassels Brock & Blackwell LLP

member of the firm's tax practice. Thirty-eight years later, he's a senior partner in the Tax & Trusts Group, a widely respected consultant to a variety of clients, including multinational corporations and charities, and one of The Best Lawyers in Canada 2009, while doing pro bono work as well.

He wants to ensure his alma mater can continue to deliver the same opportunities to tomorrow's lawyers so he is giving back today.

"Queen's is now seen as one of the top law schools. There's a perception that these kinds of education facilities

just drop out of thin air without any financial support except from government and tuition," he says.

Parks is eager to debunk that myth. He knows that private support is key to helping Queen's Law continue to attract exceptional faculty and students, deliver innovative programming and prepare graduates to hit the ground running.

"We need to support all kinds of things, in all kinds of ways. Pick and choose what you want to support," he urges his fellow alumni. "Just be sure to do something."

Honour Roll Of Donors

May 1, 2008 to April 30, 2009

We're grateful to the following individuals, who have made a gift to Queen's Law during the last fiscal year. We also thank donors to Queen's Law who have asked to remain anonymous.

We have already received a number of gifts since April 30, 2009, and these gifts will be gratefully acknowledged in the next Queen's Law Reports.

Every effort has been made to ensure the accuracy of this honour roll. If an error or omission is noted, please accept our apologies and notify Dianne Butler at (613)533-6000 ext. 78471, or by email, butlerd@queensu.ca

Fiscal Year 2008–2009

Alumni participation	7.0 %
Total contributed to Queen's Law	\$708,219
Total contributed by corporations / firms	\$159,292
Value of needs-based bursary assistance distributed	\$1,108,149
Value of merit-based scholarships and prizes distributed	\$288,099

Honour Roll by Class

Law '60

Participation 30 per cent

Total Giving \$18,315

Hon. John Brownlee '60 & Ann Brownlee
Jack King '60 (deceased)*****
Geraldine Tepper '60*

Law '61

Participation 0 per cent

Total Giving \$0

Law '62

Participation 25 per cent

Total Giving \$1,320

John McKercher '62***
Wilfrid E D Peters '62*
Eric Shaver '62

Law '63

Participation 11 per cent

Total Giving \$5,500

Stanley Sadinsky '63 & Gillian Sadinsky****
Roy Atamanuk '63 & Ann Atamanuk**

Law '64

Participation 4 per cent

Total Giving \$100

Douglas Burns '64 & Jane Burns*

Law '65

Participation 10 per cent

Total Giving \$1,250

Trevor Klotz '65*
Donald Rasmussen '65 & Kersti Rasmussen*
George Thomson '65 & Hon. Judith Beaman '75****

Law '66

Participation 21 per cent

Total Giving \$1,695

Prof. Donald Carter '66 & Catherine Carter***

Hon. Richard C Gates '66*

Peter Gordon '66*

William Murphy '66

William Mutch '66

Jack Ward '66*

Law '67

Participation 10 per cent

Total Giving \$1,150

Hon. Dietrich Brand '67**

Allan Brown '67*

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Gordon Mylks '67

Law '68

Participation 7 per cent

Total Giving \$3,550

Prof. Denis Magnusson '68***

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Richard Simon '68**

Law '69

Participation 5 per cent

Total Giving \$4,400

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Law '70

Participation 11 per cent

Total Giving \$12,121

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Alan Gold '70***

Philip Griffin '70

Prof. Mary Jane Mossman '70 & Brian Bucknall***

David Olsen '70

Franklin Richmond '70*

Senator David Smith '70 &

Hon. Heather J Smith '71***

David Smye '70 & Pamela Smye*****

David Wilson '70*

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In addition to the giving levels recognized by the law school, all donors to Queen's Law are eligible for membership in the University's appreciation societies based on their annual giving per fiscal year.

Grant Hall Society annual contributors are welcomed into one of three levels:

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Cha Gheill Society recognizes supporters whose first Queen's degree was earned within the past five years, and whose gifts received during a single fiscal year total between \$100 and \$249.

SUPPORTING EXCELLENCE

Law '71

Participation 14 per cent

Total Giving \$13,700

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Konrad von Finckenstein '71*

Law '72

Participation 9 per cent

Total Giving \$4,050

Richard Baldwin '72 & Kristin Baldwin*
Michael F Casey '72**
John Cooper '72*
Douglas Mackintosh '72 & Anne Mackintosh*
Philip G Ponting '72***
Donald Travers '72***
Hon. J David Wake '72*
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Law '73

Participation 7 per cent

Total Giving \$5,036

Robert Bruce '73***
V Randell J Earle '73**
John Hill '73*
Robert Land '73 & Jean Land***
Alan Mostyn '73*
Douglas Rigsby '73
D Brad Sloan '73**
Bruce Wormald '73*

Law '74

Participation 7 per cent

Total Giving \$19,500

David Allgood '74*****
Timothy Bates '74 & Mary Jane Bates**
Ronald Dimock '74 & Wendy Wayling****
William McCallum '74 & Barbara McCallum*
Hon. Hugh McLean '74***
Leslie Prosser '74***
Judith Ross '74*
Peter Trousdale '74 & Hon. Anne C Trousdale '76***

Law '75

Participation 7 per cent

Total Giving \$6,850

Hon. Judith Beaman '75 & George Thomson '65***

Louis Florence '75 & Linda Florence*

Daniel McDonald '75**
John McFarlane '75*
Wayne Petersen '75*
Victoria Russell '75***
Kenneth Staroszyk '75***
John Wilson '75**

Law '76

Participation 9 per cent

Total Giving \$25,005

Peter Bishop '76 & Shirley Bishop*
Robert Cook '76*
Hon. Thomas Cromwell '76 & Della Cromwell***
Ian Kelly '76
Hon. Ian V B Nordheimer '76***
Gerald Sadvari '76 &
Hon. Annemarie Bonkalo '76*****
Stephen Sibold '76***
Elizabeth Symes '76***
Hon. Anne C Trousdale '76 & Peter Trousdale '74***
Dragi Zekavica '76

Law '77

Participation 11 per cent

Total Giving \$25,850

Robert Anderson '77***
Prof. Nicholas Bala '77 & Dr. Martha Bala***
David Carter '77 & Karen Carter*
John Clarke '77*
Joyce Gram '77*
Peter Griffin '77 & Ann Griffin****
Arthur Lefebvre '77**
Deborah Matz '77**
Dr. Gordon McCallum '77*
Robert McNeely '77*
Richard McPhail '77***
W Iain Scott '77*****
Howard Smith '77*
Kenneth Whiteway '77*

Law '78

Participation 7 per cent

Total Giving \$12,450

Thomas Bogart '78 & Kathryn Tamaki '78****
Thomas Houston '78 & Janet Houston***
Peter Hurrell '78
Ronald Matheson '78 & Sheila Matheson***
Jane Monaghan '78
Peter Murphy '78***
Gordon Stevenson '78*
Stephen Whitehead '78 & Karen Whitehead*

Law '79

Participation 9 per cent

Total Giving \$23,250

Robert Coates '79****
Justin Connidis '79 & Julia McArthur***
Benjamin De Rubeis '79***
Kevin Foster '79*
Michael Fridhandler '79*
David Lucas '79**
Peter Lukasiewicz '79 & Kathleen MacDonald '80****
J Gregory Richards '79 & Gabrielle Richards*****
D Richard Robbins '79 & Gloria Robbins*
Peter Robinson '79*
Ross Woodland '79 & Jane Woodland*

Law '80

Participation 15 per cent

Total Giving \$23,255

Hon. Robert G Bigelow '80
Hon. Harvey Brownstone '80***
Donna Butler '80*
Michael Emery '80***
George Frank '80 & Lynne Frank '80*



Queen's Legal Aid staff and 2009 summer students with the clinic's new Toyota Yaris: Chris Stankiewicz, Law '09; Lauren Conti, Law '09; Colin Thurston, Law '10; Andrew Prevost, Law '10; Miranda Serravalle, Law '10; Nick Galanis, Law '09; Susan Charlesworth, Law '81, Acting Senior Review Counsel; Jason Schmidt, Law '09; staff members Susan Reynolds, Sandra Tallen and Suz Wilson; Jana Mills, Law '92, Acting Review Counsel; and Jasmine Jabudir, Law '10.

Law '81 gift fuels clinic's drive to justice

Thanks to a generous donation of \$21,000 from Law '81, Queen's Legal Aid students now have a new car to transport them safely and reliably to client interviews and to court and other appearances in Napanee, and to tribunal proceedings throughout Kingston. The Law '81 Clinical Programs Fund also supported the Correctional Law Project.

David Glicksman '80***
 Paul King '80***
 Harold Linscott '80 & Jeannette Linscott*
 Kathleen MacDonald '80 & Peter Lukasiewicz '79****
 James Mathers '80*
 Kevin McElcheran '80***
 Marianne Miller '80**
 Cameron Mingay '80 & Christina Budweth '86*
 David Rendeiro '80***
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 Hon. Jo'Anne Strekaf '80**
 Pamela Taylor '80 & Frank Perrin**
 Paul Thompson '80*
 Steven Trumper '80 & Sandra Curtis***
 W Chris Woods '80**

Law '81

Participation 10 per cent

Total Giving \$34,567

Pamela-Jay Bond '81*
 Susan Charlesworth '81 & David Charlesworth*
 Susan Clarke '81 & Dr. Donald Miller*
 James Grout '81****

Edward Kafka '81****
 Eric Kay '81***
 Brian Levett '81*
 Ross McKee '81 & Wilma Alexander***
 Deidre Newman '81***
 Mary Pigott '81 & Stanley Maj '80***
 Samuel Principi '81****
 Mary Thomson '81***
 Hon. Katherine van Rensburg '81 &
 Esaias Janse van Rensburg***
 Patricia Yates-McShane '81*

Law '82

Participation 7 per cent

Total Giving \$28,025

Samuel Altman '82 & Nathalie Cooke*
 Jeremy Freedman '82*
 Urszula Kaczmarczyk '82 & Robert Fishlock '83*
 James Kofman '82****
 James Nenniger '82 & Kim Nenniger*****
 Karen Ruth Nixon '82***
 Christopher Peirce '82***
 Glenn Tait '82**

Paul Timmins '82**
 Blair Yorke-Slader '82*

Law '83

Participation 7 per cent

Total Giving \$4,439

Hon. Elizabeth Lane Bayliff '83
 Carol Cochrane '83*
 Mary Beth Currie '83***
 William Elkin '83 & Nancy Elkin**
 Robert Fishlock '83 & Urszula Kaczmarczyk '82*
 Donald Higa '83*
 John Raftery '83 & Anna-Marie Raftery*
 Judy Wilson '83 & Michael Wilson '84**

Law '84

Participation 5 per cent

Total Giving \$17,601

Firoz Ahmed '84****
 Betty DelBianco '84 & Paul Hentschel*
 Douglas Rose '84*
 Stephen Sigurdson '84 & Leslie Sigurdson '84****
 David Stratas '84****
 Michael Wilson '84 & Judy Wilson '83**

David Mullan Renewable Entrance Scholarship — \$1.2 million



Teddy Melvin

Professor Emeritus David Mullan, LLM '73

Queen's Law thanks our new leadership donors to the David Mullan Renewable Entrance Scholarship, which was launched in April 2008 in honour of Professor Emeritus David Mullan, LLM '73. Professor Mullan is one of Canada's foremost scholars in administrative law and a much-loved Queen's Law colleague, teacher and friend.

The scholarship is awarded annually to two or more students of outstanding calibre entering Queen's Law. The \$5,000 scholarship may be renewed for each recipient's second and third year of studies. Pledges of more than \$1.2 million have been made to date to support the scholarship.

The 2009–10 "Mullan Scholars" are Melissa Sharzer and Tyson McNeil-Hay. Melissa, a native of Ottawa, graduated from the University of Ottawa in June 2009 with an Honours B.A., with distinction, in Political Science, with a minor in Economics. In October 2008, Tyson was awarded his M.A. in Political Science from Queen's. He completed his B.A. with first-class honours in International Relations at UBC in May 2006.

GOLD (\$50,000)

David Allgood, Law '74
 Donald Bayne, Law '69 &
 Sheila Bayne, Law '69
 Joint Gift: Thomas Houston, Law '78,
 Ronald Matheson, Law '78,
 Peter Murphy, Law '78,
 Senator David Smith, Law '70 &
 one anonymous donor
 Fraser Milner Casgrain LLP, Toronto
 Jack King, Q.C., Law '60 (deceased)
 John McWilliams, Q.C., Law '72
 Jim Parks, Law '71
 Greg Richards, Law '79
 Brian Rose, Law '74 & Ellen Rose
 Gerald Sadvari, Law '76 &
 Chief Justice Annemarie Bonkalo,
 Law '76
 David Stratas, Law '84
 One anonymous donor

SILVER (\$25,000)

Firoz Ahmed, Law '84
 Steven Bookman, Law '70 &
 Gillian Bookman, Law '10
 Ronald Dimock, Law '74 &
 Wendy Wayling, Artsci '73
 Alan Gold, Law '70
 Peter Griffin, Law '77
 James Grout, Law '81
 Peter Lukasiewicz, Law '79 &
 Kathy Macdonald, Law '80
 James T. Nenniger, Sc '79,
 Law '82 & Kim Nenniger,
 Artsci '80, MBA '82
 Greg Piassetzki, Law '80 &
 Laura Piassetzki
 W. Iain Scott, Law '77,
 David Smye, Q.C., Law '70 &
 Pamela Smye
 Two anonymous donors

BRONZE (\$10,000)

Sharon Addison, Law '84
 Gary Batasar, Law '96
 Tom Bogart, Law '78 & Kathy Tamaki, Law '78
 Robert Coates, Law '79
 Betty DelBianco, Law '84
 Colleen Dempsey, Law '98 & Geoff Hall
 Janne Duncan, Law '88
 Wayne Egan, Law '88
 Bryan Finlay, Q.C. & Carol Finlay
 Dean Bill Flanagan
 Vanessa Grant, Law '95 &
 Philip Street
 Justice Alison Harvison Young
 Patricia D.S. Jackson, Arts '72
 Sanjay M. Joshi, Law '99, &
 Shaheen Joshi
 Claire Kennedy, Law '94
 Jim Kofman, Law '82
 Justice John I. Laskin
 Donald Luck, Com '84, Law '90 &
 Jane Luck, Artsci '84, Law '89
 Jean-Ann Naysmith Rooney, Law '84
 Chris Peirce, Law '82
 Jeffrey Read, Artsci '82, Law '85
 Victoria Russell, Law '75
 Stephen & Leslie Sigurdson, Law '84
 Justice Julie Thorburn, Law '88 &
 Rod Winsor
 Justice Gary Trotter
 Steven Trumper, Law '80
 Frank Walwyn, Law '93 &
 Tania Maciver, Artsci '94
 Peter Wardle, Law '84 &
 Anne Marie Marchetti, Law '84
 Madam Justice Darla Wilson, Artsci '81, Law '84
 & D. Keith Smockum
 Michael Wilson, Law '84 &
 Judy Wilson, Law '83
 David Wingfield, Law '86
 Harry Mark Zinsser-Krys, Law '84 &
 Deborah Zinsser-Krys, Com '86
 Four anonymous donors



Greg Black

Dean Bill Flanagan (second from left) and members of the BCE discussion panel: Professor Christopher Nicholls, Western Law, moderator; panellist John Finnigan, Thornton Grout Finnigan LLP; panellist Paul Macdonald, McMillan LLP; Professor Paul Miller, organizer; and panellist J. Alexander Moore, Davies Ward Phillips & Vineberg LLP. Missing: panellist Professor Dan Thornton, Queen's School of Business

Law '80 sponsors panel discussion on landmark case

Law '80 has raised \$124,000 towards its goal of a \$150,000 endowment fund for the Law '80 Visiting Lecturer Fund, to support guest speakers on the topic of business and international law. In April, the fund sponsored the panel discussion "BCE Inc. v. 1976 Debenture Holders," with several of the leading practitioners who had argued the case, involving the largest leveraged buyout in Canadian history, before the Supreme Court of Canada in 2008.

Law '85

Participation 9 per cent
Total Giving \$6,400

- Quinto Annibale '85**
- Janne Burton '85*
- Steven Chaplin '85 & Ann Chaplin '85**
- Richard G J Desrocher '85*
- Janet Fuhrer '85*
- David Lang '85 & Jacqueline Lang*
- Claire Le Riche '85*
- John McMunagle '85 & Anne Clark-McMunagle '85***
- Jeffrey Read '85 & Christine Read***
- Mark Strang '85**

Law '86

Participation 3 per cent
Total Giving \$4,225

- Christina Budweth '86 & Cameron Mingay '80*
- Robert Morrison '86***
- Pamela Scarrow '86*
- David R Wingfield '86***

Law '87

Participation 8 per cent
Total Giving \$44,217

- Fay Brunning '87 & Eric Williams '72*
- Henry Dinsdale '87 & Dr. Diane Wherrett*
- Mark Friedland '87 & Leslie Newman '87***
- William Lightfoot '87*
- Jeffrey Loudon '87 & Colleen Coman
- Ib Petersen '87 & Jennifer Canas '85

Law '88

Participation 5 per cent
Total Giving \$9,040

- Janne Duncan '88***
- Wayne Egan '88***
- Peter Kissick '88, LLM '98*
- Kelly-Anne Thomson '88 & Stephen Ardill*
- Hon. Julie Thorburn '88 & Roderick S W Winsor***

Law '89

Participation 3 per cent
Total Giving \$2,775

- Barry Appleton '89***
- Bruce Davies '89 & Christine Murphy*
- Michael McFadden '89**
- Juanita Wislesky '89
- Steven Zakem '89**

Law '90

Participation 3 per cent
Total Giving \$1,076

- Christine Howard '90*
- F Albert Lavergne '90 & Ingrid Johnson '89**
- Paul Quinlan '90*

Law '91

Participation \$3 per cent
Total Giving \$450

- Frank De Angelis '91*
- Yvonne Pelley '91 & Dr. Charles Pelley*
- Richard Wex '91 & Laila Wex

Law '92

Participation 2 per cent
Total Giving \$917

- Violet Putnam '92
- Harold Shepherd '92*
- Philip Tinkler '92**

Law '93

Participation 9 per cent
Total Giving \$4,300

- Joaquin Balles '93 & Julie Zamprogna '93
- Yvonne Chisholm '93
- Jin Choi '93*
- Jordan Furlong '93 & Joan Hatch*
- John Hartery '93 & Ann Hartery*
- Yongfu Li '93**
- Thomas Nesbitt '93 & Dr. Susan Burgess*
- Brahm D Siegel '93**
- Frank Walwyn '93 & Tania Maciver***
- Claire Wilkinson '93*
- Tong Wu '93*

Law '94

Participation 7 per cent
Total Giving \$13,133

- Darryl Aarbo '94*
- Paul Fay '94*
- Lisa Gilvesy '94*
- William Holder '94*
- Claire M C Kennedy '94***
- Marius Schuetz '94 & Xiao-Yu Gu '95*
- Daina Selvig '94*
- Katherine Tew Darras '94***
- Julie Watkinson '94**

Law '95

Participation 5 per cent
Total Giving \$3,645

- Roberto Durante '95*
- Erika Chozik '95*
- Vanessa Grant '95 & Philip Street***
- Johnna Kubik '95*
- Grant Lynds '95*
- Kaori Miyake '95*
- Denny Pollock '95*

Law '96

Participation 3 per cent
Total Giving \$10,350

- Gary Batasar '96***
- Stephanie J Kalinowski '96*
- Claudette Pennesi '96
- Robin Tessier '96 & Monica Tessier '96*

Law '97

Participation 3 per cent
Total Giving \$515

- Jamie Bocking '97 & Cynthia Anne Wilson*
- Stefan Charles '97
- Sarah Colman '97
- Susan Gaudi '97*
- Michelle Moldofsky '97*

Law '98

Participation 4 per cent
Total Giving \$2,711

- Brendan Bowles '98 & Christine Maloney*
- Colleen Dempsey '98 & Geoffrey Hall***
- Dexter John '98*
- Susan Lee '98
- Sandra Montanino '98 & Roberto Montanino*
- Bernard Thomas '98*

Law '99

Participation 3 per cent
Total Giving \$2,300
 Brigitte Gratl '99*
 Karen Illsey '99 & Dr. Adam Kirton
 Sanjay Joshi '99 & Shaheen Joshi***
 Johnathan Mastorakos '99*

Law '00

Participation 3 per cent
Total Giving \$1,080
 Frank Arnone '00*
 Sonia Barrette '00
 Phillip Drew '00 & Christa Bracci '00**
 Karim Renno '00

Law '01

Participation 2 per cent
Total Giving \$625
 Kathleen Cowick '01**
 Krista Leszczynski '01
 Yuping Liu, LLM '01

Law '02

Participation 3 per cent
Total Giving \$1,300
 Marvin Harik '02
 Melissa Mandel '02*
 Vivek Mehra '02*
 Owen Rees '02**

Law '03

Participation 4 per cent
Total Giving \$575
 Julia Lee '03
 Susan Lindsay '03*
 Damian Medeiros '03
 Andrey Pinsky '03
 Geoffrey Ritchie '03*

Law '04

Participation 1 per cent
Total Giving \$700
 Chunling Cao '04*
 Bo Rothstein '04 & Reut Rothstein '05***

Law '05

Participation 2 per cent
Total Giving \$610
 Reut Rothstein '05 & Bo Rothstein '04***
 Angela Lam '05
 Herbert Law '05

Law '06

Participation 1 per cent
Total Giving \$200
 Dwight Taffe '06*

Law '07

Participation 3 per cent
Total Giving \$800
 Patricia McLean '07**
 Ashley Palmer '07*
 Luciano Balduzzi '07*
 Roxanne Wong '07
 Matthew Solomon '07

Law '08

Participation 1 per cent
Total Giving \$750
 Saptarshi Chakraborty LLM '08**
 Christopher Slade '08

Law '09

Participation 20 per cent
Total Giving \$3,265
 Carey Allen '09
 Israel Apter '09 & Stephanie Krol '09
 Jean-Pierre Bouchard '09
 Patrick Brennan '09
 Ashley Brown '09
 Erin D Collins '09
 Jeremy DeMan '09
 Alicia Evers '09
 Amaan Gangji '09
 Matthew Giesinger '09 & Shauna Giesinger
 Christopher Girardo '09
 Lori Goldberg '09
 Robert Karn '09



Randy deKleine-Stimpson

Professor Paul Miller, lecture series director; Mary Abbott, partner at Osler, Hoskin & Harcourt LLP; Dean Bill Flanagan; and distinguished lecturer Professor Robert Sitkoff of Harvard Law School at Ban Righ Hall on March 27

Osler, Hoskin & Harcourt LLP funds distinguished lecture series

With a \$200,000 gift, Osler, Hoskin & Harcourt LLP has made a five-year commitment to fund the Osler, Hoskin & Harcourt LLP Distinguished Lectures in Business Law. This lecture series, launched as a pilot program in the winter 2009 term, brings world-class scholars and practitioners to Queen's Law to engage students, faculty and alumni in discussions on contemporary business law topics.



Greg Black

Ogilvy Renault LLP Classroom unveiled

With the generous support of Ogilvy Renault LLP, several upgrades were made to Room 100, which has been renamed the Ogilvy Renault LLP Classroom. A reception was held on September 23 to thank the firm, with Grant Jameson, managing partner from Ogilvy's Ottawa office, in attendance.

Leanne Kenning '09
 R Dylan Kerr '09 & Sara Moyer Kerr
 Alexandra Kington '09
 Joanna Kozakiewicz '09
 Rebecca Lee '09
 R Aaron Libbey '09
 Matthew Lui '09
 Katelyn Matthews '09
 Richard McCluskey '09
 David Munday '09 & Lisa Munday
 Emilie Nicholas '09*
 Kevin Parker '09
 E Courtney Petch '09*
 Julian Powell '09 & Catherine Powell
 Simran Prihar '09
 Jason Schmidt '09*
 Meaghan Thomas '09
 Jessica Noble Young '09
 Jennifer Willis '09
 Class of Law 2009

Family, Friends, Faculty and Staff

Estate of Daphne Cross*****
 Dr. Mervin Daub, BCOMM '66 & Elaine Forshaw**
 Hon. Morris J Fish*
 Dean Bill Flanagan**
 Howard Goodman & Karen Gordon***
 Hon. Alison Harvison Young***
 Patricia Jackson, BA '72****
 Dr. David Kostiuik & Jill de Villafranca**
 Alfred Kwinter***
 Hon. John I Laskin***
 Estate of Reuben Wells Leonard, LLD '30****
 Libby MacLeod*
 Jennifer M Marr
 Richard & Marilyn Soberman*
 Audrey White*****

Student Organizations

Class of Law 2010

Law Firms, Foundations and Corporate Donors to Queen's Law

Blake Cassels & Graydon LLP*****
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 V-CC Systems Inc**



Every year, the Queen's Law Reports gratefully acknowledges the generosity of alumni and friends who have made gifts to the law school. All of the donors listed here have helped the school support activities that enrich educational opportunities for our students, as have some who prefer to remain anonymous.

We are proud that Queen's Law benefactors are making gifts at much higher levels than ever before in the history of the law school. Over the past four years, the value of our annual individual donor support has increased 140 per cent, from \$230,000 in 2005–06 to almost \$550,000 in 2008–09. Our participation rate, however, has remained the same at about seven per cent.

Over the next year, we hope to increase our participation rates, with the goal of 12 per cent participation by 2010–11. We also hope that current donors will continue to remain generous. Government funding and tuition fees cover only a portion of the costs required to maintain a first-rate law school, so we must rely on the philanthropic support of our entire community.

As graduates who have enjoyed the benefits of a Queen's Law education, we should consider giving back to the institution that helped launch our careers by investing in its future, thereby also sustaining and raising the value of our degrees.

Whether you're a committed donor or considering your first gift, I hope you will make a contribution to Queen's Law in 2009. It's *our* gifts that make a crucial difference to the future of *our* law school.

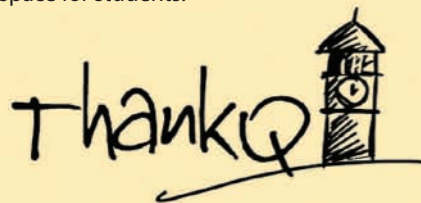
Sincerely,

David Allgood, Law '74
 Executive VP & General Counsel
 Royal Bank of Canada

Chair, Dean's Council

2009 ThankQ gift

The graduating class' ThankQ gift provides an opportunity for third-year students to give back to the law school. The Class of 2009 is directing its graduating gift toward a student-driven initiative to renew the law student lounge. Twenty per cent of the class donated individually and close to 100 per cent of Law '09 participated in fundraising projects in 2008–09 that raised a total of \$3,428. The goal of the lounge renewal, which will be completed in 2009–10, is to create a more comfortable and engaging space for students.



Dean's Excellence Fund continues to support students' educational activities

With financial support from alumni, students are able to participate in enrichment activities that complement their legal education.

Students converge on the Capital

Thirty-seven students debated the world's legal dilemmas and learned about careers in international law at a conference held in Ottawa.

"The quality of the speakers and level of debate was amazing. I'm glad I was able to attend."

— Adam Braun, Law '10



Behrouz Amouzgar, Law '10 (left), and Adam Braun, Law '10, on Parliament Hill during their visit to Ottawa for the Canadian Council on International Law Conference in October 2008.

Other 2008–09 Dean's Excellence Fund recipients

- In 2008–09, three Law '11 students presented papers at academic conferences:

Shaughnessy Hawkins, second annual Canadian Law Students' Conference, University of Windsor;

Anthony Lungu, Law & Society Conference, Denver, Colorado;

Erin Durant, international conference at Coventry University Centre for the International Business of Sport, U.K.

- **Ricardo Smalling, Law '11**, attended the 18th annual Black Law Students' Association of Canada national conference in Halifax.
- A group of students attended the Toronto conference "Changing the World," which brought experts together to inspire young people to innovate and better the world.
- Six Law '10 students completed internships around the world in the summer of 2009. See <http://law.queensu.ca/international/internshipPrograms.html>



Alex Patrick, Law '10, Miriam Ortved, Law '11, Kathleen Davis, Law '11, and Andrew Lahey, Law '10, at the second annual conference of the Clinton Global Initiative University held at the University of Texas in February. Pallett Valo LLP provided additional funding to support their participation in this conference.

Clinton's CGI helps Queen's Law 'go green'

Four students joined hundreds of their peers, academics and celebrities from around the world in Texas for three days in February to work with former U.S. president Bill Clinton to do their part in improving the world. They're going to start by implementing an environmental action plan for Queen's Law.

"The opportunity to liaise with all these global experts was an incredible experience. It left me feeling very hopeful for the future of our world."

— Miriam Ortved, Law '11



International Business Law students at the British Institute of International and Comparative Law in London on May 20 for the WTO Conference.

BISC students learn about world trade

Students in the International Business Law Program at the Bader International Study Centre in England learned about current problems in global trade and how the international legal community functions at the ninth annual World Trade Organization Conference in London last May.

"Listening to the discussions of seasoned international law practitioners and academics was a great supplement to our classroom dialogues, as we were able to see how the fundamental teachings of international trade law were applied in the real world."

— Igor Poroger, Law '11

Dean Flanagan and Queen's Law thank all donors for their generosity in enriching students' educational experiences.

Queen's Law Strategic Framework 2005–2010

Dean's Progress Report, August 2009

As we look back on a period of growth and renewal at Queen's Law, 2009 marks the fourth year of our five-year *Strategic Framework 2005–2010*. This plan is the first of its kind in the history of the law school. To date, we've made major progress on many of our objectives, based on the performance measures outlined in the plan.

1. Faculty growth challenges and tuition rate pressures

Over the last few years, we've witnessed a remarkable period of change within our faculty membership. We've hired seven new faculty members in the last four years, in subject areas ranging from corporate law to international law. Overall, more than 70 per cent of our 31 faculty members have been hired in the past 10 years.

Like universities around the world, Queen's Law has been required to adapt to unanticipated financial pressures. Owing, in part, to the recent economic downturn, Queen's University has imposed an across-the-board, five per cent annual funding cut over the next three years. At the same time, the Faculty faces an inequitable provincial tuition policy that permits Toronto law schools to charge fees between 40 and 80 per cent higher than those at Queen's Law, and which restricts our ability to raise additional revenue through tuition rate increases.

The University's cuts and the provincial tuition policy will limit our ability to continue to increase our faculty numbers. Our numbers of full-time teaching faculty increased from 28 to 31 between 2005 and 2009. Although we will do all that we can to maintain this complement of 31, the cuts may limit our ability to replace some departing professors over the next few years. Even at 31, we trail our competitor law schools significantly in the ratio of faculty to students. We will need at least 38 faculty members to meet our *Strategic Framework* target, which is to rank within the top five Canadian law schools by faculty/student ratio.

Number of Students per Faculty Member

University of Toronto	10
Dalhousie	11
McGill	12
Western	12
UBC	12
Ottawa	16
Queen's	16
Osgoode	17

Law School Tuition Fees in Ontario 2009–10

University of Toronto	\$21,767
Osgoode	\$16,325
Western	\$13,265
Queen's	\$12,191
Ottawa	\$12,169
Windsor	\$11,559

2. Library receives \$500,000 upgrade

The *Strategic Framework* identified library renewal as a major priority, and in 2006 we renovated the library's ground floor, completing upper-floor renovations in 2007. In support of this important project, our alumni donated close to \$200,000, while the University contributed \$300,000.



3. Interdisciplinary programs expand

To support a key objective of the *Strategic Framework*, we've continued to expand our interdisciplinary and combined degree programs.

By 2010, we will have added five new combined degree programs to our two pre-existing combined programs. With these seven programs in place, we will be able to offer more than twice the number of combined programs of almost any other law school in Canada. More than 60 students will be able to enroll in one of our combined programs, representing almost 15 per cent of our student body.

Business — three combined J.D./MBA programs

- In 2007, we launched a combined four-year J.D./MBA program with the Queen's School of Business, Canada's premier business school and ranked by *BusinessWeek* magazine (USA) as the No. 1 business school in the world outside the United States.
- In 2010, we plan to expand these combined programs to include the acclaimed Queen's Executive MBA program and the Cornell/Queen's Executive MBA.

Economics — J.D./MA (Economics) – to be launched in 2010

Urban Planning — J.D./MPL (Masters in Planning) – to be launched in 2010

Public Administration — J.D./MPA (Masters in Public Administration) — established in 2002

Industrial Relations — J.D./MIR (Masters in Industrial Relations) — established in 1997

4. \$1.2 million pledged toward scholarships

Another key priority in our *Strategic Framework* was the establishment of a renewable, merit-based entrance scholarship. Following the launch of a major fundraising campaign in honour of our 50th anniversary in 2007, we have raised more than \$1.2 million in pledges in support of the new Mullan Scholarship — the most successful fundraising campaign in the history of the law school. This scholarship is named in honour of Professor Emeritus David Mullan, Canada's leading scholar in administrative law.

5. Queen's Law recognized for exemplary research

Our international research profile has never been higher. In 2008, faculty members published papers in the *Yale Law Journal* and *Cambridge Law Journal*, two of the world's leading law reviews.

In 2008, we achieved unprecedented success by securing more than \$350,000 in funding from the Social Sciences and Humanities Research Council (SSHRC), Canada's most prestigious peer-reviewed research funding agency. Although Queen's Law makes up only four per cent of the University's total faculty, it was awarded 20 per cent of the University's total SSHRC funding in 2008.

In 2008, building on the strength of our long-standing LL.M. program, we launched a Ph.D. program with a target enrolment of six students.

6. Queen's Law goes global

We have made great progress in the past four years towards enhancing global perspectives in our curriculum, a major goal in our *Strategic Framework*.

Queen's is the only university in Canada with its own study-abroad facility, located at the Bader International Study Centre in England (BISC). Each May and June, we offer the three Global Law Programs featuring a range of courses in Public International Law, International Business Law, and Comparative Law.

Since 2001, when we founded the first program, the various programs have expanded from 10 students and two courses to 69 students and eight courses. The programs generated almost \$775,000 in revenue for the University in 2009, almost \$100,000 of which was directed to the Faculty to support our international programs.

In 2009, 56 first-year Queen's Law students (and another 13 from other law schools) participated in our Global Law Programs, representing 35 per cent of our first-year class.

In addition to the BISC programs, we offer students exchange opportunities at some of the world's leading law schools, including the University of Hong Kong, the National University of Singapore, the University of Cape Town and Tel Aviv University.

In 2009–10, 40 Queen's Law students (almost 25 per cent of our third-year students) plan to study abroad on an international exchange.

Queen's Law can now offer nearly 60 per cent of its students a study-abroad program, a far higher rate than any other Canadian law school.



Matthew Hunt

Students registered in the Global Law Programs at the Bader International Study Centre in June

7. School supports students' achievements

Among our performance measures for teaching and learning, the *Strategic Framework* highlights admissions standards, student job-placement statistics, and independent measures of student satisfaction.

Our admissions standards place us in the very top tier of Canadian law schools, a ranking that has risen even further in recent years.

- Since 2005–06, the cumulative undergraduate average of our entering class has increased from 80 to 81 per cent, and we have maintained a top two-year average of 83 per cent.
- Since 2005–06, the average LSAT score has risen from 161 (81st percentile) to 162 (86th percentile).
- In 2004–05, 47 per cent of the entering class had completed a four-year honours degree. In 2008–09, this figure had risen to 59 per cent, and a further 11 per cent had completed a graduate degree.

Placement rates for our graduates continue to be among the very best of any Canadian law school. In 2008–09, more than 85 per cent of our students had secured an articling position before entering third year, and virtually all students secured a position before graduation.

Students give Queen's Law a high rating

Queen's Law earned strong scores in the 2009 Law School Survey of Student Engagement (LSSSE), which compared results from 11 other Canadian law schools and 77 U.S. schools (a total of 27,000 students). In comparing our results to other schools, Queen's Law students reported an exceptional degree of satisfaction with the following aspects of their education:

- study-abroad opportunities
- academic advising and planning
- personal counselling
- participation in law-school sponsored activities
- social and academic support
- campus events and activities
- financial counselling
- faculty and staff interpersonal relations

Our results were substantially higher than other Canadian schools on the following two key indicators:

(1) 93 per cent of Queen's third-year students evaluated their entire experience as good or excellent (with 47 per cent reporting excellent), higher than any other Canadian school that participated in the survey. Only 79 per cent of students at Canadian schools said the same, with only 30 per cent rating their experience as excellent.

(2) 93 per cent of our third-year students agreed that if they could start over again, they would choose Queen's (61 per cent reporting "definitely yes" and another 32 per cent reporting "probably yes"). Only 83 per cent of students at Canadian schools agreed, with only 45 per cent reporting "definitely yes."

8. Students learn beyond the classroom

Queen's Law continues to develop innovative programs and enhanced clinical programs, another key priority in the *Strategic Framework*.

- More than 60 students volunteer every year at **Queen's Legal Aid** and another 18 students enroll in our legal aid course in Clinical Litigation Practice.
- 18 students enroll in our **Clinical Correctional Law** course.
- 10 students enroll in our **Clinical Family Law** program.
- In 2009–10, with the support of a \$150,000, two-year grant from the Law Foundation of Ontario, we will launch our new **Queen's Business Law Clinic**, providing incorporation services and advice for small business and non-profit organizations and contributing to economic development in Eastern Ontario. The program will begin with eight students in 2009–10, and expand to 18 students by 2011–12.
- In 2008–09, 70 students volunteered their services in 12 different community organizations in cooperation with **Pro Bono Students Canada**.

Each year, through our four clinics and Pro Bono Students Canada, more than one-third of our students have the opportunity to study or volunteer in an experiential learning program.



Greg Black

Stephen Sigurdson, Law '84, Professor Roberta Romano (Yale Law) and Professor Paul Miller with students at the Osler, Hoskin & Harcourt LLP Distinguished Lecture in Business Law reception in February

9. Business law gains momentum

We've made major strides in building our business law program — another key strategic priority over the past four years. Our initiatives include:

- a combined J.D./MBA program, launched in 2007 (with the addition of two more combined J.D./MBA programs in 2010)
- a new Business Law Clinic, launched in 2009–10
- the Osler, Hoskin & Harcourt Distinguished Lectures in Business Law series, launched in 2009–10 with a five-year, \$200,000 gift from Osler
- a thriving International Business Law program at the BISC
- plans to hire a new business law faculty member in July 2010

10. Students receive financial support

A major objective in the *Strategic Framework* is to ensure Queen's Law remains affordable for its students.

- In 2008–09, 58 per cent of our students qualified for non-repayable bursary support from Queen's University and received an average bursary of more than \$4,000, representing about 40 per cent of the cost of tuition.
- Four per cent of our students received bursary support sufficient to cover all or almost all of the cost of tuition (more than \$10,000 each).
- In 2008–09, our students received more than \$3.3 million in government loans and grants; 64 per cent of our students qualified for an average amount of \$11,000.

11. Alumni and donor support grows

While the *Strategic Framework* aimed to improve our communications with our alumni and their engagement in school life, our response from our alumni and friends has exceeded our expectations.

At the outset of the Strategic Plan in 2005–06, we raised \$890,000 in donor support. In 2008–09, this figure had risen by 27 per cent to more than \$1.1 million, surpassing our *Strategic Framework* target of a 20 per cent increase.

Individual donations more than double

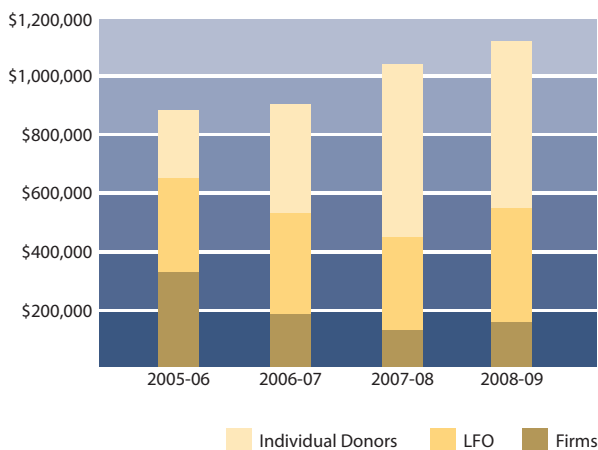
Over the past three years, we've seen a remarkable 140 per cent increase in donor support from individual alumni and friends, from \$230,000 in 2005–06 to almost \$550,000 in 2008–09. These record donations reflect the success of our David Mullan scholarship campaign, which focused primarily on eliciting support from individuals rather than firms.

Law firm donations decline

On the other hand, donations from law firms have declined by about 50 per cent, from \$345,000 in 2005–06 to \$160,000 in 2008–09. This drop partly reflects our recent focus on individual gift-giving, as well as a gradual reduction in firm donations as payments were completed on earlier five-year pledges made in support of the 2002 building renovations.

This reduction signals a need to renew our firm-donation strategies over the next few years. The new \$200,000 five-year pledge by Osler, Hoskin & Harcourt in support of our Distinguished Lectures in Business Law series is the first step in this renewal. The next steps include a long-overdue, \$850,000 renovation of our four major basement classrooms, each providing potential donor firms with unique naming opportunities. This fall, we'll be approaching major firms to seek their support, with the goal of completing renovations by the fall of 2010.

Contributions to Queen's Faculty of Law



Law Foundation commitment grows

Our support from the Law Foundation of Ontario (LFO), fairly consistent at about \$340,000 a year, will increase next year with the addition of a two-year \$150,000 grant in support of our new Business Law Clinic. In the next year, we will seek additional significant LFO funds in support of a new Centre for Law in the Contemporary Workplace.

Participation rate remains steady

Although our pledges and donations have grown by 27 per cent over the past four years, our participation rate remains stable, at about seven per cent overall, with a small increase during our Queen's Law at 50 celebrations. This pattern signals the need to engage more of our alumni in the life of their *alma mater* through external communications, alumni events and volunteering.

12. Queen's Law embraces future challenges

While our law school faces many future challenges, we have identified the following four major goals.

(1) Increase faculty size: We need to expand the size of our faculty, improve our ratio of faculty to students and continue to build a rich and supportive research environment — all of which will require additional resources.

We must continue to press the provincial government for greater tuition flexibility to begin to narrow the large funding gap between Queen's Law and the Toronto law schools. If Queen's Law could charge the same tuition as Osgoode Hall, we could increase our faculty size from 31 to 35, bringing us much closer to our target size of 38.

(2) Expand graduate program: We need to invest in our new Ph.D. program, to ensure that it makes a rich contribution to the school's scholarly reputation and environment.

(3) Maintain financial aid: We need to continue to monitor closely the level of financial assistance we provide our students in order to ensure that a Queen's Law education remains financially accessible. We must match any tuition increases with corresponding increases in financial aid.

(4) Broaden donor support: We need to renew our firm-giving strategies and maintain recent gains in individual donations, while continuing our efforts to reach out to alumni. We have set an ambitious target to raise more than \$35 million in the next 10 years. Along with our plans to renew classroom facilities, we will now focus on the pursuit of funded chairs and professorships and funded research centres. Funded chairs will enable us to expand our faculty size, and funded research centres will support our scholarly environment and graduate programs.

The past four years at Queen's Law have been a remarkable period of change and renewal. The school is well placed to continue to thrive as one of Canada's leading law schools, offering a unique array of global programs, interdisciplinary opportunities, an ever-expanding research profile, exceptional student evaluations and a rapidly growing base of donor support.

— Bill Flanagan, Dean of Law

Queen's Law remembers former faculty and alumni who passed away in the last year

As this issue was going to press, we received the sad news of the death on August 17 of Professor Emeritus Hugh Lawford, who was one of the founding professors of Queen's Law and much-loved by his many students over the years. Details of his life and work will be featured on the Queen's Law website in September.



Professor K. Venkata Raman, who taught at Queen's Law from 1976 until his retirement in 1995, passed away on March 5, 2009, at the age of 76, in Kingston General Hospital.

A graduate of universities including Andhra in India, Yale and Stanford, he came to Queen's on a one-year appointment (1969–70) before accepting a Senior Research Fellowship at UNITAR (United Nations Institute for Training and Research) from 1970 to 1976. While working there on peacemaking and conflict prevention research, he developed the belief that ideas about law must always have practical application. When he came back to Queen's to teach, he was involved in the "New Haven School" of jurisprudence and became an important scholar in the nature of law and international law. His book, *Dispute Settlement Through the United Nations*, first published in 1978, remains an important reference text in the field of international law.

An enthusiastic teacher, Raman saw education and the next generation of scholars and lawyers as the best way to change the world for the better. He was a pivotal figure in the creation of the international law program at Queen's, and he supervised a number of LL.M. students from around the world. He coached moot teams for many years in the worldwide Jessup and Canada-U.S. Niagara competitions.

"He gave unstintingly of his energies to the creation of an international law program at Queen's," said Professor George Alexandrowicz in his eulogy. "His work, together with that of like-minded colleagues, in fashioning a relevant and comprehensive international law program has now come to full fruition with the current extraordinarily rich program at the law school."

Raman is survived by his wife Jaya, his children Gita and Bob, his siblings Someswari Vedula and Krishnan Kolluru, and his extended family in India.

Former students establish award in honour of Professor Raman

"Professor Raman was much loved by his colleagues and students," Dean Bill Flanagan said. "As only one example of how he touched his students, two of his former students, both of whom have excelled in careers in international trade and international tax law, Barry Appleton, Law '89, and David Kerzner, Law '90, have generously established an award in his honour."

The **K. Venkata Raman Memorial Scholarship** will be granted to students in the J.D. program, based on academic excellence in a course related to international economic law. **Alumni wishing to contribute to the award should contact Karen Gordon, Associate Director, Development, tel: (416)365-9548, email: karen.gordon@queensu.ca**

Professor Innis Christie, of Halifax, passed away on February 9, 2009, at the age of 71. He served as a professor at Queen's Law, 1964–1971, after which he moved to Dalhousie Law School, serving as the Dean, 1985–1991.

Professor Richard Gosse, Q.C., died in Vancouver on November 18, 2008, at the age of 84. A veteran of the Second World War, he completed his law degree at the University of British Columbia in 1950 and his D.Phil. in Law at Oxford. He was a



professor at Queen's Law, 1960–67, and then served as counsel to the Ontario Law Reform Commission and a member of the Law Reform Commission of B.C. In 1972, he

joined the law faculty at UBC. In his later career, Gosse's service included a position as Deputy Attorney-General of Saskatchewan, Inspector General to CSIS, and Chairman of the RCMP Public Complaints Commission. He is survived by his children Richard, Gisela and Alex, their mother Jean, and his extended family.

Professor Ross S. Irwin, Law '74, of Toronto, passed away on June 12, 2009, at the age of 58. An associate professor and associate dean at Queen's Law from 1989 to 1990, he left to join Osgoode Hall as a professor, assistant dean, and executive officer. He was also a labour negotiator and human resources consultant. He is survived by his sisters Dorothy and Elaine, as well as a large extended family.

1960



Jack A. King, Q.C., BA'57, Law '60, founder and owner of the Forest Grove Care Centre in Calgary, passed away on June 20, 2009, at the age of 74.

A generous, long-time supporter of Queen's Law, King was a Gold Level Sponsor of the David Mullan Entrance Scholarship. He is survived by his wife Noreen, his daughter Alison, his granddaughters Rachel, Rebecca and Kathleen, and his sister Mary.

1969

James B. Noonan, Law '69, a labour relations lawyer for McCarthy Tétrault in Toronto, died on October 14, 2008, at the age of 63. Noonan was named by the Financial Post in a December 2006 list of



Canada's best lawyers in labour and employment. He is survived by his wife Cathy, Arts '71, daughter Rachel, Artsci '08, and brother Brian.

1971

Jean A. McNeil (nee Thompson), BA'68, Law'71, passed away in Etobicoke, Ontario, on January 3, 2009, at the age of 62. She is survived by her husband John, her children Ceara, Meds '07, Courtney and Andrew, her mother Hilda Thompson and her sister Elaine Schaumburg, Arts '65. McNeil grew up in Kingston and worked as an announcer on CFRC during her time at Queen's. She was a member of the Canada Pension Review Tribunal for several years and an active volunteer with Trillium Hospital.

R. Geoffrey Merritt, Law'71, barrister and solicitor in Markham, Ontario, died suddenly on April 30, 2009, in his 63rd year. He was a board member for many years with Pathways York Region. He is survived by his wife Sharon, his children Todd, Com '98, Ryan and Shelley, granddaughter Charlotte Rose, and sister Catherine.

1973



W. Robert Wilson, Law'73, died suddenly while vacationing in Costa Rica on February 25, 2009. He was 60. Wilson opened a law firm in Brockville, Ontario, with fellow

graduate Charles Anderson in 1975, and they practised for 15 years together until Anderson was appointed to the bench. Wilson continued practising in Brockville at Wilson & Evely. He was a long-time member on the volunteer boards for the Brockville Public Library, Family and Children's Services and the Thousand Islands Development Corporation. He leaves behind his wife Margaret, daughter Christine Antle, sons Matthew and Robert, and a large extended family.

1974



Barry Laushway, BCom'71, Law'74, died suddenly at his country home near Westport on January 27, 2009. He was 59. He practised law in Prescott, Ontario, first with Harpin

Beaumont and, after 1993, at Laushway Law Offices. He was joined in 2004 by his son Scott, Law '03, and in 2006 by his son Bryan. Although he had a general practice in a small town, Barry specialized in civil litigation and had appeared in every court in the country, from small claims court to the Supreme Court of Canada, where he argued the high-profile case *Childs v. Desormeaux*. Barry was also the town's Counsel and a past president of the Leeds and Grenville Law Association. Besides his sons, Laushway is survived by his wife Sharyn and a large extended family.

1975



Murray Woodcock, MBA'72, Law'75, Vice-President and General Counsel of Kilborn Engineering, Oakville, Ontario, passed away on February 7, 2009. He began his legal

career practising law in Peterborough, Ontario, until 1981, when he moved to Oakville and joined Kilborn Engineering. Woodcock is survived by his wife Gwen and his children Alison and Lauren.

1976



Gerry Charles Molloy, Law'76, a social worker at Belleville General Hospital, passed away on February 23, 2009. He worked on the police forces in England and

Bermuda, then moved to Canada and worked as a legal aid lawyer in Toronto and Regina before becoming a social worker in Brockville and Belleville General Hospital. He was a director of

the John Howard Society of Kingston and served as president for two terms. He is survived by his daughter Shen and her mother Anne, his siblings Theresa and Hugh, and his partner Deborah.

1979

Marion Green (nee Watters), BA'77, Law'79, a former lawyer with the Department of Justice Canada, passed away unexpectedly at home in Tyendinaga Mohawk Territory on October 21, 2008. Green leaves behind her husband Peter, children Peter, Bob, Law '92, Kathy, Jack, Karen, Law '85, Paul and Tom, 15 grandchildren and 17 great-grandchildren. Predeceased by her son Jamie.

1980



Terry Macli, BAH'75, Law'80, a family law lawyer and a gifted musician, passed away in Toronto on July 21, 2008, at the age of 54. He practised with Gaertner Math

before joining Birenbaum, Steinberg, Landau, Savin & Colrairie. Macli believed that family law was actually about families and joined Dr. Barbara Landau in successfully resolving several collaborative cases in innovative ways. He is survived by his wife Joanne and mother Grace.

Karen Elizabeth McCullough, Law'80, a complaints resolution counsel for the Law Society of Upper Canada, died in Toronto on August 17, 2008, at the age of 53. In 1984, she joined the Community Advocacy and Legal Centre (CALC) in Belleville, Ontario, as an executive director. From CALC, she joined Downsview Community Legal Services as executive director, and then joined the Law Society of Upper Canada. McCullough is survived by her husband, Craig Slater, Law '81, her children Deana, Blair and John, her parents John and Evelyn, and her brother John.

Seven distinguished graduates saluted for accomplishments, awards and leadership



Jackie Swaisland, Law '06, a 2008–09 Fulbright Student Award recipient

Former LSS President wins Fulbright Award

The recipient of a Fulbright Student Award, **Jackie Swaisland, Law '06**, spent the 2008–09 academic year completing an LL.M. at Harvard.

When announcing her award last July, Dr. Michael Hawes, Executive Director of the Canada-U.S. Fulbright Program, said, "We are thrilled to have a student of Ms. Swaisland's calibre as part of the Fulbright family. She has demonstrated her leadership skills and academic excellence at Queen's Law and will, I'm sure, continue to do so at Harvard Law." He was right.

In her Harvard project, "Domestic Rights in an International Context," she argues for the extension of Canadian constitutionally protected rights in many international situations. Her work compares and contrasts Canadian, American and European law and provides a principled framework detailing when Canadian constitutional law should be applied to the actions of Canadian officials abroad.

Having received her master's degree in June, Swaisland continues to appreciate the future opportunities a Fulbright will make available to her. "Being a 'Fulbrighter' allows one to become a life-long member of a prestigious network of very talented and accomplished scholars," she says.

Swaisland, who has clerked at the Federal Court of Appeal and worked at the Constitutional Law Branch of the Ministry of the Attorney General of Ontario, received numerous awards and served as Law Students' Society President at Queen's.

"Queen's Law is a first-rate Canadian institution that really values student involvement and achievement," she says. "That helped to make me a competitive Fulbright candidate by providing me with a strong scholastic foundation and encouraging me to

participate in a variety of extra-curricular and academic endeavours."

She attributes her achievement largely to mentorship from her Queen's Law professors. "I benefited from the opportunity to work as a research assistant for a faculty member, a legal skills assistant for a first-year class, and as a student editor on the *Queen's Law Journal*," she explains. "My education at Queen's Law provided me with a solid foundation that allowed me to excel in the competitive environment at Harvard Law School."

About the Fulbright Program

By engaging the brightest minds in bilateral academic exchanges, the Canada-U.S. Fulbright Program seeks to enhance mutual understanding. Outstanding students, scholars and professionals strengthen Canada-U.S. relations by examining a wide range of critical subjects.

Operating in some 150 countries worldwide, "the Fulbright" has long been regarded as the world's premiere academic exchange. With the support of Foreign Affairs and International Trade Canada and the U.S. Department of State, this program is the gold standard for academic exchanges and intellectual opportunity. — Lisa Graham

Johnston named to Top 40

Barbara Johnston, Law '93, was named one of Lexpert's Top 40 Under 40 for 2008. A partner at Stikeman Elliott LLP in Calgary, and head of its employment and labour group, Johnston was named to the list for her action as counsel and co-counsel on high-profile human rights and administrative law cases that went as far as the Supreme Court, as well as for her advice on transactions worth more than \$10 billion.

"It was an honour to make the Lexpert list," she says. "I was humbled by the honour, particularly given the high calibre of the other recipients of the award."

Johnston has held an interest in public policy since the beginning of her legal education, leading her into labour law. Never one to sit still, since making the Top 40 list she has completed an LL.M. degree in labour and employment law at Osgoode Hall Law School, graduating in June 2009.

"Dealing with groundbreaking cases provides me with the opportunity to help effect positive changes in the law."

"I have been fortunate enough to work in an exciting area of the law where there are new challenges every day," she says. "I have always loved the academic side of law, and being provided the opportunity to deal with

groundbreaking cases provides me, in turn, with the opportunity to help effect positive changes in the law."

— Robert Marks



Barbara Johnston, Law '93, a partner at Stikeman Elliott LLP

Stikeman Elliott LLP

Disabilities advocate serving UN Convention

Ron McCallum, LLM '74, Professor of Industrial Law at the University of Sydney, was appointed Rapporteur to the United Nations Convention on the Rights of Persons with Disabilities in March. He was originally named last November as one of 12 experts on the first United Nations Committee for the Convention on the Rights of Persons with Disabilities. Now, as Rapporteur, McCallum is responsible for reporting to the UN General Assembly on the activities and recommendations of that committee.

"I congratulate Professor McCallum on being elected by his fellow committee members to this significant position, to which I am sure he will make an important and effective contribution," said Robert McClelland, Attorney-General for Australia, in a press release.

The UN Convention on the Rights of Persons with Disabilities is an inter-

national convention raising awareness of the rights of the disabled and prohibiting discrimination on grounds of disabilities. The monitoring committee, meeting in Geneva, hears reports from 62 countries that ratified the convention, considers complaints, and makes statements regarding the interpretation of the convention.

"I am sure Professor McCallum will make an important and effective contribution to the United Nations."

— Robert McClelland,
Attorney General for Australia

McCallum, blind since childhood, has worked extensively as an advocate and author in support of disability rights. The recipient of the Order of Australia in 2006 and the Australian Centenary Medal in 2002, he also won the 2007 Alumni Achievement Award, the Queen's University Alumni Association's highest honour, for his leadership and significant contribution to public service. His experience in

organizations that provide services to people with disabilities includes serving as Chair of Radio for the Print Handicapped of New South Wales Co-Operative and as a Deputy-Chair of the Board of Vision Australia.

"It is my wish, especially," he says, "that all children and young persons with disabilities have access to information, have an opportunity for education, and have the opportunity to obtain meaningful and satisfying employment, allowing them to be good citizens, to marry, to partner and to have children." — Robert Marks



Ron McCallum, LLM '74, professor and former Dean of Law at the University of Sydney

Work on victim compensation board "compelling"

Maureen Armstrong, Law '92, has long been dedicated to serving the public, particularly vulnerable communities. Last August, her hard work and enthusiasm were recognized with her appointment as Chair of Ontario's Criminal Injuries Compensation Board (CICB).

"I feel tremendously blessed for this opportunity," she says. "Since my early days as a law student at Queen's, I have always been attracted to the social justice field. The CICB's mandate to help address the needs of those who have experienced criminal violence is very compelling."

The CICB, created by the *Compensation for Victims of Crime Act*, is a tribunal that considers applications for financial compensation from victims of violent crime, and their families. It operates independently of Ontario's Attorney General, receiving more than 3,000 applications per year and



Maureen Armstrong, Law '92, has served a year as Chair of Ontario's Criminal Injuries Compensation Board.

deciding them by either oral hearings or document reviews. Armstrong works alongside three vice-chairs, 27 part-time members and a permanent staff of 50.

"I am responsible for ensuring that the Board's operations meet the standards the Ontario public expects of us: fair, objective, high-quality decisions in a consistent, timely and effective manner," Armstrong explains.

Since joining CICB, she has spent considerable time familiarizing herself

with processes and practices and assessing how she might improve them. She has also rendered a number of interim and supplementary decisions herself and provided guidance to the other adjudicators on issues relevant to fulfilling their role.

"The law is one tool in the toolbox for building and re-building lives."

Armstrong's strong background in social justice issues makes her ideal for the CICB's "compassionate, sensitive, patient and fair service." She served on the Canadian Human Rights Commission for over a decade, and during her recent vice-presidency at Legal Aid Ontario (Central and Eastern), she worked to make legal aid more accessible for low-income Ontarians.

Armstrong acknowledges the important role Queen's played as a "progressive law school" in helping her prepare for a career "where the law is one tool in the toolbox for building and rebuilding lives."

— Alexandra Manthorpe, Law '10

O'Donoghue wins deal making award

Leslie O'Donoghue, Law '88, described by the Financial Post as a "firebrand" general counsel for fertilizer producer and supplier Agrium, Inc., received the Canadian General Counsel Award (CGCA) for Deal Making at a reception on June 1.



Leslie O'Donoghue, Law '88, Canadian General Counsel Award recipient

For this award, CGCA looks at such criteria as the innovation involved in the transactions and how cross-jurisdictional issues were handled. O'Donoghue competed with four other counsel, including those from the Ontario Teachers' Pension Plan and CIBC.

"It isn't really a recognition of me," she told *Queen's Law Reports*, "but a significant recognition of Agrium's growth and team effort. Deals are a team effort. In order to get a deal like this across the line, everybody makes a valuable contribution."

When asked, O'Donoghue said that she believed she was nominated for this particular award for the 2008 acquisition of UAP, a deal worth \$2.7 billion USD and financed via an equity issuance of \$1.3 billion prior to closing. Agrium is now a leading source of agricultural nutrients on a global scale and North America's premier supplier of specialty fertilizers.

"The deal was really brilliantly financed," O'Donoghue said. "We had the equity financing in place before we closed, and therefore we weren't at the mercy of the financial markets. The deal was quite strategic from a risk point of view. It has given us a significant presence in the U.S. market, and it's a deal we are very proud of."

In the wake of the award, O'Donoghue has taken on a new portfolio as Agrium's Chief Legal Officer and Senior Vice President, Business Development.

"A law degree provides a great background for business opportunities and opens up many different options," she says. "It gave me the option of moving into the business development role. I look forward to continuing Agrium's growth."

— Robert Marks

Project coordinator thrives in women's justice

Kirsti Mathers McHenry's long-standing commitment to ending violence and discrimination towards women has culminated in the launch of a new website for the Ontario Women's Justice Network (OWJN). Mathers McHenry, Law '03, is Project Co-ordinator for the OWJN, and so worked closely with its parent organization, the Metropolitan Action Committee on Violence Against Women and Children (METRAC), to revamp the 2003 website.

OWJN's mandate is to promote understanding of laws relevant to violence against women — personal violence, such as physical, sexual and emotional abuse and also systemic sexism and poverty barriers. As a key part of METRAC's larger "justice strategy,"

the site offers free, high-quality legal information that reflects women's diverse experiences and realities (visit www.metrac.org)

Mathers McHenry assembled about 50 volunteers to revise, write and edit articles. When the website launched in January, 100 new articles had been added. By March, about 50 more were in the works. Her next challenge: Make the public more aware of such a valuable resource.

"Thanks to our volunteers, new materials will appear regularly," she promises. "I hope to see many more Queen's Law students volunteering." It was after volunteering with feminist organizations and seeing the power of law as an instrument of social change that Mathers McHenry came to study with Queen's Law faculty who were experienced in women's equality.

"Studying with Bev Baines, Kathy Lahey and Sheila McIntyre was a dream come true," she recalls, "and many other faculty members pushed me to develop my analysis and understanding of how the law impacts people's lives." She was active in Women and the Law, Queen's Law Queers, and the Wilson Moot, "helping put classroom theory into practice and understand the connections between law and reality."

To submit an article, help with the website, or inquire about donating or subscribing, contact Kirsti at owjnresearch@metrac.org or go to www.owjn.org

— Alexandra Manthorpe, Law '10



Wendy Komiotis, Executive Director METRAC, Kirsti Mathers McHenry, Law '03, Project Coordinator OWJN, Andrea Gunraj, Outreach Manager METRAC, and Zahra Dhanani, Legal Director METRAC

Boyko proud to be a Canadian on new UN tribunal

On March 2, **Rose Boyko, Law '80**, was appointed to a seven-year term on the United Nations Appeals Tribunal.



Rose Boyko, Law '80, with UN Secretary-General Ban Ki-moon at the swearing-in of the United Nations Appeals Tribunal on June 22

This makes her an inaugural member of the new court created to improve the administration of justice within the world body, rocked in recent years by employee scandals.

Justice Boyko was sworn in on June 22. UN Secretary-General Ban Ki-moon used the occasion to remind the new judges that it had taken years to negotiate, plan and make their new system a reality, and that its professionalism and independence were expected to contribute to greater accountability within the UN.

Justice Boyko's tribunal will be hearing appeals regarding such employee contract issues as job termination and entitlement to benefits following allegations of fraud, theft, and abuse of trust, from anywhere the UN has offices. The system began hearing cases on July 1. It may take another year for appeals to reach her court.

The process leading to her appointment began with 237 applicants from around the world. The Independent Internal Justice Council, chaired by Madame Justice Kate O'Regan of South Africa, narrowed the field to 24 candidates, who were then voted on by the UN General Assembly. Boyko and six others were chosen for the Appeals Tribunal, with another eight selected for the Dispute Tribunal. All 15 judges are from different countries.

For Justice Boyko, who had recently retired after 14 years as a Superior Court of Ontario judge, the UN is a move back to her element. She studied international and labour law during her LL.B. at Queen's, following it with an LL.M. in Alternative Dispute Resolution at York University, and so she was a good fit for the UN post.

"I am proud that I was elected," she says, "and that a Canadian is on this court." — Robert Marks

Two Law '84 graduates to receive highest alumni awards

Linda Locke, Q.C., and **David Stratas, Law '84** classmates, will be honoured for their extraordinary achievements by the Queen's University Alumni Association (QUAA) at a gala campus dinner on October 24.

Locke will receive the annual Alumni Achievement Award for "demonstrating the high ideals imparted by a Queen's University education" through significant contributions to the legal profession and the community. She has devoted her career to providing much-needed legal services to aboriginal people and other disadvantaged residents in the Hazelton, B.C., region, which is among the poorest in Canada. As the managing lawyer of the remote community's sole legal clinic, Locke works tirelessly and selflessly to maintain services. It was she who rallied support and resources to keep the clinic's offices open when faced with discontinued funding by the B.C. government in 2002. In recognition of her work, she received the Canadian Bar Association's Community Service Award in 2003 and was granted the Queen's Counsel title in 2006.

Stratas, a partner at Heenan Blaikie LLP, will receive the QUAA Mentorship Award for his significant and ongoing contribution to the education and development of Queen's students. For the past 15 years, he has taught the popular Advanced Constitutional Law course as a sessional instructor, consistently receiving the highest teaching evaluation scores and winning a record seven Law Students' Society teaching awards. Top students are attracted to this course, eager to learn from one of Canada's most highly regarded and sought-after administrative law and constitutional litigators. Generating further enthusiasm in his students, Stratas invites appellate judges from the Supreme Court of Canada and Court of Appeal for Ontario to his class to judge their moots. Each year, he also coaches Queen's mooters in Toronto and Kingston and delivers many talks on written advocacy as a guest lecturer at the law school.

For information about attending the QUAA Gala Awards dinner in the John Deutsch University Centre, contact nikki.remillard@queensu.ca

— Lisa Graham



Linda Locke, Law '84: preserving legal services for the disadvantaged in rural B.C.



David Stratas, Law '84, with his record seven LSS teaching awards, is mentorship honoree.

First books by two Queen's Law alumni attract widespread acclaim



Justice Harvey Brownstone (middle) at the book launch for *Tug of War* on April 2, with Law '80 classmates Peter Re kai, Justice Wendy (Eismont) Malcolm, Eleanor Somerleigh and Ken Hood

Justice Brownstone breaks down family court barriers

Until earlier this year, a couple undergoing a divorce or adversarial child custody dispute often walked into the courtroom with little or no understanding of the process they were about to endure. In February, this changed.

On February 9, **Justice Harvey Brownstone, Law '80**, made history in the family court system. That day his book, *Tug of War: A Judge's Verdict on Separation, Custody Battles and the Bitter Realities of Family Court* (ECW Press; \$19.95), was published, breaking a long tradition of sitting judges not speaking out on the laws they interpret and administer in Canadian courts.

"The book does set a precedent, and hopefully has marked the dawn of a new era in the way the judiciary engages the public and the media," Justice Brownstone says. "The book has also helped to put family justice issues on the front burner in terms of public consciousness."

Response to the book has been overwhelmingly positive, catapulting Justice Brownstone into the public eye. He has been interviewed on radio and television at least 80 times. And this is before the U.S. advertising campaign has kicked in — or a French-language edition is published due to popular demand in Quebec.

That media response wasn't the only positive one Justice Brownstone received, however. As he told the *Queen's Alumni Review*, "The judicial culture doesn't encourage judges to

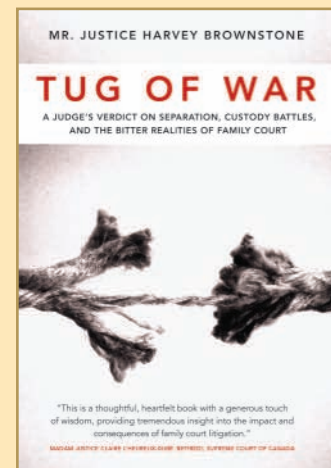
Acclaim from the Supreme Court for Justice Harvey Brownstone and *Tug of War*:

"The wisdom, warmth, humour and compassion in the book are all genuine reflections of the author, and it's that authenticity that combines with reality to give your words such power. For all you are and do, thank you. And thank you for finding the energy and time to turn your experience and insight into this magnificent contribution."

— Justice Rosalie Abella

"This book is exceptional for many reasons. It is written by someone who has been in the trenches and knows what he is talking about...written with the brains and heart of a brilliant, compassionate, fair and competent judge...and a very useful book for all those, and there are a number of them...who want to understand the process, who may go through the process and who will be enlightened by the process as described in clear, articulate and comprehensible, albeit elegant, language. It is a great book written by a great judge."

— [Retired] Justice Claire L'Heureux-Dubé



speak to the media or give speeches to the public. If we write, it's for lawyers or law schools." But giving people alternatives to using the courts to fight non-legal battles has won him kudos from many of his colleagues.

"Both Chief Justice Annemarie Bonkalo, [Law '76, Ontario Court of

Justice] and Chief Justice Heather Smith, [Law '71, Ontario Superior Court] sent me letters praising the book and expressing support," says Justice Brownstone. "Supreme Court of Canada Justice Rosalie Abella, my mentor, and retired Supreme Court of Canada Justice Claire L'Heureux-Dubé also sent supportive emails that were read out at the book launch celebration."

Justice Brownstone has been putting this new support and celebrity to good use. All of his royalties from *Tug of War*, which reached the national bestseller list within five weeks, where it remained for the past 10 weeks, are being donated to the Children's Wish Foundation. And word will soon be reaching far more of the families he hopes to help, for Justice Brownstone has been asked by the *Globe and Mail* to do a regular online Q & A session, with tens of thousands of people already logging on to ask questions.

With the book in its third printing and about to be launched in the U.S., Justice Brownstone is expecting to produce British, Australian, and New Zealand editions, in conjunction with judges from those countries, the author has every expectation the book will continue to be well received. Most of all, by helping people *through* the court system to helping them *avoid* it, he knows his book has made a difference.

"At my North York office, I have received hundreds of letters and emails from parents who have read the book and who feel it has shifted their focus and helped them reinvent their relationships with their ex-spouses, from 'ex-spouses to co-parents,'" Justice Brownstone says. "It is very gratifying to know that the book has resonated with so many people to such an extent."

— Robert Marks

If you're a Queen's Law graduate who has written a book that has been published recently, or is about to be published, then let us know. Send a brief description of your book to Lisa Graham, grahaml@queensu.ca

Toronto's historical potential unearthed

When **Mark Osbaldeston, Law '94**, combined his long-standing love of architecture with his years working in municipal law, he opened a door to a history of Toronto that was very real, but paradoxically never existed.

Osbaldeston's book, *Unbuilt Toronto: A History of the City That Might Have Been* (Dundurn Press, \$26.99), is a chronicle of the City of Toronto that was planned, but never built. And, with Osbaldeston one of the few people to have ever examined these failed plans, it has earned him a place as an expert in the field, lecturing in places like the Royal Ontario Museum and appearing on television and radio.

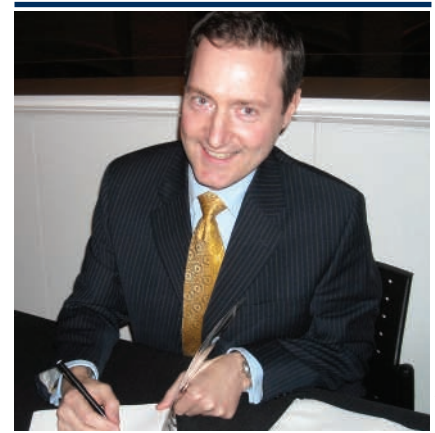
"I became fascinated with this idea of the 'city that might have been' — not only buildings, but highways, subways, whole city plans even."

Unbuilt Toronto's success is a welcome relief for Osbaldeston, who has had a passion for architecture since grade six, when he did a public speaking project on the need to preserve historic buildings.

"There was more than one summer's day when I was researching it, holed up in some windowless archive, when I thought, 'I hope I'm not the only one interested in this stuff,'" Osbaldeston says.

He need not have worried. His book has been met with acclaim, not only drawing a capacity crowd (including some of his classmates) to the book launch, but also attracting coverage in magazines, such as *Canadian Architect* and shows like "Breakfast Television." He also collaborated with the Toronto Society of Architects in organizing the "Unbuilt Toronto" exhibit at the Royal Ontario Museum and has given 12 lectures so far on the subject, with more scheduled.

"I started to think about some of those paths not taken when I was an undergrad at U of T and came across grand, forgotten plans for the campus that were killed by the Depression," Osbaldeston says. "I became

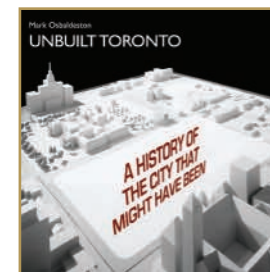


Loren Kolar

Mark Osbaldeston, Law '94, signs copies of his book, *Toronto: A History of the City That Might Have Been*, during the joint launch for it and the "Unbuilt Toronto" exhibition at the Royal Ontario Museum last December 4.

fascinated with this idea of the 'city that might have been' — not only buildings, but highways, subways, whole city plans even."

While he first started thinking about unrealized civic projects as an undergraduate, it was his degree in law and his experience working in municipal law that gave him the background in municipal development and the publishing experience he needed. During his law studies at Queen's, he published two essays, one originally written for **Professor Emeritus Gordon Bale, Law '62** and the second for **former professor Floyd Rudmin**.



"The encouragement I got from those professors to submit my work for publication really got the ball rolling for me," Osbaldeston says. "One essay was a history of the *Ontario Heritage Act* and the other was on the regulation of aesthetics in architecture — so you can see I was figuring out ways to write about buildings even then."

— Robert Marks

Patricia Allard, Law '96, continues the pursuit of social justice

By Georgie Binks

Nothing surpasses the fresh-faced optimism of a first-year law student. But to possess that enthusiasm years after graduation is certainly a gift one lawyer, **Patricia Allard, Law '96**, is fortunate to enjoy. Allard attributes her outlook to the fact she's spent her career pursuing social justice issues and working to change laws and improve society.

Allard, who hails from Montreal, credits her mother with giving her a strong sense of social justice. At Queen's Law, she helped develop a domestic violence bill for women in Guyana, volunteered with incarcerated women, and worked on an equity policy at the University.

She clearly had a mission. Before entering law school, she worked as a paralegal on Wall Street and got a first-hand glimpse of the corporate legal world. "I thought, there's got to be more to law than this for me. I had to find a way to use law for social change."

She also experienced the frustration of dealing with the legal system through the eyes of the disadvantaged while articling at Toronto's Parkdale Legal Clinic. "I got tired of fitting people into certain boxes. Instead, I thought, 'Why not change the boxes?'"

So that's what she did. She joined Amnesty International USA as a consulting legal policy analyst, tackling the issue of police brutality as a human rights issue. From there, she went to work for the Sentencing Project in Washington, D.C., as a senior policy analyst. When she entered the job, her goal was to change a federal law that imposed a lifetime ban of welfare benefits for those with drug convictions.

She continued working on the bill when she went to her new job as associate counsel at the Brennan Center for Justice at New York University Law School. However, after six years of work, the bill -- known as the *Second Chance Act* -- morphed into a more encompassing piece of legislation that provided, among other things, drug treatment programs and services for

"I got tired of fitting people into certain boxes. Instead, I thought, 'Why not change the boxes?'"

incarcerated parents while they were in prison and during their post-release.

Allard wants to emphasize the message to law students that the study of law can go far beyond the usual. "If you look at Washington, that city is chock-full of lawyers, but 90 per cent are not practising; they're changing laws. It may take a long time, but you can change things."

In Allard's new role as Deputy Director of the Canadian HIV/AIDS Legal Network, she'll be overseeing the research and policy department and tackling a number of issues. She starts off examining mandatory minimum sentences for drug offences — Bill C15. Says Allard, "Incarcerating addicts makes them worse. By crimi-

nalizing addiction, you make people hide it, and in prison there is no safe engagement. Putting people in jail increases the chances of HIV transmission."

Allard wants governments to implement harm reduction programs in the form of needle exchanges, especially in prisons. She views these exchanges as essential in reducing the number of HIV/AIDS cases. Another goal is to address the plight of women in African countries. She believes improving their human rights will make them less vulnerable to HIV/AIDS transmission.

She comes to the job with lots of enthusiasm, the same characteristic with which she tackled law school and each subsequent job. "I've found an organization that's committed to meeting with policy-makers and making changes here as well as doing it overseas. I couldn't be happier."



Patricia Allard, Law '96, Deputy Director of the Canadian HIV/AIDS Legal Network based in Toronto

Teddy Melvin

Congratulations to alumni from the Queen's Law community

1971

Mary E. Martin, Law '71, has published a trilogy of novels inspired by her law practice. Martin's books, *Conduct in Question*, *Final Paradox*, and *A Trial of One*, collectively known as the Osgoode Trilogy, revolve around Harry Jenkins, a Toronto lawyer who finds himself drawn into deadly intrigue. *A Trial of One* won the 2007 Reader's View Literary Fiction Award and the Maryglenn McCombs Award. Details about the books can be found at www.theosgoodetrilogy.com

1983



Richard Emmerson, Law '83, is a senior foreign legal advisor to SSEK Law Offices in Jakarta, a firm which has received the Indonesian Law Firm of the Year Award from *Who's*

Who Legal in the UK each year from 2006 to 2008. He has been listed by *Chambers Global* and *Asia Law & Practice* as a leading practitioner in the fields of M&A, insurance, corporate and commercial practice, corporate restructuring and corporate governance, and by the *International Financial Law Review*, *Chambers Asia*, and *Asia Law & Practice* as a leading labour and employment lawyer in Indonesia. Richard recently resigned as Secretary General of the Indonesia Canada Chamber of Commerce, but is continuing as a member of the Board of Directors. He also lectures at Trisakti University Law School. He can be contacted at richardemerson@ssek.com

1986

Heather Perkins-McVey, Law '86, received the Royal Ottawa Hospital Foundation's 2009 Inspiration Award on March 6, at a gala in the Canadian War Museum. The award recognizes her contribution to continuing education and the destigmatization of mental health issues.

Send an update for the 2010 issue of Queen's Law Reports

Email your news and photos by April 30 to Alumni Relations Coordinator Dianne Butler at butlerd@queensu.ca

1988



Bernard Clark

Patricia Monture, Law '88, received an honorary doctorate from Queen's University at the Arts and Science Convocation held on June 9, 2009, for her pursuit of justice for

Aboriginal Peoples. Patricia, of First Nations ancestry herself, is a sociology professor and academic coordinator for the Aboriginal Justice and Criminology Program at the University of Saskatchewan. She previously received the Human Rights in Action Award from the Canadian Association of Elizabeth Fry Societies, as well as the Sarah Shorten Award from the Canadian Association of University Teachers.

1993



Paul Feig

Brahm Siegel, Law '93, was appointed a Dispute Resolution Officer (DRO) in the family court of the Superior Court of Justice in March 2009. A DRO mediates law cases

where litigants are attempting to change a parenting or support order. Brahm is a certified specialist in Family Law.



WeirFoulds LLP

Frank Walwyn, Law '93, was appointed to the Ontario Judicial Appointments Advisory Committee on April 18, 2009. The committee drafts the short list that the Attorney

General uses to make appointments. Frank is one of only three lawyers sitting on the 13-person committee.

2009



Greg Black

Jacques Menard, LLM '09, was appointed an adjudicator on the Law Society of Upper Canada's Discipline Tribunal on May 28, 2009. The tribunal adjudicates con-

tested licensing applications and complaints being prosecuted against both lawyers and paralegals. Jacques continues his position as the Independent Chairperson of Kingston Penitentiary's Inmate Disciplinary Court (formerly the Warden's Court).



(l-r) Major Tammy Tremblay, Special Assistant to the Judge Advocate General; Chris Raybould, Queen's Toronto Alumni Branch President; Dean Bill Flanagan; Brigadier-General Kenneth Watkin, OMM, CD, Q.C., Law '80, LLM '90, Judge Advocate General; Major Kim Maynard; and Chief Warrant Officer Trepanier

1980

Brigadier-General Kenneth Watkin, OMM, CD, Q.C., Law '80, LLM '90, was the keynote speaker at the Queen's Alumni Breakfast Series in Toronto on April 7, 2009. Kenneth, the Judge Advocate General of the Canadian Forces, delivered a talk on "Canada's Military Lawyers" at the Toronto Branch's quarterly event, which showcases a Queen's graduate and provides Toronto-area alumni with an opportunity to re-connect and learn more about a wide range of topics.

Judicial appointments



Donald M. Cooper, Q.C., Law '73, was appointed Judge of the Supreme Court of the Northwest Territories on June 19, 2008. He served previously as the NWT's deputy minister of justice for 12 years and director, Legal Division, for the Department of Justice 1995–96. Beginning with his own firm in 1975, he continued practising with Brand and Company (associate) and then Cooper, Johnson (partner). He has been a Vice President of the NWT branch of the Canadian Bar Association since 1985.

Rick Leroy, Law '76, was appointed to the Superior Court of Justice, Kingston area, on June 19, 2009. He was previously a partner with Gorrell Grenkie Leroy Remillard in Morrisburg, ON. He leaves behind his 24-year membership in the Ontario Children's Lawyer Panel and the Family Responsibility Office Panel for Stormont Dundas and Glengarry and Leeds and Grenville counties.



Michael Brown, Law '79, a Superior Court Judge in Newmarket, ON, was appointed Regional Senior Judge, Central East Region, on March 2, 2007. He has served

as executive legal officer to the Chief Justice of the Superior Court of Justice, a Crown counsel and senior discipline counsel for the Law Society of Upper Canada, and senior policy advisor and executive assistant to the federal Minister of Justice.



Darla A. Wilson, Artsci '81, Law '84, has been a judge of the Superior Court of Justice in Toronto since December 14, 2007. While a lawyer with Lawson McGrenere LLP and Borden Ladner Gervais in Toronto, she developed an expertise in civil litigation,

general insurance defence work, medical malpractice, and defence of hospitals and other health care facilities on negligence claims. She is a member of the board of directors for the Medico-Legal Society.



Heather Perkins-McVey, Artsci '83, Law '86, was appointed to the Ontario Court of Justice on June 17, 2009, presiding in the Criminal Division in Ottawa.

She practised criminal law with Shore, Davis, Perkins-McVey in Ottawa for nine years, then as a sole practitioner in criminal matters with a special interest in mental health law. In 2008 the Minister of Justice appointed her special advocate to protect the interests of persons named in security certificates during in camera hearings.

Hugh K. O'Connell, Law '87, was appointed to Ontario's Superior Court of Justice (Newmarket area) on June 19, 2009. He was previously a deputy director with the Public Prosecution Service of Canada, Ontario Regional Office. A former "guns and gangs" taskforce agent, Justice O'Connell's career also included the Federal Prosecution Service, the Combined Forces Special Enforcement Unit and, most recently, the Public Prosecution Service of Canada.



Bonnie Warkentin, Law '89, a member of the Dean's Council, was sworn in as Judge of Ontario's Superior Court of Justice in August 2008, sitting in Thunder Bay.

A former president of the Frontenac Law Association, bencher of the Law Society of Upper Canada, and councillor of the Ontario Bar Association, she came to the bench via partnerships in Willoughby MacLeod Warkentin LLP and Cunningham, Swan, Carty, Little & Bonham LLP in Kingston.

Dean's Council members

Dean Bill Flanagan gratefully acknowledges the commitment and support of all the members of the Dean's Council:

David Allgood, Law '74, Chair
Executive VP & General Counsel
Royal Bank of Canada

J. Gregory Richards, Law '79,
Vice-Chair
Partner, WeirFoulds LLP

Betty DelBianco, Law '84
Executive VP, Chief Legal &
Administrative Officer, Celestica Inc

Justice Nola Garton, Law '73
Superior Court of Justice,
Toronto Region

Claire M.C. Kennedy, Law '74
Partner, Bennett Jones LLP

James M. Parks, Law '71
Partner, Cassels Brock

Victoria Russell, Law '75
Barrister & Solicitor

Michael A. Smith, Law '90
Partner, Patton Boggs LLP

Justice Jo'Anne Strekaf, Law '80
Court of Queen's Bench, Alberta

Kent Thomson, Law '82
Head, Litigation Practice
Davies Ward Phillips Vineberg LLP

Steven J. Trumper, Law '80
Senior Counsel, Marshall Diel & Myers

Justice Bonnie Warkentin, Law '89
Ontario Superior Court of Justice,
Thunder Bay



Queen's Law

Fall Reunion Weekend 2009 — September 25 to 27

The following classes will be celebrating reunions in the Fall of 2009.
For further information, please contact the following reunion coordinators:

1969

Don Bayne dbbayne@rogers.com, Rob Nelson rob@nelsonadr.ca

1994

Jay Armstrong Gates Jacqueline.ArmstrongGates@gowlings.com
Claire Kennedy kennedyc@bennettjones.com, Stephen Goodwin sjg@hicksmorley.com
Malini Moorthy Malini.Moorthy@Pfizer.com, Daina Selvig daina_selvig@hotmail.com
Katherine Tew Darras kdarras@isda.org

1999

Marchelle Cerny mcerny@rogers.com, Chris Ellis cjecje@gmail.com
Ali Nowak anowak@watlaw.com, Tom Zverina tzverina@torys.com

Spring Reunion Weekend 2010 — May 28 to 30

The following classes will be celebrating reunions in 2010.
For further information, please contact the following reunion coordinators:

1965

Peter Radley pradley@cswan.com

1970

Stephen Bernardo sbernardo@mathewsdinsdale.com, Robert Martin rmartin@lakeshorelaw.com
Doug McCallum dmccallum@jdkcap.com (September 2010)

1975

Helen MacLeod-Beliveau Helen.MacLeod-Beliveau@scj-csj.ca
Orm Murphy womurphy@tierneystauffer.com (September 2010)

1980

Pamela Taylor ptaylor@taylorlegal.ca, Lynne Frank lyfrank@rogers.com (September 2010)

1985

John McMunagle jmcmunagle@lawyer.com

1990

Charis Kelso charis.kelso@sympatico.ca, Joanne Mulcahy jmulcahy@bellnet.ca

1995

Vanessa Grant vgrant@mccarthy.ca, Lucy Siraco lucy.siraco@ttc.ca

2005

Trevor Shaw tshaw@lerner.ca, Heather Wood London hwoodlondon@djmlaw.ca
Erin Brady ebrady@casselsbrock.com

For more information, please contact Dianne Butler, Alumni Relations Coordinator
butlerd@queensu.ca, or (613)533-6000 ext. 78471

Queen's Homecoming Weekend 2008 & Spring Reunion Weekend 2009

Dean Bill Flanagan welcomed Law alumni back to campus on both Homecoming Weekend in September 2008 and Spring Reunion Weekend in May 2009. Returning classes enjoyed touring the law school and hearing about proposed renovations to basement-level classrooms, the student lounge area and the second-floor computer lab. For both alumni weekends, Dean Flanagan hosted his annual welcome reception on Friday evening in Macdonald Hall and cocktail reception at the University Club on Saturday evening.



FACULTY OF LAW
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Kingston, Ontario
Canada K7L 3N6

