

Queen's | LAW REPORTS

2018



LEGALIZING AND REGULATING **MARIJUANA**

Law as a Launchpad
Making the leap from law to business

First Nations' Champion
Law'07 litigator sets benchmarks



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Ten years ago, if you'd said my tenure as Dean would include an alumni magazine with this cover, I would have laughed politely and asked what you were smoking. But as anyone in the legal field knows, change is the one constant. Marijuana legalization, as it happens, is a good way to highlight the breadth and depth of our alumni and their accomplishments. From public policymakers to the funding of Indigenous enterprise, our alumni are leading the way in all walks of life and affecting all areas of Canadian society.

Change also means goodbyes – and a fond farewell to Don Stuart upon his retirement. Canada's most cited criminal law expert, he has been a beloved member of our faculty for decades. We are sharing a short overview of his storied career here.

Our alumni features also serve to show how the law is changing. They include venerable alumni like John Getliffe, Law'62, who returned to practice at the age of 75 after retiring from the bench, Deborah Orida, Law'92, working across the planet in Hong Kong, Donald McLeod, Law'95, who is inspiring youth in Toronto, Jamie Lickers, Law'07, already an Indigenous lawyer of note, and, from Hollywood, *The Bachelor's* in-house attorney, Caity O'Connor, Law'12.

At the law school, we are keeping pace with change by bringing bright minds from around the world to join us. We have increased our faculty by seven new members this year, on track to see our faculty complement grow by over 30 per cent. Our faculty are breaking new ground with grants fueling research in such areas as international commercial arbitration, limited scope family law services and shareholder democracy.

How we teach is changing as well, as we incorporate technology into the classroom in new and innovative ways, including Canada's first undergraduate Certificate in Law available entirely online.

It is an exciting time to be working in law, and an exciting time for law schools. Change is our constant, and I wouldn't have it any other way.

Dean Bill Flanagan

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On the cover

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The legalization of marijuana for recreational use in Canada, expected to take place this year, is a game-changer for lawyers, businesses, citizens and governments at all levels. It will have significant implications in many different areas of law, raising challenging new questions and offering exciting opportunities to break new ground for members of the legal profession.

BY MARK WITTEN



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Litigator Jaimie Lickers, Law'07, Gowling WLG's first-ever Aboriginal woman partner, has successfully represented Indigenous people in Canada in a host of landmark decisions affecting their rights.

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Karton part of unprecedented £1.1-million European arbitration study

The “black box” of international commercial arbitration might be giving up some of its secrets soon, and Queen’s Law professor Joshua Karton will be part of the team getting a peek inside.

Arbitration is an increasingly important means for resolving cross-border commercial disputes, but most international arbitral tribunals keep their decisions confidential. Even the mere existence of a dispute is usually secret; hence, the “black box” analogy many insiders use: “A dispute goes in, a decision comes out, and no one really knows what happens in between,” observes Karton, Associate Dean for Graduate Studies and Research, a specialist in international commercial law and dispute resolution, and author of a 2013 book about the international arbitration field.

Karton is the only North American on the 10-member international research team – lawyers, sociologists and psychologists – awarded a grant worth £1.1 million over five years from



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Associate Dean (Graduate Studies and Research) Joshua Karton

the U.K. Economic and Social Research Council. Their study, unprecedented in size and scope, will involve 400 on-location interviews and focus groups in 130 cities to determine how European arbitrators actually make decisions in cross-border commercial disputes, accounting for the impact of arbitrator diversity, market incentives, intra-tribunal

dynamics, and the social networks that shape the delivery of commercial justice in Europe. As Karton points out, grants of this size are rare in legal research, and international arbitration researchers may not get one like it again for a long time. “I’m excited to do such groundbreaking work on an important but poorly understood field.”

— JENNA RUMEO

\$250K support from LFO

Bala innovations to help self-represented family litigants

Professor Nick Bala, Law’77, a renowned expert on children and families in Canada’s justice system, has a major role in a project tagged “Limited Scope Family Law Services” that recently received a three-year grant of \$250,000 from the Law Foundation of Ontario (LFO).

The twin goals: increase the Family Bar’s capacity to provide “unbundled” services and stimulate demand by publicizing their value and availability.

There have been dramatic increases in family litigants appearing in court unrepresented, often for financial reasons. This creates huge challenges for the justice system while jeopardizing the rights, safety, and interests of everyone lacking representation or proper legal advice. “Unbundling’ is one of the innovations needed,” says Bala, “and not just in family law.”

This project will facilitate separated parties’ access to legal advice and representation for critical parts of the legal process. Lawyers may be involved on just one occasion or may have an ongoing coaching relationship with a client who

will take primary responsibility for their case. For the lawyers who become involved, education, precedents, and a website searchable by location and service types will be provided. Simcoe County gets the first pilot project in June. Expansion across Ontario starts in the fall. To improve delivery modes, Bala is

involved in researching the experiences of judges, lawyers and other professionals, as well as family clients.

Bala reports: “I’ll be involving student researchers in the project, and I already address issues of self-represented litigants and unbundling in my family law courses.”

— KEN CUTHBERTSON



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Professor Nick Bala, Law’77

Three SSHRC Insight Grants advance law faculty research

\$155K for Khimji's shareholder democracy study

Professor Mohamed F. Khimji, the David Allgood Professor in Business Law, received a Social Sciences and Humanities Research Council (SSHRC) Insight Grant as principal investigator for a five-year project entitled "Shareholder Democracy in Public Corporations – An Empirical and Economic Analysis." This is an issue of current interest to law- and policy-makers and reformers, and the far-reaching implications of Khimji's research for everyone who invests in capital markets could include greater managerial accountability.

"Shareholder democracy is the key issue in corporate governance right now," he says. "While there appears to have been a surge in shareholder engagement in the governance of public corporations in recent decades, empirical data is lacking on how shareholder voting operates in practice and also on the extent, types and effectiveness of shareholder engagements. This important SSHRC study is an exciting opportunity to fill that gap."

Essert receives \$85K to study property law in a society of equals

Funded by a SSHRC award of \$85,100 over five years, Professor Christopher Essert aims to write a property law book from a legal-philosophical perspective, showing what property law is and how it is a justified institution in a society of equals.

Teaching property law, he says, has shown him a wide range of significant questions, many still unanswered. "How does one become the owner of something?" he asks. "What kinds of things can one own? What rights do owners have against others? Those questions are deeply related to all kinds of other legal, political and moral questions," he points out. He wants to justify and explain property in important new ways.

Beyond practitioners, Essert's primary goal for his book is to offer practical and alternative ways of thinking about property law – e.g., how it relates to homelessness and use of public space and justifies intellectual property rights.

Grant funds will pay for law student researchers and, eventually, an international workshop centered on his

Emerging scholars Henderson and Beach take a closer look at financial literacy education

At faculty orientation in 2016, new professors Gail Henderson (Law) and Pamela Beach (Education) chatted about their shared research interests. The result was a successful application for a two-year, \$67,114, SSHRC-funded study entitled "This Little Piggy Went Banking: Examining Conflicts of Interest in Financial Literacy Education Resources for Elementary School Teachers."

As both federal and provincial governments push to make financial literacy education a priority, research is crucial to meeting the policy goal of empowering financial consumers. The Henderson-Beach research will be the first empirical study focusing on financial education materials produced by the financial industry. "Our primary research question," explains principal investigator Henderson, "is whether these materials emphasize different lessons or different messages than do materials from other sources, such as non-profit organizations." The study also looks at how, and how much, Ontario teachers incorporate financial literacy into their classrooms.



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Professor Mohamed Khimji

The grant will directly impact Khimji's business law students, since most of the grant will be used to hire students as research assistants "contributing to all aspects of the study," he says.



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Professor Christopher Essert

manuscript that will expose the law community to important world scholars.

— MICHAEL ADAMS



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Professor Gail Henderson

The research team includes Lucy Sun, Law'19, and Jennifer McConnell, a PhD in Education student, who are assisting with collecting and analyzing data and disseminating results.

Talented researchers join the Faculty

New appointees bring expertise in business, criminal, labour and international law, legal theory and more

The Law Faculty's research and teaching complement continues to grow. Joining the roster of exceptional scholars this summer is a veritable bounty of six new professors: Benjamin Ewing, Ardi Imseis, Alyssa King, Sabine Tsuruda, Noah Weisbord, and the inaugural holder of the Stephen Sigurdson Professorship in Corporate Law and Finance – Robert Yalden.

"I am delighted to announce these appointments, all outstanding additions to Queen's Law," says Dean Bill Flanagan. "With the anticipated forthcoming announcement of a Queen's National Scholar in Legal and Political Philosophy, this will be a total of seven new faculty appointments increasing our faculty complement to 39, a remarkable 30 per cent increase since 2015."

Joshua Karton, Associate Dean of Graduate Studies and Research, adds, "I am so excited for these talented researchers to join the Queen's Law community. They have already earned international recognition in their respective fields. Here at Queen's, they are poised to make special contributions to areas of our traditional research strength, like criminal law and labour and employment law, and also to areas where Queen's has more recently established clusters of research excellence, especially business law, legal theory and international law."

Benjamin Ewing, a Visiting Assistant Professor at Duke University School of Law, earned his JD from Yale Law School, where he was a Coker Fellow, and his PhD in Politics from Princeton, where he was a Rockefeller Graduate Prize Fellow in the University Center for Human Values. In his doctoral dissertation, "Punishing Disadvantage: Culpability, Opportunity, and Responsibility," he argued that social disadvantages can deprive people of a fair opportunity to avoid morally culpable crime and thereby give them a claim to mitigation at sentencing. Ewing hopes ultimately to develop a general theory of fair opportunity to avoid punishment and explore its implications for sentencing, policing, criminal procedure and substantive criminal law. He has authored or co-authored articles published in the *Yale Law Journal*, *Law and Philosophy*, *Journal of Tort Law*, and *Canadian Journal of Law and Jurisprudence*.



Benjamin Ewing

Ardi Imseis comes to Queen's after a 12-year career with the United Nations and a number of years practising law in Canada, most recently as Senior Legal Counsel to the Hon. Catherine A. Fraser, Chief Justice of Alberta.

With law degrees from Columbia (LLM) and Dalhousie (LLB), he is completing a doctorate at Cambridge in Politics and International Studies, doing SSHRC-funded research on the intersections among international law, geopolitics and power in the work of the UN.

Imseis's research, teaching and practice expertise includes international humanitarian law, human rights law, refugee law, criminal law and international legal history, and his work has appeared in such leading journals as the *American Journal of International Law* and *Oxford Journal of Legal Studies*. The impact of his research is evident, too, in invited addresses to the UN Security Council, the U.K. House of Lords, and France's *Sénat*.

He has been a Harlan Fiske Stone Scholar and a Human Rights Fellow at Columbia Law School, as well as a Visiting Research Scholar in Law at the American University of Cairo.



Ardi Imseis

Alyssa King is coming to Queen's from Yale Law School, where she is a PhD candidate and a Resident Fellow with the school's Information Society Project. She earned a JD there and was the executive editor of the *Yale Journal of International Law* and a senior editor of the *Yale Law Journal*.

She also holds a BA from Harvard and a Master 2 from Paris's École des Hautes Études en Sciences Sociales. King writes on comparative civil procedure, exploring the intersection of normative systems through mechanisms such as federalism, arbitration and the reception of international law into domestic legal systems. Of particular interest to her are access to justice and the ways different adjudicators define their roles.

A member of the New York Bar, she previously clerked for Judge Barrington D. Parker (Second Circuit Court of Appeals) and Judge Nicholas G. Garaufis (Eastern District of New York).



Alyssa King

Sabine Tsuruda is completing a PhD in Philosophy as part of the UCLA School of Law's Joint JD/PhD Program in Law and Philosophy. After receiving a bachelor's degree from Stanford University, she completed her JD studies at UCLA, where she served as a senior editor of



Sabine Tsuruda

the *UCLA Law Review* and graduated Order of the Coif. In her doctoral dissertation, "Moral Agency and the Workplace," she develops a moral theory for legal regulation of labour and production in light of workers' interests in exercising freedoms of association and expression. For this work, she won a Charlotte W. Newcombe Fellowship.

Tsuruda also has research interests in contract theory and the morality of donative practices and has taught courses in UCLA's Philosophy Department. Her recent work has been published in the *South Carolina Law Review* and *The Oxford Handbook of Food Ethics*.

Noah Weisbord, currently a Visiting Professor at Queen's Law, will join the faculty as an Associate Professor. As a leading expert on the international crime of aggression, which involves individual criminal responsibility for aggressive war, he has helped diplomatic delegations define this



Noah Weisbord

crime. His research focuses on the role of criminal law in managing, reflecting or exacerbating intergroup conflict. One current project examines self-defence in Canadian criminal law from historical, comparative and conceptual perspectives. He has published scholarly articles in such publications as the *Harvard International Law Journal*, *Columbia Journal of Transnational Law*, *Duke Journal of Comparative and International Law*, and *Law and Contemporary Problems*, and his op-eds have appeared in the *New York Times*, the *International Herald Tribune* and Canada's *National Post*. His monograph on the crime of aggression in international law is forthcoming this year (Princeton University Press).

Weisbord earned his SJD and LLM from Harvard Law School and holds LLB, BCL, MSW and BSc degrees from McGill University.

Inaugural Sigurdson Professor welcomed

Robert Yalden, a senior partner with Osler, Hoskin & Harcourt LLP and an adjunct professor with McGill Law, will join Queen's Law on August 1 as the first holder of the school's newest professorship, in Corporate Law and Finance, named to commemorate his former mentor at Osler, Stephen Sigurdson, Law'84.



Robert Yalden

Yalden (Artsci'84), after clerking for Justice Bertha Wilson during her last year on the Supreme Court, began practising law as an associate in Osler's Toronto office in 1993, became a partner in 1998, and was part of the team that opened Osler's Montreal office in 2001. Fluently bilingual, he has served as Co-Chair of Osler's National Mergers and Acquisitions Practice for over a decade and also heads the Corporate Department in Osler's Montreal office. Repeatedly recognized as one of Canada's leading business lawyers, Robert has worked closely with senior management teams and boards of directors in shaping some of Canada's most innovative and groundbreaking transactions.

With three law degrees (LLB, Toronto and Montreal; MA Juris, Oxford) and a long-standing commitment to legal education and legal scholarship, he has taught at law faculties for over 25 years, focusing on corporate law, securities law and corporate governance. He has also authored or co-authored numerous publications, including the leading casebook *Business Organizations: Practice, Theory and Emerging Challenges* (2nd ed., Emond 2018).

Yalden lauds Dean Flanagan's efforts to solidify the reputation of Queen's Law as a leader in business law teaching and scholarship in Canada. "Creating the Sigurdson Professorship and the Allgood Professorship in Business Law is an incredibly valuable way to build momentum that will continue to propel the Faculty's business law program to new heights," says Yalden. "It's more important than ever to have centres of excellence committed to thinking about an area of law that has a profound impact on significant parts of Canadian society and on our economic and social well-being."

Watch for July's QLR Online to read more about our new faculty.

Trio of new directors for the Queen's Law Clinics

IP specialist expands Business Law Clinic's mandate

Since 2009-10, when he was the Business Law Clinic's first student manager, **Morgan Jarvis, Law'10** (Artsci'05, MSc'08), has been developing legal expertise in IP, technology commercialization and business law. He's been an associate with Gowlings (now Gowling WLG); VP and innovation strategist with AdviceScene Enterprises Inc. (pro bono services); a technology transfer officer, Ottawa Hospital Research Institute; and a review counsel with QBLC. Last August the former Olympic rower "returned" as the clinic's Director, steering a student crew of 23 delivering legal services to the Kingston area's growing innovation ecosystem, start-ups, social enterprises, not-for-profits and charitable corporations. Caseworkers are also forging new ties with Tyendinega Mohawk Territory entrepreneurs.



Morgan Jarvis, Law'10

DEREK CANNON

Elder Law Clinic is flying high with new leader

In May 2017, **Blair Hicks** became Director of the Queen's Elder Law Clinic (QELC), where she had been Review Counsel since 2016. "It felt like a great fit right from the start. Having spent much of my pre-law career as an Air Force Navigator with training and education roles, I was drawn to this opportunity to combine estate planning and elder issues (the focus of my own practice) and working with ambitious students."



Blair Hicks

VAL MITCHELL

Student caseworkers are managing more client files than ever before as demand continues to grow from seniors in Kingston, Cobourg, and area prisons for help with such issues as power-of-attorney misuse and abuse, wills, and estate administration.

Top prison law student-turned-lawyer now clinic head

Kathy Ferreira, Law'01, won the course prize in Clinical Correctional Law 17 years ago. Between graduation and her 2003 return to the Correctional Law Project as a staff lawyer, she clerked at the Superior Court Central West and developed prison law research materials for Legal Aid Ontario. In November, she became Director of the renamed Queen's Prison Law Clinic.



Kathy Ferreira, Law'01,

NICOLE CLARK

Ferreira recalls greatly enjoying her work with the vulnerable client group and advocating for their rights against the Correctional Service and the Parole Board of Canada. Students involved with the QPLC continue this work, which includes assisting with litigation as the clinic becomes more strategic. (See article below.)

Clinic strategy to ensure prisoners' rights are upheld at Federal Court level

When **Paul Quick, Law'09**, joined the Queen's Prison Law Clinic (QPLC) as a staff lawyer in October 2016, he and Director Kathy Ferreira, Law'01, began implementing strategies to give students representing inmates a more complex litigation experience while getting the Federal Court to quash decisions made by the Parole Board of Canada (PBC) and correctional decision-makers.

Quick points out that many prison system injustices are seen as intractable, and few prisoners can afford to hold correctional authorities accountable. Expanding the QPLC's front-line work into strategic test-case litigation will address these systemic problems head-on, letting students make real change while defending some of society's most vulnerable members.

The QPLC chooses its cases carefully. Quick and Ferreira (and former Director, Sean Ellacott, Law'01) have focused on applications for judicial review, where records of evidence are already established and cases can be heard within months. Of eight reviews of Institutional Disciplinary Court decisions initiated since October, five were resolved in the prisoner's favour, without hearings. Three went to the Federal Court: two with successful judgments and the third still under appeal. To date, the QPLC's most significant win has been against the PBC in *Dorsey v. Attorney General of Canada*.



Staff lawyer Paul Quick, Law'09, at the Queen's Prison Law Clinic

NICOLE CLARK

"Participating in tip-to-tail experiences of administrative law practice gives students deeper, more impactful understanding of advocacy strategies and administrative law principles," says Quick. Through 2018, the clinic will tackle a wider range of prisoners' rights, place greater emphasis on human rights, constitutional issues and remedies, and collaborate more with faculty experts.

The goal is to increase QPLC's potential to intervene as *amicus curiae* in appellate- and Supreme Court-level prisoners' rights cases on relatively short notice.

— ASCHILLE CLARKE-MENDES

Going extramural to study Indigenous law

As one of several Queen's Law outreach initiatives to Indigenous communities, a group of students, faculty and staff visited Akwesasne Mohawk Territory in November to learn more about Indigenous law and culture.

Kayla Stephenson, Law'18, one of the event organizers, says, "It is important for people in the legal profession to understand there are functional legal systems in Canada outside of the mainstream Western paradigm. The Queen's participants were humbled to see how intricate and long-standing the Akwesasne system is and blown away that it functions independent of any outside support."

Heather Cole, Law'96 (Artsci'91, MPA'00), event founder and Assistant Dean of Students, adds, "Our Queen's Law community is committed to learning about Indigenous law and culture. Everyone involved found the day to be a transformative experience. We hope to continue working with our Mohawk partners to make this an annual event."

Akwesasne offers an excellent opportunity for students, staff and faculty to learn more about the diversity of Indigenous people and better understand the integral

position they have in Canadian society and the country's legal terrain. For Stephenson, connections to the community run deep since she spent her summer working with their Justice Department through a placement with the Ministry of the Attorney General. The Territory, founded in 1754, is close to Queen's, having an Ontario entry near Cornwall, and its unique border, straddling modern-day New York, Ontario and Québec, adds to the complexities of its legal structures. It also stands out as Canada's first and only Aboriginal community to have established a court "for Indigenous people and by Indigenous people." It enforces 32 civil laws, while criminal matters remain the jurisdiction of either the province or the federal government.

Understanding Indigenous legal principles is expected to become increasingly important to Canada's legal landscape, so the Akwesasne workshop is one of several Queen's Law initiatives to incorporate Indigenous perspectives into its curriculum. (Watch for updates in issues of *QLR Online*.)

— With notes from Phillip Gaudreau and Michael Adams.



Assistant Dean Heather Cole, Law'96 (far left), and Kayla Stephenson, Law'18 (2nd right), with the Queen's workshop group on location in Akwesasne Mohawk Territory.

Champions again at Canada's arbitration moot

Queen's Law mooters held onto their Canadian title after winning the Mathews Dinsdale National Labour Arbitration Competition for the second year in a row. Advocates Geoff Dunlop and Adriana Zichy, both Law'19, prevailed over the University of Toronto team in the January 28 finals.

Professor Kevin Banks, faculty coach for the tenth year, was full of praise. "Geoff and Adriana were poised in the face of a barrage of questions, concise and articulate in their arguments-in-chief, and brief but brilliant in reply," he says.

Last year's winners, Stephanie McLoughlin and Geoff Tadema, both Law'18, served as student coaches to Zichy and Dunlop. Larysa Workewych, Law'18, assisted with research.

Judging the competition were Supreme Court Justice Malcolm Rowe, Ginette Brazeau, Chair of the Canada Industrial Relations Board, and Bernard Fishbein, Chair of the Ontario Labour Relations Board.

The Queen's team had the support of former Dean and Professor Emeritus Don Carter, Law'66, and Kingston labour lawyers Carol MacKillop, Law'94, and Vince Panetta, Law'95. The three have volunteered time and experience many



Mathews Dinsdale trophy winners Adriana Zichy, Geoff Tadema, Geoff Dunlop, Larysa Workewych, Professor Kevin Banks and Stephanie McLoughlin.

times over the past decade, and Banks is "convinced that their efforts and insights have been key contributors to the success of Queen's teams."

— ALEXANDER MCPHERSON

New courses to enhance 'readiness to practice'

As the legal profession changes with the times, so must law students. Queen's Law is enhancing its curriculum to ensure this happens, with two new courses aimed at addressing a potential "skills gap."

"Queen's Law's placement rates are already among the highest for a Canadian law school," Dean Bill Flanagan says, "but our alumni tell me there's a clearly identified need for new graduates with not only a strong knowledge of the law, but also practical grounding in how it is practised in the 21st century."

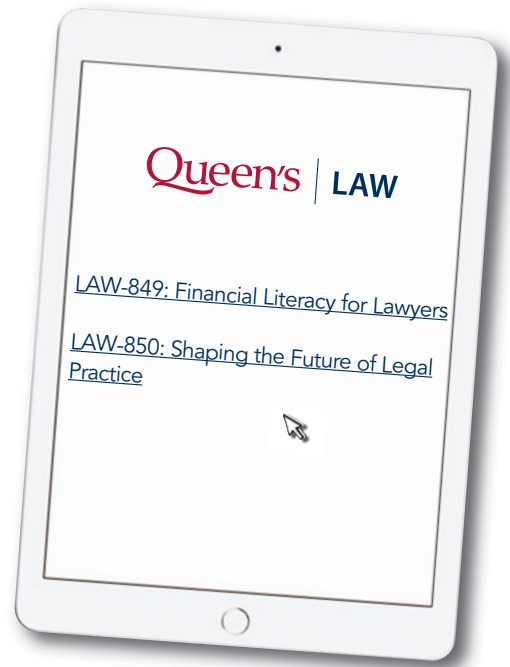
That's why the school will be offering two new courses for both JD students and legal professionals this fall. Course developer and program designer Shai Dubey, Law'94, says, "The goal is to accelerate the success of those with the knowledge to lead in the legal sector by giving them skills that let them hit the

ground running in practice."

The first course is Financial Literacy for Lawyers, providing the financial acumen to thrive in a rapidly changing legal environment.

The second is Shaping the Future of Legal Practice. "How is technology affecting delivery of legal services now?" Flanagan asks; "How will this change? New and different business structures are forming in law. Innovation is increasingly a core skill for legal practitioners. We want to encourage students to see themselves as future entrepreneurs, with an understanding of the technologies that will profoundly impact the legal industry."

The Dean adds that "expanding our toolkit will help ensure our students are ready for practice, without detracting from our core mission to train our students in law and legal analysis."



Pro Bono students lead Queen's Park bill



Queen's Pro Bono volunteers Olga Michtchouk, Law'18, Karla McGrath, LLM'13, Taylor Burnie, Law'19, and Ben Clarke, Law'19.

Queen's volunteers with Pro Bono Students Canada (PBSC) are enjoying the great satisfaction of seeing their work impact all of Ontario through a bill debated and approved at Queen's Park on March 29 for referral to the Standing Committee on Regulations and Private Bills.

It was students Olga Michtchouk, Law'18, Ben Clarke, Law'19, and

Taylor Burnie, Law'19, working with volunteer lawyer supervisor Karla McGrath, LLM'13, who identified an issue that arose in a PBSC clinic program and elevated it to prospective legislation.

Helping people get or replace Ontario photo ID cards exposed the problem, McGrath explains: marginally housed or transient people often had

neither the "permanent address" nor the \$35 application fee. Applying also requires prior identification, including a \$35 birth certificate. Having no card leaves many people without access to needed services and with no bank account for direct-deposit disability payments.

Generous donations from the Frontenac Law Association and Awesome Kingston Foundation provided a "workaround" resolution for some local clinic clients, but the underlying fee problem remained. The students' response was their "PBSC Fee Waiver Initiative."

In December 2017, the Queen's team enlisted the support of Kingston MPP Sophie Kiwala, who brought Bill 26, *The Fee Waivers Act*, to the Ontario legislature as a private member's bill.

"Many agencies working with low-income people have expressed significant interest and appreciation," says McGrath, "so this isn't just a Kingston issue. Getting Bill 26 approved will mean our Queen's Law students have made an impact on the entire province."

Students meet SCC's longest-serving Chief Justice

Before retiring as Chief Justice of Canada, Beverley McLachlin visited Queen's as the guest of honour at three events on November 20. Two of those events were with law students – a lunch and a small afternoon reception at the school. In between those gatherings and before a capacity crowd in Wallace Hall for the public Principal's Forum, McLachlin answered questions from Dean Bill Flanagan, touching on her career and the future of justice in Canada.

Students enjoyed the opportunity to meet, converse with and learn from Canada's highest-ranking judge. "It was a very humbling experience being able to communicate with such an influential woman," says Rachel Kurtzer, Law'19, an executive member of Queen's Women in Law, the club that was instrumental in organizing the visit with support from Professor Gail Henderson. "Chief Justice McLachlin was very warm and inviting. She engaged all those she spoke with, both during the talk and throughout the reception."

– ANTHONY PUGH



TIM FORBES

Chief Justice Beverley McLachlin meets law students at a reception in the faculty lounge on November 20.



NATALIE MONIZ-HENNE

The Honourable Stephen T. Goudge, QC, with Dean Bill Flanagan, CLCW Advisory Committee member Richard Baldwin, Law'72, and CLCW Co-Chair Hugh Christie, Law'81.

Legal luminary now a key figure with labour law centre

The Honourable Stephen T. Goudge, QC, was officially welcomed as Honorary Chair of Queen's Centre for Law in the Contemporary Workplace by CLCW members at a November 27 reception hosted by Gowling WLG's Toronto Office.

He served on Ontario's Court of Appeal with great distinction (1996-2014), received an honorary LLD from the LSUC (2014) and the Law Foundation of Ontario's Guthrie Award for exceptional work improving access to justice (2012), and was most recently appointed to the Order of Ontario for contributions as Commissioner for the Public Inquiry into Pediatric Forensic Pathology.

Well known as a leader in advancing labour and employment law, Justice Goudge will raise the CLCW's profile within its specialized community. Dean Bill Flanagan calls the Centre fortunate that its national advisory board includes leaders in the field. With its new Honorary Chair, he adds, the CLCW is well placed to continue advancing scholarship and teaching in Canada's workplace law.

– ASCHILLE CLARKE-MENDES

LSS awards honour standout teachers

This year's Stanley M. Corbett Awards for Teaching Excellence were won by Professor Lisa Kelly (full-time faculty) and Dhaman Kissoon, Law'89 (sessional instructor). In just her second year at Queen's Law, Kelly drew strong praise from student nominees for her depth of knowledge as a "vibrant and engaging" instructor, her method of encouraging and sharing legal analysis, and her commitment to supporting students. It was Kissoon's fourth award in his 28 years of teaching Racism in the Canadian Legal Context at Queen's. His nominees lauded him for "incredible enthusiasm and passion," balance of substantive legal instruction and current events, and overall quality of course content.



ANDREW VAN OVERBEKE

Dhaman Kissoon, Law'89, and Professor Lisa Kelly, winners of the 2017-18 Corbett teaching awards.

QLR

Congratulations to our 2018 Alumni Award recipients!



Thomas Houston, Law '78 (Com '75)

H.R.S. Ryan Law Alumni Award of Distinction

(for overall distinction in the legal profession)

One of Canada's leading corporate lawyers and a founder in 1985 of the Ottawa office of Dentons Canada LLP, Thomas Houston is well known as an advisor to technology companies, ranging from startups through venture capital financings to exits, including mergers & acquisitions and initial public offerings. A dedicated supporter of myriad worthwhile community causes in the nation's capital, he is also a two-term member of the Queen's Law Dean's Council (2011–2017), a generous alumni donor and a mentor to both students and young lawyers.



Brian Kolenda, Law '10

Dan Soberman Outstanding Young Alumni Award

(for early-career success)

The newest partner at the Toronto law firm Lenczner Slaght Royce Smith Griffin, Brian Kolenda – who made the Dean's Honours List at Queen's Law – has emerged as a rising star among Canadian trial lawyers. A member of The Advocates' Society and its Young Advocates Standing Committee, he has contributed to initiatives concerning interventions, reform of the Rule of Civil Procedure, and the organization of professional networking opportunities. In addition, he teaches a course in International Law at the U of T, is developing a similar course for Queen's Law, and has helped to coach the Queen's Law Trial Lawyers' Association moot team.



Owen Rees, Law '02

Justice Thomas Cromwell Distinguished Public Service Award

(for sustained outstanding public service)

Counsel with the Ottawa law firm Conway Baxter Wilson LLP, Owen Rees is a former Executive Legal Officer to the Chief Justice of Canada (2012–2015). He co-founded the Supreme Court Advocacy Institute, which led the Governor General to award him a Meritorious Service Medal in 2015 for improving access to justice. Earlier in his career, he was a college lecturer at Oxford and an adjunct professor at Osgoode Hall Law School and at Queen's Law, where he taught administrative law.

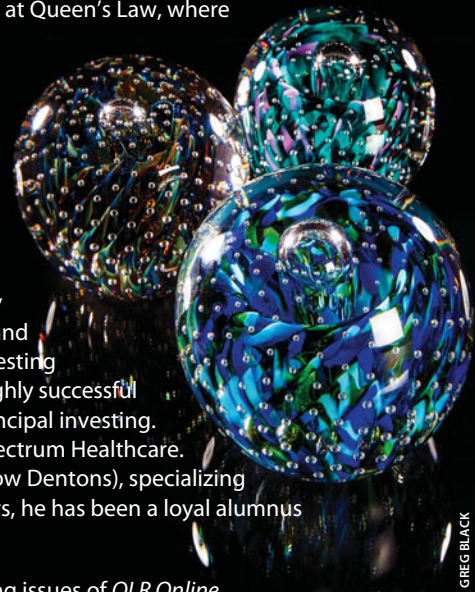


Jim Walker, Law '81

J.A. (Alec) Corry Distinguished Alumni Award

(for excelling in a career outside the traditional practice of law)

Co-founder of a successful mid-market Canadian private equity firm, CEO of a leading publicly traded real estate company (part of the Brookfield group of companies), and currently a Managing Partner of HOOPP Capital Partners investing private capital around the world, Jim Walker has enjoyed a highly successful and diverse career in the fields of merchant banking and principal investing. Currently he is also Chairman of Champion Petfoods and Spectrum Healthcare. Earlier in his career, he was a partner with Fraser & Beatty (now Dentons), specializing in mergers and acquisitions and securities law. Over the years, he has been a loyal alumnus and dedicated Queen's Law booster.



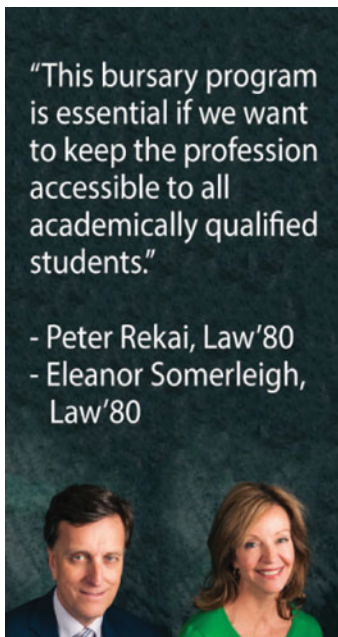
GREG BLACK

MORE ONLINE! Watch for articles about these award winners in upcoming issues of *QLR Online*.

Fellow alumni and other Queen's Law community members can nominate a deserving grad for one of the 2019 awards. Check out how at alumniawards.queenslaw.ca

QL60 celebrates Law's 60th with a fundraising triumph

Thanks to unprecedented support from alumni across all generations of Queen's Law, a 60th anniversary bursary program launched last September at Homecoming 2017 has exceeded its goals, raising over \$600,000 in just over six months to support bursaries at Queen's Law. Our thanks to all our alumni who supported this campaign and who have shown true Queen's Law spirit in ensuring that some of the brightest minds in law will find open doors at Queen's.



"This bursary program is essential if we want to keep the profession accessible to all academically qualified students."

- Peter Rekai, Law'80
- Eleanor Somerleigh, Law'80



"Queen's Law gave me a strong educational foundation to begin my legal career."

- Julia Webster, Law'13

Campaign emails focused on donor testimonials, celebrating alumni who had given to the campaign or other bursary-related causes.



"A bursary to provide financial assistance to allow an individual who might not otherwise be able to attend Queen's Law to do so... was something I really wanted to support."

- Karen R. Nixon, Law'82



Videos of students such as Jason Mercredi, Law'18, receiving bursary support, were another cornerstone of the campaign.



The campaign's success was announced in an email from the Faculty on April 30.

Our globe-trotting professors' latest year of career highlights



LAW CONVOCATION, SPRING 2017 – Faculty and guests who participated in laureating the Class of '17: Professors Stuart and Knutsen, LLD honoree Don Bayne, Law'69, Professors Weinrib and Essert, Associate Deans Metcalf and Karton, Justice David Stratas, Law'84, LLD'12, Professors Cockfield, McCormack, Banks, Peppin, Khimji and Baines, Assistant Dean Heather Cole, Professors Miklas, Bala and Hanson, and Dean Bill Flanagan.

Sharry Aiken continued her research and advocacy supporting a constitutional challenge of the Canada-U.S. Safe Third Country Agreement and took leadership roles with the Canadian Centre for International Justice and the Canadian Council for Refugees.

Bitu Amani, Co-Director of Feminist Legal Studies Queen's (FLSQ), co-organized the conference "(Re)Production: Inequalities of Gender, Racialization, and Class" and co-authored pieces on such topics as trademark use, the constitutionality of the immoral marks prohibition, and libraries as copyright custodians (of obsolete formats).

Martha Bailey created a Law and Neuroscience course. Her research on international surrogacy was the basis of a theatre piece at inForming Content. She published a report for the Department of Justice and articles in *Canadian Family Law Quarterly* and *International Survey of Family Law*.

Beverley Baines published a chapter ("Why Not Nine Women?") in *Constitutions and Gender* and co-authored "Feminist Constitutionalism in Canada" in *Handbook*

of the Canadian Constitution as preliminaries to her larger project: exploring what could render the *Charter's* promise of women's equality failsafe.

Nick Bala has continued researching shared parenting, child support and children's views in family cases, and together with Professor Mary-Jo Maur published a new edition of the *Family Law* casebook. He also has a lead role in a project using limited scope retainers to increase access to family justice.

Kevin Banks, Director of Queen's Centre for Law in the Contemporary Workplace and Editor-in-Chief of the *Canadian Labour and Employment Law Journal*, published on employment standards, labour arbitration, workplace discrimination and social inclusion. He served as Panel Chair in the first international arbitration on labour law obligations under a free trade agreement.

Art Cockfield presented papers at Queen's, Stanford University, the University of Toronto, the University of British Columbia, and elsewhere. His research focuses on tax law, law and technology theory, and legal ethics.

Samuel Dahan began his appointment in January after serving as a *référéndaire* on the European Union's Court of Justice, Luxembourg, for 18 months. He's working on applying advanced machine learning and an AI algorithm to law; creating "Conflict AnalytX," a predictive conflict resolution and negotiation platform; and, with Professor Banks, developing an AI and Data Analytics Lab. Watch for a July feature in *QLR Online*.

Christopher Essert continues to research and teach about property and homelessness. He won a five-year SSHRC grant to write a book about property law and justifying it as a necessary institution in a society of equals.

David Freedman co-authored *Oosterhoff on Wills* (8th ed., Carswell) and both spoke and published on charging clauses in wills and issues with competing claims over life insurance proceeds.

Leslie Green published "Law and the Role of a Judge" (Ferzan & Moore), *Legal, Moral, and Metaphysical Truths* and "The Forces of Law" (29 *Ratio Juris*). His many public presentations included the John Dewey Lecture (Chicago), Newcastle Law School's Annual Lecture, and Osgoode's 'Or' Emet Lecture.

Lynne Hanson continued pursuing interdisciplinary teaching strategies in mental health law and reviewed a book for the *Canadian Journal of Law and Society*. She remains President of Queen's University Faculty Association.

Gail Henderson is principal investigator of a \$67,114 SSHRC Insight Development Grant (June 2017) to examine potential conflicts of interest in financial literacy education materials produced by financial services companies. Her article "Indigenous Entrepreneurship and Social Entrepreneurship in Canada" is forthcoming in the *Supreme Court Law Review*.

Tsvi Kahana served as Academic Director of the Queen's/Tel Aviv Faculty Exchange and Research Program and co-edited *Boundaries of State, Boundaries of Rights: Human Rights, Private Actors, and Positive Obligations* (Cambridge).

Joshua Karton, now Associate Dean (Graduate Studies and Research), has worked to expand opportunities for graduate students and promote faculty research. He is part of a multinational team that received a UK grant (£1 million plus) to study arbitration across Europe.

Lisa Kelly co-edited the collection "Judicious Restraint: The Life and Law of Justice Marshall E. Rothstein" for LexisNexis and the *Supreme Court Law Review*, presented on corporal punishment at the American Society of Legal History and on abortion travel at a Reproductive Justice symposium at Florida International University.

Lisa Kerr published articles in the *Journal of Law & Society*, the *Supreme Court Law Review*, the *University of Toronto Law Journal* and *Critical Analysis of Law*, plus *Globe & Mail* and *Ottawa Citizen* op-eds. She discussed her research on CBC Radio, CBC-TV and TVO programs, served as faculty at the National Judicial Institute, and joined the B.C. Civil Liberties Association's board of directors.

Mohamed Khimji won a \$155,305 SSHRC Insight Grant as principal investigator for an empirical research project on shareholder democracy in public corporations. This fall, he will be a Visiting Scholar at Yale Law School.

Erik Knutsen was promoted to full Professor, published a study analyzing decades of Ontario medical malpractice,

presented on insurance law at Rutgers University, and published new chapters in his 3,000-page treatise (co-authored with Jeff Stempel) on American insurance law.

Kathleen Lahey continued working extensively with technical, legal and human rights issues of gender equality, taxation, and fiscal policy in countries at all levels of development, particularly low-income countries. Her recent writing has been widely published by Oxford University Press, Australia National University, the Canadian Tax Foundation and the United Nations (forthcoming).

Nicolas Lamp wrote about multilateral trade lawmaking for the *World Trade Review* and *Journal of the Royal Anthropological Institute*. He also wrote the problem for a major international moot court competition in India and presented at several conferences, including in Copenhagen, Geneva and Ottawa.

Mary-Jo Maur co-chaired the LSO's Family Law Summit and published papers on costs and innovations in family law procedure. She taught Torts, Family Law, Introduction to Lawyering Skills, and an introduction to Canadian law for undergraduates, focusing on blended learning innovations for law school classrooms.

Nancy McCormack published *How to Understand Statutes and Regulations* (Carswell 2017) and "When Canadian Courts Cite the Major Philosophers: Who Cites Whom in Canadian Caselaw" (available through SSRN). As a panel participant at the Thomson Reuters Centre, Toronto, she discussed legal publications' future content.

Cherie Metcalf, Associate Dean (Academic), taught Public and Constitutional Law and co-supervised the Laskin Moot team. She published articles on Indigenous rights in the *Supreme Court Law Review* (two issues) and initiated research collaborations in the U.S. and Australia.

Bruce Pardy challenged the rising tide of compelled speech in Canada in writing, debates, media interviews and videos; published in the *Law and Education Journal*, *Dalhousie Law Journal* and *National Post*; and presented on environmental law, tort theory and human rights law.

Patricia Peppin presented two papers in Prague last July and spoke at the Feminist Legal Studies Queen's conference in March about Food and Drugs Act amendments' impact on vulnerable patients. She will present her research on the duty to refer at Toronto's Law and Society summer conference.

Michael Pratt published a paper on the concept of betterment in the law of damages and is now writing on non-infringing alternatives in patent damages. He delivered a conference paper in Orlando and a CLE seminar on current issues in the law of remedies.

Darryl Robinson presented to International Criminal Court judges on the crime of aggression and to Kosovo Special Court judges on crimes against humanity. He lectured in Florence, The Hague, Nuremberg and Virginia and published articles on command responsibility and complementarity.

Don Stuart continues as editor-contributor for *Criminal Reports* and the *Criminal Essentials* eletter for judges. He published the 7th edition of his *Charter Justice* textbook and (with Steve Coughlan) the 14th edition of *Learning Canadian Criminal Law*. He's at work with David Tanovich, Law'94, and Lisa Dufrainmont on *Evidence: Principles and Problems* (11th edition). After retiring on June 30, he'll still teach one course a year (see pg. 14).

Jean Thomas published her first book, *Public Rights, Private Relations* (Oxford), conducted peer reviews for the journal *Canadian Women and the Law*, and was a faculty advisor for *Queen's Law Journal*.

Grégoire Webber, MSM, Canada Research Chair, completed his term as Legal Affairs Advisor to the Justice Minister and Attorney General of Canada last July and returned to host the Legal and Political Philosophy Colloquium. In March, he published *Legislated Rights* (Cambridge).

Professor Jacob Weinrib presented at the European University Institute and Universities of Oslo and Toronto. He published an article on proportionality, has articles forthcoming on human dignity, sovereignty, and constitutional reform, and is developing an innovative theory of administrative law.

Probable cause for retirement

The door to criminal law legend Don Stuart's office is closing – but not completely

BY KEN CUTHBERTSON, LAW'83

Don Stuart has announced his retirement. The 2017-18 academic year will be the last for one of the longest-serving and most widely respected and beloved members of the Queen's Law teaching fraternity.

"I could have stepped away nine years ago, when I turned 65," he says, "but for a couple of reasons I didn't. For one, I felt a responsibility to continue writing about and speaking out on legal issues, particularly those that relate to the *Canadian Charter of Rights and Freedoms*."

In the 36 years since the *Charter's* 1982 inception, the Supreme Court of Canada (SCC) has wrestled with hundreds of criminal cases in which the balance between individual rights and those of society was pivotal. Stuart recalls the late Brian Dickson (the SCC's Chief Justice, 1984-90) talking about the importance of legal scholars adopting a positive and constructive approach when they analyze and criticize the court's decisions. "The idea that academics are privileged and have a responsibility to help develop *Charter* principles stayed with me, shaping much of my thinking over the years."

The other reason Stuart didn't call it a career in 2009 was more personal. "I love my work. I enjoy teaching, writing, and interacting with students and colleagues," he says. "I'm lucky to have worked alongside a whole slew of very good people, among them the late Ron Delisle, LLB'64 (BSc'59), Allan Manson and Lisa Dufraimont (now teaching at Osgoode).

"In recent years, some excellent young legal scholars and teachers

have joined the Queen's Law faculty, and so, while I'm concerned about issues such as the rising cost of tuition at law schools and the dilution of the 'community atmosphere' as Queen's Law grows, I'm optimistic the school's reputation as one of Canada's best in the field of criminal law will continue."

While that will undoubtedly be so, it's equally certain that Don Stuart's presence will be missed.

A native of South Africa, Stuart and his sister grew up in a single-parent home after their father died in WWII, and Stuart learned early the value of working and studying hard. Fortunately, he was academically gifted and won a Rhodes Scholarship (PhD Oxford) that led him into a career as a legal scholar, first at the University of Witwatersrand, and then in Canada.



Professor Don Stuart early in his career at Queen's Law.


He taught part-time at Osgoode and then full-time at the University of Alberta before coming to Queen's in 1975. He has been here ever since – apart from a one-year hiatus (1988-89) as a Crown Attorney in Toronto. "That was the wisest thing I ever did, because it gave me a chance to see how academic legal theory relates to real life," he recalls.

Over the past 43 years, Stuart has earned a well-deserved reputation as one of Canada's foremost authorities on all aspects of the criminal justice system. A prolific legal scholar, he is author or co-author of countless articles and 51 editions of textbooks and casebooks. He has been editor of *Criminal Reports* for the last 36 years, and of the National Judicial Institute's *Criminal Essentials* e-letter (the influential criminal case digest for Canadian judges) for almost 18. His major peer tributes include the Award for Academic Excellence (Canadian Association of Law Teachers, 1998), the Mundell Medal for legal writing (Ontario Bar Association, 2007), and the G. Arthur Martin Medal for Criminal Justice (Criminal Lawyers' Association, 2012).

In the school context, he has shared his knowledge, enthusiasm, and admitted "pro-accused bias" (sparked by Apartheid) with generations of students and had his pedagogical passion recognized through four Law Students' Society teaching awards.

"On every trip to Queen's, I still visit Don to chat about the latest legal issues," says Justice David Stratas, Law'84. "He remains my teacher. He remains the best teacher I know."

As Jeremy Butt, Law'16, observes wryly, "Professor Stuart isn't shy.



"I'm optimistic the school's reputation as one of Canada's best in the field of criminal law will continue."

He will not hesitate to give you his opinions. And he will both solicit and challenge *your* opinions." That he does – and many would add "forcefully."

Stuart's retort: "I admit to being a curmudgeon, and I'm a bit old-fashioned. I enjoy talking with people face-to-face."

That's why his office door has always been – and continues to be – open to students, colleagues and alumni. He's ever-ready to discuss points of criminal law, offer career

advice, lend a sympathetic ear if a visitor brings a personal problem, or remind colleagues and students alike to strive for a healthy balance in their careers and personal lives.

There's no mistaking it: Don Stuart is, above all, a "people person."

While in retirement he will continue writing and editing and will teach one criminal course each year. He also intends to spend a lot more time with Pam, his beloved wife of

50 years, their three grown daughters – one of whom is Joanne Stuart, Law'03, a Crown counsel – and their lively families, which include six grandchildren. Stuart anticipates indulging his passions for golf and for swimming and canoeing at the family's cottage north of Kingston, too.

"I know I'll find plenty to keep me busy and happy," he says.

He always has.

QLR



The first “Law as a Launchpad” panelists at Queen’s Law: Brenda MacDonald, Law’92; Sam Altman, Law’82; Richard Tory, Law’89; Edward Boomer, Law’89; and Jim Walker, Law’81.

Law as a Launchpad

How to leverage a law degree into a successful corporate career

BY KEN CUTHBERTSON

Queen’s Law brought together five prominent alumni on November 22 to discuss the varied legal career paths that enabled them to leap into the business world. They participated in “Law as a Launchpad: How to Leverage Your Degree,” a new annual event organized by the Career Development Office for students of all academic and professional backgrounds.

The advice and insight shared by the panelists – four of them from private corporations and one from an operating utility – can be useful for lawyers of any age who are thinking of making that career leap into the business world.

The panelists, all prominent in the corporate world, are:

Sam Altman, Law’82, President of Joddes Limited;

Edward Boomer, Law’89, founder and President of Reference Realty Inc.;

Brenda Macdonald, Law’92, VP of Regulatory Affairs for Ontario Power Generation;

Richard Tory, Law’89, Managing Director of Investment Banking for Morgan Stanley; and

Jim Walker, Law’81, Managing Partner for HOOPP Capital Partners.

Sam Altman, Law'82

THE FAMILY OFFICE PRESIDENT

The wisest course of action for most young law school graduates early in their careers, Sam Altman advises, is to “log a few years of legal experience before pursuing an alternate career path.” The wisdom of those words is something Altman learned first-hand.

After earning his LLB at Queen's, he went on to do an MBA at Cornell, become a Chartered Financial Analyst, and enjoy a varied work experience – practising law in his native Toronto for three years, working in the corporate sector, and spending a dozen years as a consultant before changing gears to become CEO of PanGeo Pharma Incorporated, a Montreal-based pharmaceutical company. In 2003, Joddes Limited, owned by the Morris Goodman family of Montreal, acquired PanGeo. In 2005, when the company was merged with the Joddes subsidiary Pharmascience, Altman stayed on. Today, he's President of Joddes Limited, a prominent Montreal legal office that looks after the Goodman family's private investments, holdings, tax planning, philanthropy, etc.

“Legal training married with professional practice is valuable in many areas outside professional practice,” he says. “However, after two to three years, you should make the call whether or not you're in it for the long haul. In my work, legal training has also been very useful in helping me to understand governance and what it means to be a fiduciary, particularly in a family office role. I think my legal training, knowledge of regulatory frameworks, professional values, and so forth helped a lot to prepare me for my role.”





Edward Boomer, Law'89

THE REAL ESTATE EXECUTIVE

If you ask him, Edward Boomer will tell you there are two attributes that will help shape and empower any young lawyer's career. "Having the self-confidence and the courage to act will most definitely help define what you end up doing," he says.

Boomer's own career has been a prime example of those words in action.

He was very proud of his legal education and Bay Street practice but fairly early on realized that being limited to providing legal advice on large commercial real estate transactions didn't "fit with my DNA." Boomer's career aspirations were more ambitious. He wanted to be the decision-maker – taking risks, but also reaping rewards. "I wanted to be the person who took all the information and did something with it," he says.

After his 1991 call to the bar, Boomer embarked on a seven-year legal career that provided invaluable educational experience, both professionally and personally. After practising with Fraser & Beatty (now Dentons) and GE Canada, he transitioned to leading business roles with GE Capital Canada (Real Estate) and Kimco Realty Corporation and became a trustee and director of other realty heavyweights. After interacting with savvy real estate industry executives, many of whom had legal backgrounds, in 2010 he started his own highly successful real estate venture firm, Reference Realty Inc.

If a young lawyer is interested in pursuing a broader business role, Boomer says, "Developing and refining skills in a legal role provide an invaluable background, but it is also essential to soak up knowledge, to network, demonstrate competence, and to seize the opportunity when it comes along."

Brenda MacDonald, Law'92

THE POWER EXECUTIVE

Brenda MacDonald has sage advice for any young lawyer who's contemplating career options outside the legal profession: "Network, network, network. I use every opportunity to do so." She further offers: "Don't be afraid to take risks and move outside your comfort zone."

MacDonald, Vice-President of Regulatory Affairs at Ontario Power Generation (OPG), knows pretty much everything about making business connections and taking risks. Career-wise, it has paid off for her and provides a road map others can follow.

"Young lawyers should look to establish workplace relationships," she says. "It's really easy, but important, to establish connections through the way you work with others on your team and how you communicate and collaborate with your clients. And when you leave an organization, keep in touch with those people." That's because she sees companies increasingly competing "to search out and hire bright, hardworking lawyers with a high EQ – so important now in the workplace."

Early in her career she made a move in-house to Abitibi Consolidated. That was "a turning moment" for her. MacDonald found she enjoyed working on a team and being able to "contribute at both a legal and a business level." After Abitibi, she joined Bell Canada's in-house legal department. "I had a phenomenal 15 years with really unique opportunities," she recalls.

The decision to leave Bell in July 2013 and join OPG was "difficult," she says, but she was ready for bigger, more strategic career challenges. There's no doubt she's found them in her current business role, which she began in September 2017. "It's really exciting. I'm grateful that my legal career enabled such an amazing opportunity."





Richard Tory, Law'89

THE VETERAN DEALMAKER

Richard Tory would “never undersell” the value of a young lawyer’s years of experience in private practice. Tory himself reached a point in his own career where he knew he had to decide what it was that he really wanted to do professionally.

In 1998, he was a partner at Torys LLP, the venerable and esteemed Toronto law firm started in 1941 by his grandfather. But he ignored the warnings of family and colleagues when he took a leap of faith and accepted a relatively junior position at an investment bank in London, England. The move wasn’t easy, but what sustained Tory was the realization of how solid was the knowledge base he’d acquired at law school and in legal practice.

To say that Tory “succeeded” in his new career in the business world is an understatement. Over the course of the next 19 years, working out of London and Hong Kong, he earned a well-deserved reputation as a top-flight investment banker, shepherding deals worth billions of dollars. In 2014, “the veteran dealmaker” – as the *Globe and Mail* described him – returned home to head Morgan Stanley’s Canadian investment banking operations.

As he muses about his own career path and what it takes today for a young lawyer to succeed in either the law or business, Tory offers these words of advice: “Force yourself out of your comfort zone and have the self-confidence to take on new challenges. It’s hard, the world can be quite harsh, but it is critical to take that broader perspective.”

Jim Walker, Law'81

THE PRIVATE EQUITY INVESTOR AND MANAGER

Jim Walker, an executive respected for financial acumen and quantitative analysis, offered some 'Launchpad' advice that might seem counterintuitive: "Don't ignore your right brain."

The former CEO of a publicly traded real estate company now heads up private equity investing activities at the Healthcare of Ontario Pension Plan – both roles requiring pragmatism and logic (also lawyerly essentials) from the brain's left side, whereas the right brain is artistic and intuitive.

Yet Walker insists that he looks at a lot of career decisions he's made and realizes they've been very right-brain based. "If you follow your intuition," he says, "your right brain is processing a bunch of stuff, including left-brained data, that makes you feel a decision is correct in terms of your skills and what you find interesting. If you do go with intuition when making decisions, I think you're more likely to end up doing something you like, something you do well, and therefore something where you're more likely to be successful."

He once reached a point in his legal career where he felt his learning curve was flattening, and so he "jumped at the opportunity to do something different" when a headhunter offered the chance to become General Counsel with a major financial institution. Other largely right-brained decisions led from there to other interesting opportunities.

While such moves may not work for every lawyer, it's clear that Walker's worked out well. He's made a successful transition from practising commercial law to now leading a high-performance investing team at a multi-billion-dollar pension fund with more than 339,000 Ontario healthcare workers as beneficiaries.



From bar to bench and back

John Getliffe's passion for law has him practising again at 81

BY GEORGIE BINKS

When the Honourable John Getliffe, Law'62, was a young man, he had a chance to play for the Chicago Blackhawks – pretty enticing for any aspiring hockey player. But his dad Ray, a left-winger on Stanley Cup-winning Boston Bruins and Montreal Canadiens teams, had other plans for his son. “He talked me into going to law school instead,” John recalls. “I’ve never looked back.”

In fact, he went from a highly respected criminal defence lawyer and prosecutor in London, Ontario, to the bench, retired at the mandatory age of 75, and is now happily back fighting courtroom cases again.

He started practising law in London in 1964, and then, after a stint as acting Crown, to splitting his time between defending criminals and prosecuting them. “I enjoyed the challenge of being in court and the camaraderie of being among other lawyers,” he says.

Over the years, Getliffe handled a number of standout cases, including some where the accused had killed two people. “Double murders were always rather challenging,” he recalls, “but I had the satisfaction of getting all of them down from first-degree murder to manslaughter.”

In 1981, he was named Queen’s Counsel; in 2000 he was appointed to

the Ontario Court of Justice (at 63 the court’s oldest appointee at the time).

“Being a judge was the best job I ever had,” Getliffe says. “I really enjoyed it because I’ve never had any difficulty making decisions. I found counsel almost always well prepared, and the submissions were interesting.” Counsel returned the compliment, lauding his fairness. In 2012, at 75, he had to give up the gavel. That didn’t mean Getliffe was ready to retire from law, though; he re-entered private practice and two years later received the Law Society’s approval to appear in court on behalf of clients.

So, what has sustained his love for the law over all these years? “In every case, you’re looking for the hook,” as he puts it. “Sometimes there’s no defence, and you’re just making depositions or submissions on sentencing, but even the worst in society must be represented properly and, even if they’re convicted, they’re entitled to be properly sentenced.

“And it’s important to care about your clients,” he adds. “I never met any criminal counsel who were good at what they did if they didn’t care about people. I felt the same way when I was a judge. It’s all about fairness.” In fact, one of his concerns today is the challenge courts face in treating Indigenous people fairly.

Throughout his career, he’s seen significant changes in criminal law. “Under the *Charter*, a lot more paperwork, motions and spurious things have complicated criminal cases and made them much longer,” he notes. After Ottawa imposed mandatory sentencing, he took substantial issue with sentence discretion being limited or removed entirely from trial judges and is pleased that mandatory sentencing is now mostly history in Canada.

Though he loves his practice, Getliffe is considering a second retirement soon – not to put his feet up, but to golf and travel more and continue flying. (Yes, he’s still a licensed pilot.)

Last October, he celebrated his 55th anniversary reunion with four Law’62 classmates in Kingston. When they attended law school, they were a class of just 18. Student-faculty bonds were strong, Getliffe recalls, and Dean Bill Lederman and professors like Jim McIntyre, Al Mewett, Hugh Lawford, and Alec Corry (also Queen’s Vice-Principal) made a lasting impression.

“Law was what I came for,” Getliffe says. “We had a lot of very capable people on both sides, student and faculty, and there’s still no question that Queen’s had a big effect on me.”

And so, of course, did his dad’s sage advice.

QLR

"In every case, you're looking for the hook. Even the worst in society have to be represented properly."

John Getliffe, Law'62, outside the Ontario Court House in London on March 8, just hours before a jury returned a not-guilty verdict in his client's trial for manslaughter.

Flying high in the investment world



Deborah Orida, Law'92, at the landmark Victoria Peak overlooking Hong Kong, her Asian home base since 2012.

How dreaming big has paid dividends for Deborah Orida

BY GEORGIE BINKS

If you're going to ride a rollercoaster similar to the one zipping through financial markets earlier this year, it's a lot easier if you're as prepared as Deborah Orida.

Orida, Law'92 (Artsci'89), Managing Director and Head of Private Equity Asia for CPPIB (Canada Pension Plan Investment Board) in Hong Kong, has weathered the ups and downs of two turbulent periods in the financial world, 2001–2004 and 2007–2009, and emerged unscathed. "I credit that to the diversity in my background and the training I got as a lawyer."

Working in capital markets through those two cycles, she feels, provided her with great perspective. "In some ways, we all anticipated this volatility. As we've made our investments since then, we've tried to keep in mind not only diversity of industry but also diversity of timing. In private equity there's a concept of pacing, meaning you don't want to invest your whole fund in the first year. We've tried to be very conscious of pacing as we've built our own private equity portfolio over the past couple of years."

The Toronto native has a career most people can only imagine. While with Blake Cassels & Graydon LLP in Toronto for eight years, her work with investment banks on cross-border transactions opened her eyes

to the global potential of the job, so she added business to law (MBA Wharton) and then landed a job at Goldman Sachs in New York in 2000. From there she joined CPPIB in early 2009, working for Scott Lawrence (Com'96) to create the "relationship investments" strategy in which CPPIB makes significant minority investments in public companies. In 2012, she accepted an opportunity to lead that initiative into Asia, successfully growing it from one person and zero dollars to a team of six handling several billion dollars. She was then given added responsibility for a small team in Europe as well.

Today Orida's job in Hong Kong involves managing an \$11-billion portfolio in private equity funds as well as making direct investments. While all this might sound intimidating, she insists it's not. "At CPPIB we take a crawl, walk, run approach to managing businesses."

In addition to the job's career satisfaction, Orida has had the opportunity to see the world. Her territory stretches north to Japan, South Korea, and China, south to Australia, and west to India. "I've become very good at sleeping on planes. It's fascinating to do business across so many different cultures and in so many different countries at such different stages of development."

She says her accomplishments definitely stem from dreaming big dreams, a habit acquired from her classmates while at Queen's. "I was from a working-class family in Toronto, and the people I met at Queen's and remain friends with were a big inspiration to me. They had real ambitions and from day one were fixed on Wall Street careers after graduation. I'd never really thought of those opportunities until I lived with and studied with them."

"Aside from the mental discipline of how to analyze and think through a problem, my training and experience have also given me balance to assess both risk and opportunity. Law teaches you about risk and how to mitigate it; business teaches you about opportunity and how to pursue it. I think having that balance has allowed me to be a careful but successful investor."

And, of course, a skilled rider of those rollercoasters.

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"From Hong Kong it's fascinating to do business across so many different cultures and in so many different countries at such different stages of development."

Ontario judge never took the ‘beaten path’

Paying-it-forward has brought Donald McLeod’s leadership to the new Federation of Black Canadians

BY SHELDON GORDON

“Judges don’t sit in Eiffel Towers just because they’re on the bench.” So says the Ontario Court of Justice’s Donald McLeod, Law’95, who certainly practises the community involvement he preaches.

He recently accepted the chair of the new Federation of Black Canadians Steering Committee, a national non-profit, non-partisan organization partnered with other groups to advance the African-Canadian community’s social, economic, political and cultural interests.

McLeod consulted the Court’s ethics committee in advance to avoid potential conflicts of interest, given that the federation’s mandate is to advocate for reforms in corrections, mental health and education.

“We want to provide governments and organizations with solutions that will impact the Black community in a positive way,” he says. “That community is very diverse, but it understands the power of working together.”

McLeod came to the bench from a “road-less-traveled” background.

From the age of four, when his father left the family, he was raised by his mother in Toronto social housing. She taught him “it’s important to work hard in order to do well.” When that hard work, mentoring, and scholarships got him into Queen’s Law, it was an “eye-opener,” he says. “I acquired a good understanding of the law as something organic, not limited to

textbooks. That helped me when I argued cases before the Supreme Court of Canada and the Court of Appeal for Ontario; I was continuously stretching the law.”

On campus, he was Class VP and Queen’s Chapter President of the Black Law Students’ Association of Canada (which he continues to mentor). Another ongoing association with Queen’s Law is as a sessional instructor for Trial Advocacy.

McLeod began practising at Hinkson, Sachak in Toronto, made partner in 2000, and in 2002 established his own firm, the McLeod Group, doing criminal, administrative, sports and entertainment law – “all facets of the law that related to my personality,” he says.

“Not taking the beaten path was always the way I was going to go, because I wasn’t a ‘beaten path’ kind of lawyer.” Not surprisingly, his clients were a diverse group, including Olympic sprinter Donovan Bailey, former Toronto Argonaut “Pinball” Clemons, some Toronto Raptors, and one of the “Toronto 18” jihadis who pleaded guilty to planning terrorism.

McLeod also successfully argued two major racism cases: *R v. Golden* at the SCC in 1999 – a case addressing the constitutionality of police strip searches; and in 2009 the landmark *R v. Douse* case that revolutionized the traditionally used racial vetting process by adding the consideration

of non-conscious racism.

In 2013, he was appointed to the Ontario Court of Justice in Brampton, making him Canada’s 29th Black judge since the late Maurice Charles broke the colour barrier in 1969. He’s also the first Black judge to graduate from Queen’s University. Moving to the bench did not lessen McLeod’s community activism, especially if it would uplift and empower young Black males.

He became a founder and chair of the 100 Strong Foundation, established in 2012 when a group of successful Black professionals funded a Toronto summer school program for 12- and 13-year-old Black boys. Some 80 per cent of the first 100 students enrolled not intending to complete high school; they emerged with a goal of earning two university degrees.

Since 2012, Justice McLeod has also led Black Robes, a professional development initiative that began informally when younger Black lawyers came to his Monday evening meetings to be mentored. It evolved into a more formalized “safe space” where African-Canadian new calls can speak freely and ask questions without embarrassment. McLeod says he’s paying forward the mentoring he received as a Black youth.

“My template is the organizations that showed us what we could be.”

QLR



“The Black community is very diverse, but it understands the power of working together.”

Justice Donald McLeod, Law'95, in the Moot Court Room at Queen's Law, where he teaches Trial Advocacy.



Federalism

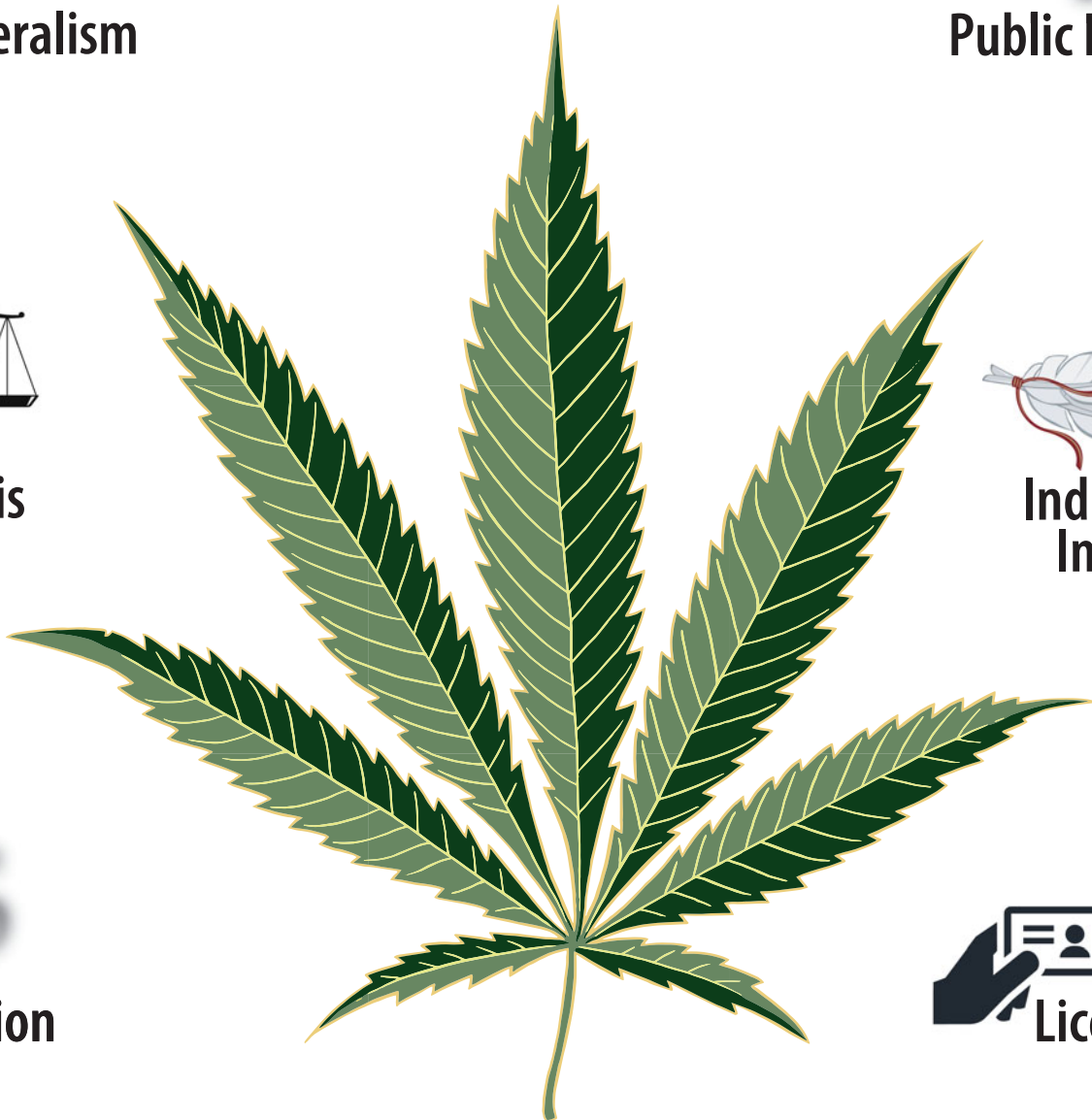
Politics



Public Health



Cannabis Law



Indigenous Impacts



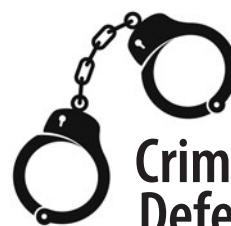
Taxation



Licensing



Workplace Safety



Criminal Defence

Legalizing and regulating marijuana

BY MARK WITTEN

The legalization of marijuana for recreational use in Canada, expected to take place this year, is a game-changer for lawyers, businesses, citizens and governments. It will have significant implications in many different areas of law, raising challenging new questions and offering exciting opportunities to break new ground for members of the legal profession.

As the first major industrial country to legalize recreational marijuana nationwide, Canada will be scrutinized as a first mover. It has an opportunity to lead the world in socially responsible legalization and regulation of the production, distribution and consumption of cannabis while protecting public health.

For this article, *Queen's Law Reports* invited the views of 11 professionals – 10 law alumni and a physician – who have already established their *bona fides* in the complex specialities attending the regulation, business, and health risks of what will be seen, historically, as a legal, political, and cultural revolution in Canada.

“Canada is already seen as a leading example of a safe, federally regulated industry for medical cannabis,” says Trina Fraser, Law’97 (Com’94), co-managing partner of Brazeau Seller Law in Ottawa and advisor to the cannabis industry on legal and business issues. “Many countries around the world are now looking to Canada because we’re going to be the first G7 country to legalize recreational consumption of cannabis on a federal level. It’s important for us to get it right.”

As early leaders in the industry, Canadian entrepreneurs and businesses, and their legal advisors, also have a rare international edge in realizing the economic development possibilities in an emerging, growing global business. ►

Politics of prohibition roll-back

The legalization of cannabis is long overdue. That's how Nathaniel Erskine-Smith, Law'10, MP (Liberal) for Toronto Beaches-East York, sees the issue through a legal, political and personal lens. "Prohibition has been a complete failure. Almost half of Canadians report using cannabis in their lifetime, and we don't want to treat them as criminals," he says.

Experience with other controlled substances shows there's a better way than prohibition to limit or reduce the potentially harmful effects of cannabis. "A more successful approach is through public health regulation and education," he says, noting that restricting commercial advertising, for example, has been effective in reducing harmful effects from tobacco use.

Erskine-Smith sponsored an e-petition urging the Canadian government to allow citizens to grow their own recreational cannabis at home when legalization is enacted, just as alcohol users have the right to home-produce wine

and beer. The government's proposed legislation currently permits up to four plants per household.

A key goal of legalization and regulation from a government and legal perspective is to shrink or eliminate the booming, illegal black market in production, distribution and sales and the attendant loss of tax revenue. "Most Canadian users will want to seek out legal pot, where there is quality control," he says. "I expect to see gains in undercutting the black market after legalization; the more diversity in the legal marketplace, the better it will be for consumers."

Constitution allows provincial diversity

Marijuana legalization is a good example of how Canada's Constitution can be seen in action. While the federal government is responsible for legalization, it's the provinces that have the power to regulate the legalized industry within their jurisdictions – the sale, distribution and marketing of cannabis, and who will be able to buy it.



“Since the provinces can take and are taking somewhat diverse approaches to regulating the production and sale of cannabis, we’ll be able to see over time which ones work best.”

— **Associate Dean (Academic) Cherie Metcalf, Law’02**

“Part of our understanding of federalism is that the provinces are different and the best policy in one province may not be the best in another,” says Law’s Associate Dean (Academic) Cherie Metcalf, Law’02, a constitutional law scholar. “Their choices reflect their distinct concerns and priorities.” The provinces also have flexibility to experiment with different regulatory approaches. “Since the provinces can take and are taking somewhat diverse approaches to regulating the production and sale of cannabis, we’ll be able to see over time which ones work best.”

This constitutional framework lets the provinces learn from each other’s experiences and evolve their models over time, while the country showcases various regulatory approaches to the world. Metcalf sums it up this way: “We’ll lead the way in legalizing cannabis nationally, and the provinces will provide diverse examples of how it can be done. We can be a leader in showing which approaches are more, or less, successful.”

Metcalf is confident that a long history of federalism in action will help to make the legalization work. “Our federal system provides a model for successful ways of managing this kind of transition from an absolute prohibition to a legally regulated industry,” she says. “The biggest challenge is the short time-frame for the provinces to develop and implement complex regulations. Many provinces are piggybacking on their existing ways of dealing with alcohol and tobacco, which is the easiest approach.”

Regulatory licensing issues

Determining who will be eligible or excluded from applying and being approved for a licence to produce, distribute or sell cannabis for recreational use is one of the most important and challenging regulatory and commercial issues in this emerging growth industry. Trina Fraser, a commercial lawyer and experienced medical cannabis practitioner, testified on the issues of amnesty and issuing licences for previously illicit cannabis market participants before the House of Commons Standing Committee on Health in September 2017.

Fraser argued that tolerance for some level of prior illicit market participation when granting security clearance for licence applicants should go beyond simple possession or small-scale cultivation to include trafficking as well. “Otherwise, everyone involved in the operation (and supply) of compassion clubs and dispensaries will still be excluded,” she said. “This would significantly impair the ability to achieve the government’s stated objectives of reducing both the illicit market and burdens on the criminal justice system.”

According to Fraser, a Canadian framework for legalization that allows for the inclusion of prior market participants who aren’t a threat to public health and safety advances the development of a healthy, thriving, legal cannabis industry.

“The illicit market in Canada is entrenched and pervasive,” she points out. “If the objective is to minimize the black market, you can’t turn a blind eye to the people who were involved in it, and it’s naïve to think people who operated in the black market will stop. Why don’t we bring those who aren’t a threat to public safety and health into the fold of the legalized industry, subject to licensing and oversight? The legal industry will benefit from their breadth of knowledge, they’ll pay tax on their income, and sales and excise taxes will be collected on the products they sell.” Fraser emphasizes that those convicted of offences that involved young persons, guns, violence, or controlled substances other than cannabis should be excluded. So should those with established connections to organized crime.

Matt Maurer, Law’06, Chair of Minden Gross LLP’s Cannabis Law Group in Toronto, provides business and regulatory advice to a wide range of cannabis stakeholders, including licensed producers, producer applicants, owners of businesses that provide ancillary services, and foreign businesses looking to enter the Canadian market. Like Fraser, he supports inclusive and broad participation in the commercial marketplace. “Diversity of production there is a good thing,” he says. “There should be a place for craft and smaller growers, not just large producers that build big factories. It’s important to allow more people to participate in the industry, and there should be a place for those with prior experience, depending on the nature of their involvement in the grey or black market.” ▶

“To minimize the black market. . . why don’t we bring those who aren’t a threat to public safety and health into the fold of the legalized industry, subject to licensing fees and oversight?”

— **Trina Fraser, Law’97, Co-Managing Partner
Brazeau Seller Law**

Approach to public health risks

The legalization of cannabis is grounded in the belief and research evidence that a public health approach to reducing its use and harmful effects will be more effective than criminalization has been. Public education campaigns about responsible use and potential health risks, targeted at the general population, but especially at youth, parents and vulnerable populations, are a key part of the government's rollout strategy. Provincial regulations governing production, sale and distribution, including restrictions on purchasers' age, packaging, promotion, advertising and marketing, also aim to minimize harms of use.

Despite this proactive approach, Dr. Chris Simpson, Acting Dean, Queen's Faculty of Health Sciences, and recently President of the Canadian Medical Association (2014-15), is concerned that the genuine health risks associated with recreational marijuana use are not well understood by the public and are minimized or dismissed by some stakeholders in the cannabis sector who play up its potential healing benefits and make unsubstantiated health claims.

"The public health risks of marijuana have been

"The public health risks of marijuana have been underplayed, and there is this mythology about health benefits from its potential therapeutic use."

— Dean Chris Simpson, Queen's Faculty of Health Sciences

underplayed," he says, "and there is this mythology about health benefits from its potential therapeutic use, for which there is little evidence except for a very limited number of conditions, including some forms of seizure disorders and some chronic cancer pain."

The danger he sees is that this could potentially lead to a normalization of cannabis, wider recreational use and greater overall harm to Canadians' health. "Although legalization is the best way to minimize harm here, as it is with alcohol and tobacco, this does not mean we're selling a healthy product or that marijuana is without serious health risks," he says. "We should try to build into the legislation regulatory measures that help to change the culture in a way that doesn't normalize marijuana use."

There are several serious health risks associated with regular cannabis use, especially for young people, that he believes should be highlighted in public health education

and campaigns. "We do know that inhaling marijuana smoke will increase the odds of lung disease and heart disease for any regular user," he says. "In people under 25, regular marijuana use is associated with changes in cognitive function, such as IQ decline. Habitual use also increases the risk of developing psychotic episodes in people under 25, possibly for those with a genetic predisposition who might not be aware of their risk."

Another health problem physicians in hospital emergency departments see regularly is "cyclic vomiting syndrome" frequently developed by habitual users. "They risk dehydration, heart arrhythmia and dangerous electrolyte imbalances."

Simpson recommends governments and regulatory agencies be proactive in using the kinds of public health approaches proven effective in reducing tobacco smoking, including unattractive packaging and labels with prominent health warnings. "We've reduced the national smoking rate from about 45 per cent to 17 per cent with regulatory measures," he points out. "Health Canada has a major role to play in very strict regulation of cannabis marketing, advertising, labelling and packaging. Distributors and retailers should not be able to make health claims that aren't true.

"It would also be good for all the tax revenues from cannabis to be directed specifically towards public health spending to combat the negative health effects from cannabis use."

Ann Tierney, Law '89, Queen's Vice-Provost and Dean of Student Affairs, adds that universities and colleges also have particular concerns for their communities. "Queen's is connecting and collaborating with colleagues across the sector," she says, "and the legalization of cannabis is the subject of discussion at all post-secondary institutions."

Queen's approach has been to set up a campus-wide committee led by Environmental Health and Safety to look at policies, protocols, practices, supports and resources – "not just for students, but for the whole campus community," she says. This committee plans to have a framework in place by fall.

"From a Student Affairs perspective, we are looking at education and a harm-reduction approach to legalized cannabis on campus, much like our efforts and strategies related to alcohol," Tierney says, noting that many first-year students are under 19 when they arrive, and most of them live on campus in Queen's residences. "But we will also be considering protocols for our off-campus, university-owned housing," she explains. "There will be many conversations with stakeholders in the coming months."

Cannabis practice a ‘field of dreams’

For cannabis law practitioners, the upcoming legalization and regulation opens the door to a dynamic new field of practice where their legal and business advisory services are now and will be in high demand.

“This is a once-to-twice-a-generation opportunity for lawyers,” says James Munro, Law’04, co-founder of the Cannabis Practice Group at McMillan LLP, Vancouver. “To be a first mover in any area of law is exciting because you’re shaping an industry. Just four years of experience in the cannabis sector makes you very experienced, which is comical, but also true.”

Munro sees Vancouver having a special connection to legalization because cannabis has been a central part of the city’s culture for so long. “Lawyers and other professionals here wanted to get involved in the cannabis sector early on. B.C. is a unique jurisdiction where dispensaries have been operating for years. Obviously, they were illegal, but their staffs became experts. Why would you not take advantage of their expertise?” he asks, noting that the B.C. government has decided that having operated an illegal dispensary will not, on its own, exclude an applicant from being considered for a licence.

Vancouver is a resource city, and Munro has drawn on his experience serving clients in the mining sector to advise Canadian licensed producers in the cannabis sector on innovative financing methods. In one called “streaming transactions,” a licensed producer (the streamer) provides an upfront deposit to a Canadian start-up cannabis company in exchange for the right to purchase future deliveries of cannabis at a pre-determined price.

Contrary to Ontario’s decision to monopoly-market pot the way it does liquor, Munro views the B.C. model of public and private retailers as best suited to encouraging a thriving legalized industry. “Monopolies make people lazy. A hybrid retail model encourages competition, which generally is good for consumers.” He believes Canada has an opportunity to lead not only by setting high standards in legalizing and regulating a new industry, but also in realizing the economic benefits of establishing Canadian cannabis as a global brand leader. “Brand recognition is going to be a key feature for success internationally,” he says. “France is known for its wines and Scotland for its scotch. To stay in front in the cannabis sector, we need to bake it into our DNA that Canada will be a leader in product safety and quality.”

“To be a first mover in any area of law is exciting because you’re shaping an industry.”

— James Munro, Law’04, co-founder,
Cannabis Practice Group, McMillan LLP

Bold initiative to benefit First Nations

David Sharpe, Law’95, CEO of Toronto-based Bridging Finance Inc., has a bold plan to help Canada’s First Nations take advantage of opportunities in the high-growth cannabis sector. Bridging Finance has teamed up with Denver-based MJardin Group, the world’s largest producer of legal cannabis, to establish an infrastructure fund to provide First Nations with access to capital for business ventures in the production, marketing and distribution of marijuana when it’s legalized in Canada.

Sharpe, a Mohawk from the Bay of Quinte First Nation near Deseronto, Ontario, has built a successful career as a business lawyer and entrepreneur. He says there is a “tremendous opportunity for First Nations economic development in the cannabis sector. Through these partnerships, First Nations will have equity ownership of cannabis production and retail facilities. This is about controlling their own destiny and selling a product with a strong medicinal benefit. The goal is to create good jobs and a sustainable industry that will be there for generations to come.”

Bridging Finance provides non-distressed private debt financing to small- and medium-sized businesses across North America and has become the “go to” source of capital for First Nations economic development through projects in the fishing, housing and infrastructure sectors. “The cannabis opportunity is very appealing to a lot of First Nations chiefs in Canada,” he says. “The First Nations will drive the enterprise and determine the ideal locations within their territories for cannabis production and retail facilities. MJardin, with its expertise in cultivation and production, will train them in all facets of the business. We bring a culturally sensitive approach to our projects with First Nations and the capital to make the proposed cannabis business idea real.”

Production facilities are already planned for First Nations communities in Manitoba and Ontario, and similar agreements have been signed in several other provinces. ►

“There is a tremendous opportunity for First Nations economic development in the cannabis sector.”

— David Sharpe, Law’95, CEO, Bridging Finance Inc.

“The investment community is very excited about our First Nations cannabis offering; response has been overwhelmingly positive. We expect to raise about \$300 million to \$500 million in the infrastructure fund and plan to invest about \$100 million for production within the next nine months,” he says.

More broadly, Sharpe sees participation and ownership in the cannabis business providing greater equality of opportunity for First Nations communities, especially their children. “When you create economic development and more jobs, communities can fund good housing, clean water, better schools and programming, and more kids will go to university,” he says. “These are all things that other children in Canada already benefit from.”

Coaxing tax compliance

One of the key policy goals of the upcoming legislation is to ensure that producers, distributors and sellers in Canada become tax-compliant. According to Statistics Canada, the country’s cannabis black market was worth as much as \$6.2 billion in 2015. “Most of the revenue generated in the black market is untaxed,” says Professor Art Cockfield, Law’93, a tax law scholar and policy consultant. “The big problem is that Canada’s licensed medical marijuana companies, who do pay tax, currently produce only about five per cent of the marijuana consumed by Canadians.”

The challenge for all levels of government is to adopt regulatory and tax policy measures that will encourage and result in Canadian consumers buying most, or virtually all, of their cannabis from licensed, legal sources that pay taxes. Cockfield supports the recommendation, in a report by the

“Canada’s licensed medical marijuana companies, who do pay tax, currently produce only about five per cent of the marijuana consumed by Canadians.”

— Professor Art Cockfield, Law’93

Parliamentary Budget Officer, that the government should reject “sin taxes” on marijuana, like those levied on alcohol and cigarettes, because they encourage a black market by pushing prices too high. He maintains legalized recreational pot sales should at first be subjected only to the HST, which is 13 per cent in Ontario. Instead, under the current federal government proposal, there will be HST plus an additional excise tax of \$1 per gram of marijuana or 10 per cent of the final retail price, whichever is higher.

But that’s only a first step towards boosting tax compliance and shrinking the black market. Cockfield

says the provincial regulatory schemes should allow for the development of a vibrant and innovative market, a diverse mix of large and small participants who can offer consumers an abundant supply and a wide range of choices at competitive prices.

“I support efforts in the western provinces for fair regulation and flexibility in the marketplace” he says. “If Health Canada or provincial regulations are too strict and throw up barriers to entry for new businesses with previous dispensary experience before legalization, that will benefit black market pot sellers and big pot producers, but not smaller players or consumers.”

Criminal defence concerns

Sean Robichaud, Law’04 (Artsci’01), founder of Robichaud’s Criminal Defence Litigation in Toronto, is concerned that legalization and regulation may have the unintended effect of enhancing criminalization, particularly with respect to the application and enforcement of proposed impaired driving laws. “I’ve gone from a yes in favour of legalizing marijuana to a trepidatious no,” he says.

As an example, he cites proposals in legislation that would extend police powers to demand roadside testing even without the need for the present minimal standard of “reasonable suspicion” for the presence or use of intoxicants while in the care and control of a motor vehicle. He and many others in the criminal defence community are expressing concerns that constitutional challenges against the proposed legislation will inevitably follow as a result of possible violations of people’s right to protection from “unreasonable search and seizure.” More problematic, he argues, is that the tests proposed (such as saliva testing and “drug recognition evaluation” assessments) are highly unreliable in actually proving the intended purpose of the proposed changes, namely: impairment while operating a motor vehicle. “The consequences of this may place many innocent Canadians before the justice system as a result of highly subjective and unreliable evidence.”

Robichaud is equally concerned that marijuana can stay in the system for a long time, and users metabolize the drug differently, making it difficult to measure impairment reliably. “Before we hold people criminally responsible, we ought to have a system in place that has an objective measure of reliability in establishing a connection between presence of drug in a person’s system and actual impairment,” he argues. “Otherwise, the legislation is incompatible, unproductive, and grossly unfair in a context of ‘legalization.’”

James Munro agrees that a solution to this problem is urgently needed. “Cannabis impairment is less understood than alcohol impairment. There’s not a perfect test, which is a challenge on the road and in the workplace. Someone will figure out how to judge cannabis impairment objectively, but they haven’t cracked the code yet,” he says.



“Before we hold people criminally responsible, we ought to have a system with an objective measure of reliability in establishing a connection between presence of drug in a driver’s system and actual impairment.”

— Sean Robichaud, Law’04 (Artsci’01), founder, Robichaud’s Criminal Defence Litigation, Toronto

Robichaud is also concerned about increased penalties for anyone selling or giving minors access to cannabis, which could result in extreme and disproportionate consequences for certain violations that were not enforced or in effect before legalization. “The legal definition of ‘trafficking’ is very broad and includes not just selling but offering, an intent to offer, or sharing, whether or not money is provided. Anyone who is party to this offence by act or omission can be held accountable as well.”

He sees potential here for a very broad application of this new law to people who are unaware of the risks of simply being around underage people who are consuming marijuana. He uses the example of an 18-year-old who has a

party at his house (in a province where 18 is ‘legal’) and a joint is passed around. “Though all the 18-year-olds are presumably smoking a joint legally, as soon as a 17-year-old guest takes a hit, they are all now party to an offence with the potential for very severe and grossly disproportionate penalties – up to 14 years in jail,” he says.

“A parent who provides the house where the party takes place and who knowingly lets this happen may be considered a party to the offence by aiding and abetting it,” he adds. “They may also face the risk of their property being forfeited under the *Civil Remedies Act*, as it is being used in the commission of this new serious criminality.” ▶



Challenges in safety-sensitive workplaces

Denis Mahoney, Law '93, a labour and employment law partner at McInnes Cooper in St. John's, Newfoundland-Labrador, and an Advisory Committee member of the Queen's Centre for Law in the Contemporary Workplace, sees significant challenges for employers in safety-sensitive industries arising out of marijuana legalization. Employers have a duty to ensure a safe workplace, but testing for cannabis impairment and fitness for work is technologically complex and must be balanced with employee accommodation and privacy rights.

"It's difficult even for an experienced physician to determine impairment," Mahoney says, adding that he's disappointed that the Task Force on Cannabis Legalization and Regulation didn't include an occupational health and safety perspective. He advises employers to develop clear policies about what's acceptable and not acceptable in terms of cannabis use inside and outside their workplace, "but general recreational use of marijuana outside the workplace on a person's own time should not be a concern with respect to the person's fitness to work in non-safety-sensitive positions."

It's also in employees' interests, he maintains, that appropriate company policies are in place to address and protect against cannabis impairment at work. "Workers have fought hard to improve workplace health and safety," he adds. "I'm advocating for measures to avoid loss of life or serious injury resulting from cannabis impairment, particularly with respect to employees in safety-sensitive positions."

MP Nathaniel Erskine-Smith, on the other hand, believes Canadian workplaces have had time to adjust since the

legalization of medical marijuana and that legalized recreational use shouldn't present major new problems. He applies a simple, common-sense rule: "We don't tolerate people showing up to work drunk and we shouldn't tolerate people showing up to work high," he says.

Canadian lawyers on a global stage

All in all, Canada's broad-scale legalization of marijuana is an exciting new development that touches many different legal fields and facets. Because Canada is the first G7 country to legalize cannabis at the national level, this legislation offers lawyers practising here a rare opportunity to lead, learn, innovate and develop specialized expertise, skills and advisory services that clients will need and demand locally, provincially, across Canada and eventually around the world.

It's an opportunity for these lawyers to shape the future of a burgeoning national and global growth industry and to help replace an outdated, failed prohibition model with a public health approach aimed at lessening harm from use, reducing a large illicit market, retrieving billions in hidden tax revenue, and easing an unnecessary burden on the criminal justice system as well.

"The legalization of cannabis will be a worldwide phenomenon," says James Munro. "The world is watching what Canada does, and, if we do it well, other countries will follow quickly. We need to show we can roll out a system of legislation that works in Canada and use that experience to help roll it into use against a criminal black market throughout the world."

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Eleven experts – Eleven viewpoints for *Queen's Law Reports*



*Art Cockfield, Law'93,
Queen's Law Professor*



*Nathaniel Erskine-Smith,
Law'10, MP (Liberal),
Toronto Beaches-East York*



*Trina Fraser, Law'97 (Com'94),
Co-Managing Partner,
Brazeau Seller Law, Ottawa*



*Denis Mahoney, Law'93,
Partner, McInnes Cooper,
St. John's*



*Matt Mauer, Law'06,
Partner and Cannabis
Law Group Chair,
Minden Gross LLP, Toronto*



*Cherie Metcalf, Law'02,
Associate Dean (Academic),
Queen's Law*



*James Munro, Law'04,
Partner and Cannabis Practice
Group co-founder,
McMillan LLP, Vancouver*



*Sean Robichaud, Law'04
(Artsci'01), founder, Robichaud's
Criminal Defence Litigation,
Toronto*



*David Sharpe, Law'95, CEO,
Bridging Finance Inc., Toronto*



*Dr. Chris Simpson, Acting Dean,
Queen's Faculty of Health
Sciences*



*Ann Tierney, Law'89,
Vice-Provost and
Dean of Student Affairs,
Queen's University*

What do you think?

If you have a comment on this article or have expertise to share about the legalization and regulation of recreational cannabis, we'd be interested to hear it. Please address submissions to QLR Editor Lisa Graham at grahaml@queensu.ca. A selection of views will be published in our upcoming QLR Online issues.

21st-Century *gantowisa* a repeat winner at SCC

Aboriginal litigator Jaimie Lickers makes history by knowing history

BY IAN COUTTS

Her First Nation clients have called Jaimie Lickers, Law'07 (Artsci'03), the “best lawyer for Aboriginal law in Canada.” In past centuries, such wisdom and leadership would have distinguished her as an Iroquois wise-woman, a *gantowisa*. She considers herself “honoured” to have represented Indigenous people in Canada in a host of landmark decisions affecting their rights. Her legal work on those and other cases has won her awards and recognition: the same year she became Gowling WLG’s first-ever Indigenous woman partner, 2017, she won a *Lexpert Zenith Award* for championing the advancement of women in law and was named to *Benchmark Litigation’s* annual Under 40 Hotlist of peer-selected young litigators.

She so excels at what she does that it’s odd to hear it’s a path she nearly chose not to follow. Growing up on the Six Nations reserve near Brantford, Ontario, Lickers, a member of the Onondaga Nation, says she always knew that she wanted to be a lawyer. “There were no lawyers in my immediate family, but I remember thinking in high school, in my naïve teenage way, that you could do a lot of things to change the world, but if you couldn’t change the rules you were limited in the change you could effect.” She thought this seemed

especially true for Indigenous people in Canada, whose lives remain so strongly defined and limited by legislation – the *Indian Act*, the *Constitution Act* and various treaties.

“It was assumed I wanted to practise Aboriginal law,” she says, reflecting back to when she entered Queen’s Law in the fall of 2004. “I rebelled really aggressively against that stereotype.” Her rebellion took her ultimately to Blakes on Bay Street, working as a corporate commercial litigator.

“The files were great, the clients were great – it was high-stakes law,” she says, but she began feeling unsatisfied. “Stereotype aside, I decided I just really wanted to practise Aboriginal law.” She moved to what was then Gowling Lafleur Henderson LLP, which had a significant practice in Aboriginal law, joining their Ottawa office in 2010. In 2014 she moved to their Hamilton office to be closer to her family at Six Nations.

Since that move, Lickers has taken on a number of important, precedent-setting cases affecting the legal status and lives of Indigenous people. She represented the Assembly of First Nations in *Daniels v. Canada* in the Supreme Court of Canada (SCC), where the court ruled that the Government of Canada had the same responsibilities to Métis and non-status Indigenous people as it did to

those with status under the *Indian Act*. In 2016, again before the SCC, she represented the Chiefs of Ontario as intervenors in *Chippewas of the Thames First Nation v. Enbridge Pipelines*, a historic case regarding the role of administrative boards and tribunals in fulfilling the Crown’s constitutional duty to consult First Nations on matters directly affecting them. Early 2018 saw her representing the Mi’kmaq First Nation Assembly of Newfoundland before the Federal Court in Toronto over the eligibility criteria for the Qalipu Mi’kmaq First Nation Band. Inundated with applications for band membership, the Federal Government retroactively altered the evidentiary burden for satisfying the membership criteria, a move Lickers says created “unfair distinctions, such as one twin being declared a band member and the other not.” (The decision is pending.)

Although it took her a while to find this path, Lickers credits Queen’s for helping her do that. “I always felt at home at Queen’s Law,” she says. “The school did strive to provide a broader legal education, with a focus on social justice issues. It was a really welcoming environment where people genuinely supported each other.”

Today, Jaimie Lickers is making sure that others benefit from her Queen’s Law experience.

QLR



"I always wanted to be a lawyer. I remember thinking that if you couldn't change the rules you were limited in the change you could effect."

Jaimie Lickers, Law'07, in the Dundas Valley Boardroom of Gowling WLG's Hamilton office. On the mantel is artwork given to the firm by an Indigenous client and symbolizing the Iroquois creation myth that the earth was formed on the back of a turtle.



Caity O'Connor, Law'12, outside The Bachelor Mansion in California, where all those key "Introductions" on the popular reality TV series take place.

Lawyer in La-La Land

Caity O'Connor is entertainment law's 'bachelorette in paradise'

BY GEORGIE BINKS

Lights, camera, action! It's the 22nd season of the hit reality series *The Bachelor* and Caity O'Connor, Law'12, is standing by – not to receive a signature rose, but to play her particular role in keeping shenanigans at a minimum and excitement at the maximum.

O'Connor, Production Counsel with NZK Productions Inc./Warner Horizon Television in Los Angeles, probably has one of the most exciting, entertaining and just downright fun jobs a lawyer can have.

Working with *The Bachelor*, *The Bachelorette*, *Bachelor in Paradise*, and the latest iteration, *The Bachelor Winter Games*, she's involved in the pre-production, production and post-production of all the shows in *The Bachelor's* U.S. franchise. "I sit in on the creative meetings before we start filming, when we're talking about our plans for the season. There are always one or two ideas that get thrown around that have the potential of being problematic or a clearance nightmare – those kinds of ideas where everyone looks over at me to gauge my reaction. It's never fun to say no to something, so basically my job is to balance the creative wants of the show with the legal needs of the studio and come up with a way to do something that makes everyone happy."

Her job involves everything legal about the reality series, from negotiating, reviewing and drafting all agreements related to the development and production of all *The Bachelor* shows to providing ongoing legal advice to the production team on a broad range of clearance and compliance issues that arise from pre- to post-production. "Always when we're filming there are some strange last-minute issues that can be fun challenges," she says.

O'Connor cut her teeth in the entertainment industry through summer jobs during her undergrad years at McGill and then at Queen's Law. Her job as a Film and Television Technician with shooting and construction crews in her native Toronto included working on *Total Recall*, *The Incredible Hulk*, *Get Rich or Die Tryin'*, and *Suits*. (Yes, she did meet Meghan Markle, and "she's sweet.")

After graduating from Queen's Law, O'Connor pursued an LLM specializing in entertainment law at UCLA, passing the California Bar in 2015. She then created a role for herself as the first in-house attorney for NZK Productions, serving as Production Counsel for *The Bachelor* franchise for the past 13 seasons. "I was in the right place at the right time."

While she is tight-lipped about what happens on the set, she says the fallout from the Harvey Weinstein scandal has had an impact on everyone in Hollywood. "Especially with the #TimesUp and equal pay movements, it's at the forefront of everyone's mind; everyone is being extra cautious."

On February 2, O'Connor returned to Queen's Law to participate in the "Five Years Out" panel and other events for students. While she was never a "typical" law student – "I spent my summers on film sets instead of behind a desk in an office" – she says her best Queen's experience was participating in the Queen's Business Law Clinic then directed by Professor Peter Kissick, Law'88, LLM'98. "I enjoyed being able to engage the law on a practical level."

That experience, combined with a taste for the magic only Hollywood can offer, set her on a journey that could itself be straight out of a movie. "The chaos and the sleep deprivation are worth it," she laughs. "And I'm not alone: more than 300 incredibly hard-working and talented people are involved in the show to bring you those magical moments."

Caity O'Connor, of course, has already had a few – so stay tuned.

QLR

"My job is to balance the creative wants of the show with the legal needs of the studio and come up with a way to do something that makes everyone happy."

Professional and personal news of Queen's Law graduates



Queen's Law alumni and students, with some GTA guests, at the Feb. 22 Speed Mentoring event: Schenelle Dias; Breanna Coleman; Esi Codjoe, Law'03; Frank Walwyn, Law'93; Hogarth Clauzel, Law'93; Michael Coleman, Law'17; Cheryl Harris, Law'93; Dhaman Kissoon, Law'89; Leah Thompson, Law'17; Navin Kissoon; Stella Gore, Law'18; and Nigel Masenda, Law'20.

Speed Mentoring – Connecting Black law grads with students

At the latest event hosted by the Queen's Chapter of the Black Law Students' Association (BLSA) of Canada, experienced lawyers and judges gave students practical advice about law school and the profession. "Speed Mentoring," held in WeirFoulds LLP's Toronto office during Reading Week, was the BLSA's second networking opportunity within four months.

"Alumni like getting involved in these events because they understand how challenging law school and the practice of law can be and they want to share their wisdom in any way they can," says Michael Coleman, Law'17, co-founder and former president of BLSA-Queen's and now an articling student with Fogler, Rubinoff LLP. "We not only want to help current students succeed, but also want them to know they have

experienced alumni in their corner, rooting for them."

As Stella Gore, Law'18, co-organizer and current BLSA Queen's President, adds, "It is valuable for present-day students to meet alumni who have pursued a wide range of careers and to discuss the diversity of opportunities within the legal field. It's also particularly important to be able to meet minority lawyers, who are able to share their experiences and offer mentorship and advice, especially as we navigate through law school, articling and beyond."

Alumni wanting to get involved with the BLSA-Queen's network should email Michael Coleman at 13mc76@queensu.ca or Stella Gore at s.gore@queensu.ca

1961

D'Arcy Brooks, QC, Law'61 (Arts'58), after a brief illness, passed away in Perth, Ont., on Sept. 3, 2017, in his 82nd year. He started his career in Toronto with Borden Elliot Kelly and Palmer, developing an extensive practice in corporate law before becoming managing partner and CEO. He then took a leading role in establishing what became Borden Ladner Gervais, one of Canada's largest law firms. Among D'Arcy's surviving family are brother Terry, Law'60; wife Linda; four children and four grandchildren.



Justice G. Gordon Sedgwick, QC, Law'61 (Arts'56), died peacefully at 83 in Toronto on Sept. 10, 2017. After Queen's Law, the Kingston native moved to Toronto to embark on a 30-year career as a corporate and

commercial lawyer at Tilley, Carson & Findlay and then Borden & Elliott. In 1993, he was appointed to the Ontario Superior Court of Justice (General Division), based in Ottawa, where he would remain until mandatory retirement and a move back to Kingston in 2009. Gordon won the inaugural H.R.S. Ryan Law Alumni Award in 2002 for his significant contributions to the profession, university and law school. He had served two terms as a Queen's Trustee and championed the concept of the Faculty of Law Advisory Council. Gordon is survived by his wife, Libby Burnham, OC, QC, children John, Anne and Jamie, and extended family.

1965

Justice Peter Coulson, Law'65 (Arts'63), passed away at home in Cobourg on Aug. 30, 2017, aged 78. He began practising law in Port Colborne, Ont., then became an Assistant Crown Attorney in Welland (1969) and Crown Attorney in Napanee (1976) before his appointment to the Provincial Court – Criminal Division (1980), where he split his time between Napanee and Belleville. The extended family surviving Peter includes Janet (Barnum) (Arts'62), his wife of 52 years, and sons Michael (Arts'90) and David (Arts'93).

Peter J. Radley, QC, Law'65, following 50 years of practice in Kingston, retired on March 31, 2017. A lawyer with Cunningham, Swan LLP since 2004, he assisted clients

More Order of Canada honours for notable Queen's Law grads

Three more of Queen's outstanding Law alumni have had Order of Canada honours bestowed by Governor-General Julie Payette, Hon. DSC'99: membership (CM) for **John Sims, Law'71**, and **Catherine Latimer, Law'78**, and elevation to Companion (CC) for **Justice Thomas Cromwell, Law'76, LLD'10** (Mus'73).

John Sims, retired federal Deputy Minister of Justice and Deputy Attorney General, was saluted for his "principled and respected leadership" as a senior public servant and for continuing since "retirement" to devote his "enormous energy and many skills to improving access to justice." He has played a leadership role on both the Canadian Bar Association's Equal Justice project and the Action Committee on Access to Justice in Civil and Family Matters, whose innovative reports and initiatives have kick-started a national conversation that includes the Canadian Council of Law Deans.

Catherine Latimer, Executive Director of the John Howard Society of Canada (JHSC) since 2011 and a Fellow of the Broadbent Institute, earned the Order of Canada for more than 40 years of "principled contributions to the development of criminal justice policy, notably on youth justice issues." After Queen's Law and graduate studies at Cambridge, she joined Canada's public service as a policy analyst in 1983, moving through senior posts while tirelessly championing progressive initiatives in criminal law, youth justice, sentencing, and victims' interests – pursuits she continues with the JHSC.

When honoree **Thomas Cromwell** received his Companion insignia, the Governor-General cited his "illustrious service" as a Supreme Court of Canada Justice (2008-2016) and "a champion of cultural change" in his country's justice system. It was at the request of then-Chief Justice Beverley McLachlin that he became Chair of the National Action Committee on Access to Justice in Civil and Family Matters and has continued in the post since retirement.

In another tribute to his career and legacy, *The Supreme Court Law Review* recently published *In Furtherance of Justice: The Judicial Life of Thomas A. Cromwell*, co-produced by Pam Hrick, Law'13, and Stephen Aylward, both former clerks of Cromwell's and now associates with Stockwoods LLP. Among the contributors are Queen's Law professors Nick Bala, Law'77, Mary-Jo Maur, Law'85, LLM'93, and Lisa Kerr.



John Sims, CM, Law'71



Catherine Latimer, CM, Law'78



Thomas Cromwell, CC, Law'76, LLD'10

ANDREW VAN OVERBEKE

with residential, commercial and industrial transactions and financing, wills and estates issues, and Assessment Review Board work. He was also the Legal Aid Ontario Area Director for more than 20 years, and, for his volunteer work with the Order of St. John, he was appointed a Knight in 2003 and promoted to a Knight of Justice in 2009.

1971

Stephen Barker, Law'71, died in Toronto on March 21, 2017, in his 73rd year. In 1973, he began his career clerking for Justice Richard Holland of the then-Supreme Court of Ontario. He went on to practise law in Toronto, Calgary, and Hanover, Ont. Steve is survived by his wife, Susan (Stumpf), and extended family. ▶



Law'77 civil litigator adds new honour from OBA

Peter Griffin, Law'77, managing partner of Toronto's Lenczner Slaght Royce Smith Griffin LLP, who sits on the Queen's Law Dean's Council and chairs its Moot Advisory Council, won the 2017 Ontario Bar Association (OBA) Award of Excellence in Civil Litigation.

His nomination was strongly supported. Peers cited Griffin's impressive list of successful wins for a multitude of top clients in precedent-setting, complex matters involving corporate commercial litigation, class actions, securities, insolvency and professional and officer/director liability. He was described as unfailingly civil

and efficient over his 38-year career; a firm, fair litigator skilled in cutting to the chase; and a valued contributor to the American College of Trial Lawyers (Ontario) and The Advocates' Society.

OBA's recognition joins numerous honours for Griffin, notably being named among Canada's "25 Most Influential Lawyers" (*Canadian Lawyer*, 2014) and "Lawyer of the Year" (*Best Lawyers*, 2017) for leadership in corporate and commercial litigation.

Lexpert celebrates five alumnae for their advocacy

When *Lexpert* magazine held a gala presentation of its 2017 Zenith Awards in Toronto, five Queen's Law grads were cited as champions for the advancement of women in legal careers:

Neena Gupta, Law'87, Partner, Gowling WLG, is an expert in employment law and human rights and active in Gowling WLG's student recruitment and mentorship. She helped implement – and now co-chairs – the firm's national diversity and inclusion council; helped found the OBA's Visible Minority Women's Subcommittee; and chaired the CBA's National Equity Committee.

Dawn Jetten, Law'80, Partner, Blake, Cassels & Graydon LLP, began advocating in the early 1990s, introducing flexible work at Blakes and supporting the recruitment, advancement and retention of women with mentoring, leadership training and career development opportunities.

Jaimie Lickers, Law'07, Partner, Gowling WLG. Read profile on pp. 38-39.

Brenda MacDonald, Law'92, Vice-President, Regulatory Affairs, Ontario Power Generation, was cited for 22 years of building and leading high-performing legal teams. Read her career advice and insights on pg. 19.

Tina Woodside, Law'88, after 25 years with Gowling WLG, is currently its highest-ranking female – overall managing partner for internal business. The Women's Initiative Group (WIG) she founded continues its mission today through Gowling WLG Realizing Opportunities for Women (GROW).



Neena Gupta,
Law'87



Dawn Jetten,
Law'80



Jaimie Lickers,
Law'07



Brenda MacDonald,
Law'92,



Tina Woodside,
Law'88.

1973



Douglas Rigsby, Law'73 (Arts'69), passed away at 69 on Dec. 18, 2017, in Kingston, his birthplace. He practised in Toronto, Brockville and Calgary, and also had a mental health mission as educator, speaker, and passionate advocate for public conversations and awareness. His sister, Catherine Gale (Artsci'79), is among Doug's surviving family members.

1975

Joseph Fodor, Law'75, passed away at 69 in Vancouver on Oct. 25, 2016. He had a long and varied career in law and business. Joe is survived by his wife, Gillian, and other family.

1976



Barry Kuretzky, Law'76, and **George Vassos, Law'80** (Com'76), partners with the Toronto office of Littler LLP, received notable recognitions in 2017. They were named "Leading Practitioners" in the *Canadian Legal Lexpert Directory*, and, for the 12th consecutive year, they were among the *Best Lawyers in Canada*. Barry, a practising lawyer for 40 years, represents some of Canada's largest companies and regularly advises and represents clients



through all stages of employment interactions. He also won the LSUC's Continuing Legal Education Long-Term Achievement Award. George focuses his practice on advocacy before trial and appellate courts and before various labour boards, mediators, adjudicators, arbitrators and other administrative tribunals. He also provides strategic and proactive advice on a wide variety of employment and labour issues.

1979

Susan J. Serena, Law'79, 64, died in Toronto on Sept. 16, 2017. She had practised in Burlington and Toronto and served at Queen's Park as special assistant to a Cabinet Minister and General Counsel to the Alcohol and Gaming Commission and the Red Tape Commission. Susan had also been Vice-Chair of both the Ontario Labour Board and the Human Rights Commission and Assistant General Counsel for labour law at Ontario Hydro. In 2003, she established the Susan J. Serena Scholarship, awarded to Queen's Law students entering final year, for overall scholarship, student activities, and contributions to the community.

1980

George Vassos, Law'80
(see Kuretzky, 1976)

1982



Glenn Tait, Law'82, retired from McLennan Ross LLP after 35 years of practising law, but then on Feb. 1 he took on a "retirement job" as Executive Director of the Law Society of the Northwest Territories.

1983

Thomas Fitzgerald, Law'83 (MA'81), passed away on July 14, 2017, at 61. He rose from Assistant Crown Attorney (Durham Region) in 1985, to Crown Attorney in North Bay in 1993, and later to Director of Crown Operations (North Region). He joined the Canadian Forces at age 50, was seconded to the Judge Advocate General's staff, assisted in prosecuting a widely watched homicide case in Kandahar, and helped develop local legal structures and procedures during his Afghanistan deployment. Returning to civilian practice in the Crown's Office, Tom was appointed General Counsel (Central East). His surviving family includes wife Joanne and daughter Tamsin (Artsci'14).

Vince Westwick, Law'83 (MPA'05), died in Ottawa on May 17, 2017, at 65. His long and diverse legal career began as an RCMP officer. After returning to school and receiving a law degree, he was named a Crown Attorney, then moved into private practice at the firm now known as Kelly Santini LLP. Vince finished his career as General Counsel to the Ottawa Police Service. His wife Barbara survives.

Law'90 Cree grad had role in reversal of 1885 'treason'



A determined community effort led by **Blaine Favel, Law'90**, and other leaders of Saskatchewan's Poundmaker First Nation has helped to right a historical wrong. The federal government has announced it will overturn the wrongful 1885 treason conviction of legendary Cree Chief Poundmaker.

A 25-year campaign to exonerate the chief – fueled recently by renewed lobbying and an on-line petition – has convinced Ottawa to act in the spirit of Reconciliation. "That decision is the best news I've heard in a long time," says Blaine, CEO of Kanata Earth Management and a former chief, himself, of Poundmaker First Nation, former

Grand Chief of the Federation of Saskatchewan Indian Nations, and Chancellor Emeritus of the University of Saskatchewan.

Blaine regards the exoneration as a vital first step toward a comprehensive reparations agreement between Ottawa and the Poundmaker First Nation that he hopes also will include a formal apology. Watch for the full story in July's *QLR Online*.

— KEN CUTHBERTSON

1984



Julia Ringma, Law'84 (Artsci'80), LL.M. (LSE), MA (Carleton), is finishing up her first year as a PhD in Philosophy student at Ohio's Bowling Green State University (BGSU). She wants to explore personal identity and how it

relates to roots and take into account people who have no traditional roots. Since it's a five-year program, she moved to Ohio, bought a house, and has a guest room for people intrepid enough to figure out where BGSU is.

1989



Loretta Ross, Law'89, a Hollow Water First Nation Ojibwa, is wrapping up her one-year federal government appointment as Treaty Relations Commissioner for Manitoba. This commission, a

partnership with the Assembly of Manitoba Chiefs (AMC), is a neutral body involving Indigenous and non-Indigenous people and government representatives. Loretta had spent 10 years with the AMC, worked on the Aboriginal Justice Inquiry, and was legal counsel for a number of First Nations, so she

brought to the commission a keen awareness of land claims, treaty rights, and other concerns of Manitoba's 64 First Nations. Watch for a July *QLR Online* feature on progress made during her term.

1990



Wayne D. Garnons-Williams, Law'90, Chair of the International Intertribal Trade and Investment Organization (IITIO) and Senior Lawyer with Garwill Law Professional Corporation,

developed and led the construction of an Indigenous Trade Chapter for a revitalized NAFTA. Out of 2,500 submissions to the Government of Canada, Wayne's not-for-profit NGO, IITIO, was the only organization to suggest and develop an Indigenous Trade Chapter for NAFTA (see <http://iitio.org/nafta/>). Wayne was subsequently invited to make submissions regarding this proposal to the Canadian Parliamentary Standing Committee on Trade on Sept. 18, 2017 (see <http://bit.ly/2xyl6wc>). In its final report, the committee supported his IITIO submissions and officially recommended and favourably supported an Indigenous Chapter in a revised NAFTA (see <http://bit.ly/2mcq9O7>).

Two alumnae among 'Canada's 100 Most Powerful Women'

Samantha Horn, Law'91, and Claire M.C. Kennedy, Law'94, both practising in Toronto, are not only leading lawyers in their respective areas of practice but also increasingly known as two of the strongest female leaders in the country. They were named to the Top 100 list of "Canada's Most Powerful Women" for 2017 by the Women's Executive Network (WXN), a national organization dedicated to the advancement and recognition of women in business.



Samantha Horn, Law'91

Samantha, having made this list for three consecutive years, is now in WXN's Hall of Fame. She's a partner at Stikeman Elliott LLP and a member of the Toronto office's Management Committee. Claire, recently appointed Managing Partner of Clients and Industries with Bennett Jones, made her debut on the list.

Samantha is widely recognized for her expertise in the corporate, commercial, mergers and acquisitions, and private equity practice areas, and for her dedication to the advancement of women in both law and North American private equity associations.



Claire Kennedy, Law'94

Claire is a corporate tax and transfer pricing lawyer respected by both her Canadian and U.S. peers, a seasoned board director, and an award-winning professional engineer. Her expertise is particularly sought for major audits and disputes with the CRA.

1991



Douglas Stuve, Law'91, a partner with Calgary's Burstall Winger Zammit, passed away on Nov. 23, 2017. On behalf of all his classmates, Janice Wright says of her friend: "Doug was the 'glue' that held Law'91 together. At

law school, while everyone else was trying to figure out how to fit in and feel cool, he was busy using self-deprecating humour to make everyone feel comfortable. He lived life to the fullest, made people laugh and was always looking to ensure that everyone was having a good time. Hundreds of people (12 from Queen's Law) went to the celebration of his life in Calgary to pay their respects and honour a person who had deeply touched so many. Law'91 will find a way to ensure his spirit lives on. To say he will be missed is a gross understatement. As a class, we send our deepest sympathies to his colleagues, friends and, most notably, his two daughters and wife, Karen (Sterritt)." Watch for Janice's full tribute to Doug in July's *QLR Online*.

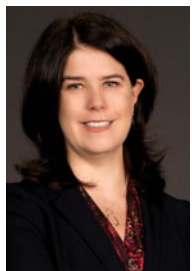
1993



Steve Pengelly, Law'93, retired from his position as Executive Director and Counsel with the Ontario Bar Association for the past 11.5 years and returned to practice as Counsel at Legge and Legge Barristers and

Solicitors in Toronto. Steve is now spending a good portion of his time in the Greater Kingston Area and Eastern Ontario generally, and focuses his practice on employment law matters and providing strategic counsel to clients who have dealings with various levels of government.

1996



Kathryn J. (Kate) Manning, Law'96, is thrilled to announce she has founded DMG Advocates LLP in Toronto with two partners. The boutique firm practises a wide breadth of commercial litigation, including

shareholder disputes, product liability, class actions, eDiscovery advice, employment litigation, defamation, and privacy/cybersecurity law. Previously, Kate ran her own litigation practice for two years after spending over 15 years at two large Bay Street firms, Blakes and McMillan, and two years at an eDiscovery boutique. Kate can be reached at kmanning@dmgadvocates.com or 416-238-761 and would love to hear from classmates.

Charlotte Osei, LLM'96, Chair of the Electoral Commission of Ghana, received the U.S. Embassy's Women of Courage Award for 2017, recognizing her management and administration of the 2016 Ghanaian election and her efforts to increase inclusion and civic engagement. The presenter, U.S. Ambassador Robert Jackson, described Osei "as a trailblazing woman and defender of democracy," who throughout her career had "prioritized the active participation of vulnerable citizens," empowering women's groups and persons with disabilities.

1998



Shevaun McGrath, Law'98, joined McCarthys as an equity partner and Co-Head of the firm's National Private Equity Group in August 2017. Based in Toronto, she assists clients with their M&A and private equity opportunities both domestically and cross-border.

2000

Carmen Belcredi, Law'00, died in Toronto on Nov. 26, 2015, leaving husband John, daughter Maria, and extended family to mourn. She had practised law in Toronto with Laisley Reed LLP and McCague Borlack LLP.



Jill Gunn, Law'00, is pleased to announce the January 2018 opening of her Ottawa-based police law practice. Practising administrative law with a focus on police labour relations, she provides legal advice, representation, training and education to regular/sworn and civilian members of the RCMP and

other police services, RCMP veterans, and police management, as well as police disciplinary adjudicators, labour relations tribunals, and oversight bodies.



2002

Eric Gottardi, Law'02, a partner with Peck & Co. Barristers in Vancouver, received national recognition in the areas of human rights, advocacy and criminal law when *Canadian Lawyer* magazine named him

one of 2017's "Top 25 Most Influential" in the justice system and legal profession in Canada. Nominators described Eric as "a catalyst for legal change" and a brilliant lawyer whose compassionate commitment to his work and his clients shines through.

Gregory Sullivan, Law'02 (Artsci'99), has been promoted to Director with Deloitte's Legal Project Solutions team in Toronto. He can be reached at grsullivan@deloitte.ca or 416-202-2605.

2007

Gwen May, Law'07 (see Holubitsky, 2008)

2008



Paul Holubitsky, Law'08, and **Gwen May, Law'07**, welcomed their second daughter, Cecily, on March 15, 2017. In January, Paul was made partner at the boutique family law firm Frolich Rollins Schwab in Edmonton.

2009

Mat Good, Law'09, has left Big Law and now practises plaintiff-side class actions and commercial litigation as Good Barrister in Vancouver. He can be reached via www.goodbarrister.com.

2010



Christopher Rae, Law'10, became a partner with Fasken's Toronto office on February 1. He has been with the firm since articling there, practising civil and commercial litigation. ▶

Three young grads among *Lexpert's* newest 'Rising Stars'

The sky's the limit for **Gareth Gibbins, MIR'01/Law'04** (Com'00), Toronto; **Bo Rothstein, Law'04**, Vancouver; and **John Uhren, Law'08**, Toronto. They have been named to Canadian publisher *Lexpert's* 2017 honour roll of 'Rising Stars – Leading Lawyers Under 40.'

Gareth Gibbins is Vice-President, Pension Legal, for OMERS, legal lead of its Additional Voluntary Contributions program (plus-\$650 million), recent Chair of the OBA Pensions and Benefits Law Section, and currently an advisor to the Deputy Superintendent of Pensions. *Lexpert* cited his "intimate knowledge of the applicable legislation and existing AVC framework" and his ability to "synthesize" them for pension members' comprehension. Gareth is also deeply involved in the OBA's pension education programs and public affairs outreach.

Bo Rothstein is a partner with Farris, Vaughan, Wills & Murphy, practising M&A, securities, banking and corporate commercial law and advising on corporate governance. He has been lead counsel on several acquisition and sale transactions, public and private company financings and strategic alliances, also assisting the firm's senior counsel on some of B.C.'s most significant hostile takeover bids and negotiated transactions. Bo regularly negotiates commercial agreements, shareholder rights plans (a.k.a. "poison pills") and continuous disclosure documents for public companies.

John Uhren is Senior Counsel and Director of Capital Markets Legal within the Legal, Corporate and Compliance Group at the Bank of Montreal. He provides legal and advisory support to Global Structured Products (GSP), structuring and documenting investment solutions to retail, institutional and private-wealth clients. *Lexpert* cited the key role he played in creating, manufacturing and launching a Canadian first: the ESG Note, BMO Capital Markets' first-ever, principal-protected note linked to an Environmental, Social and Governance theme.



Gareth Gibbins,
MIR'01/Law'04



Bo Rothstein, Law'04



John Uhren, Law'08

VIKTOR RADICS

Nominate your fellow grads!

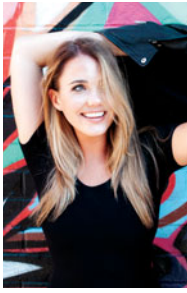
Queen's Law offers four annual awards that celebrate the accomplishments of our alumni.

Any member of the Queen's Law community may nominate a deserving graduate for one of the 2019 awards.

Check out how at alumniawards.queenslaw.ca



2012



Catie Fenn, Law'12 (Artsci'09), is a civil litigator with the Bay Street boutique Brown and Burnes, a meditation coach and a recent contestant on *The Bachelor Canada*. She loves both her jobs, which involve primarily defending

personal injury actions but also helping young professionals find balance, sometimes through leading transformational retreats in Costa Rica. Watch for a July *QLR Online* feature, where she shares her secrets to career and life fulfillment – and why she participated in the popular reality TV show. Follow Catie on Instagram @catiefenn or check out her website at <http://catiefenn.com/>



Erin Leeann LeBlanc, LLM'12, Director of Strategic Program Development & Accreditation with Smith School of Business, received the 2017 Queen's University Employment Equity Award. The award recognizes

her work in initiating the development of Transgender Transitioning guidelines for Smith, exemplifying the spirit of stepping up to the mark and then going beyond expectations in establishing a safe and supportive professional environment, and for her continued support and advocacy in the areas of gender identity and gender expression at Queen's and beyond.

2014



Joanna Hunt, Law'14 (Artsci'09, MPA'11), married Dan Jones (Sc'10, PhD'16) in Toronto on Nov. 25, 2017. They celebrated the day surrounded by friends and family, including over 30 Queen's alumni. Justice David Salmers, Law'80, of the Ontario Superior Court of Justice (Oshawa) presided over the wedding ceremony. Earlier in 2017, Joanna joined Normandin Chris LLP, a new boutique family law firm in Toronto, as an associate.

Guenther family grows in numbers and accolades

Kevin and Brianna (Butchart) Guenther, both **Law'12**, are thrilled to announce the arrival of their baby boy, Bennett Butchart Guenther, at 10:35 am on May 25, 2017, 20 inches long and weighing 6lbs/11oz. The little guy has blue eyes, brown hair and olive skin, which is confusing to his two "very pasty parents." And no, he's not jaundiced; they checked. Bennett is already engaged with the Queen's Law community. In addition to joining his parents to celebrate their fifth anniversary reunion at Homecoming 2017, he helped them welcome new students from Calgary at a reception last August.

Brianna, an associate with Burnet, Duckworth & Palmer LLP, also received the 2017 Distinguished Service Award for Community Service from the Canadian Bar Association – Alberta Branch. Her many volunteer projects demanding countless hours include serving as Director of Governance for the Wings of Hope Breast Cancer Foundation; organizing numerous volunteers for her firm's monthly sponsored breakfasts at the Drop In Centre; and advocating for a newly renovated and relocated space for patients on the Alberta Health Services' Early Pregnancy Loss Committee.



George Pakozdi, Law'14, and his wife, **Maria Valdivieso, Law'15**, celebrated the birth of their first child on Jan. 21. Daughter Eloise Pakozdi weighed in at 8lbs and measured 20 inches. The family lives in Toronto.



Naheed Yaqubian, Law'14, is the Ontario Liberal candidate in her home riding of Aurora-Oak Ridges-Richmond Hill for the provincial election in June. As a labour, employment and human rights lawyer, Naheed has worked

in-house for universities, businesses and unions across Ontario.

2015

Maria Valdivieso, Law'15 (see Pakozdi, 2014)

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Judicial Appointments

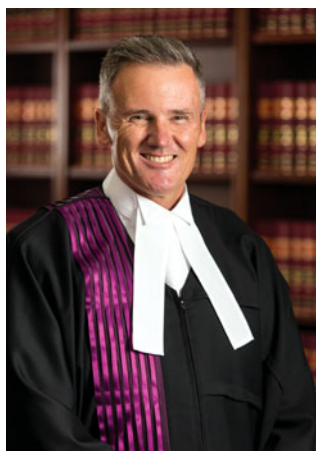
Fifteen alumni jump from bar to bench; one elevated to provincial appeal court

'Most Influential' jurist fulfills OCA prophecy

Justice Ian Nordheimer, Law '76 (Com'73), moved up to the Court of Appeal for Ontario on Sept. 15, 2017, after presiding on the Superior Court of Justice and the Divisional Court in Toronto for 18 years. That time involved numerous precedent-setting judgments in civil and criminal law and issues central to Canada's constitutional democracy, including the open court principle and rights of the accused. Peers praised his expertise in class actions, commercial law and criminal law.

In significant Superior Court administrative posts, he led the Criminal Long Trial (Homicide) Team and chaired the committee that implemented recommendations from the Civil Justice Reform Project. The former commercial litigator with Fraser & Beatty, Toronto (now Dentons LLP) also contributes regularly to CLE programs. When *Canadian Lawyer* magazine named him to its 2015 "Top 25 Most Influential" people in the justice system and legal profession, it obviously foresaw his future, calling him "a judge of absolute integrity... who should be on the Court of Appeal... or higher."

Law '91 legal practitioner and academic joins Australia's judiciary



Christopher Kendall, Law '91 (Artsci'88), was sworn in as a Judge of the Federal Circuit Court of Australia on Jan. 29. The former Law Students' Society President (1990-91) worked at Torys LLP in Toronto after Queen's and then pursued graduate law studies: a University of Michigan LLM (1993) and SJD (2001). He moved to Australia in 1994, becoming a law professor and then Dean at Murdoch University in Western Australia. After signing the Bar Roll in Perth, he practised as a Barrister. From 2015 till his bench appointment, he was Deputy President of the Australian Administrative Appeals Tribunal. Judge Kendall's broad expertise is in human rights, administrative, intellectual property, trade practices, immigration, and constitutional law.

When his many achievements were cited during his formal welcome to the court, Judge Kendall credited Queen's Law with providing him a strong foundation: "Dean John Whyte taught me to think critically and learn not just what the law says theoretically, but what it does in reality – its real impact, when it lands on real people, on real lives... That lesson made me a better lawyer... one who listened to my clients, rather than someone who simply talked at them."

Law Society Medalist to provincial bench

Cynthia Petersen, Law '89 (Artsci'86), was appointed to the Superior Court of Justice, Brampton, on June 21, 2017. As a University of Ottawa Law professor in the 1990s, her scholarship on systemic racism in jury selection was cited in Ontario court decisions leading to changes in the criminal justice system. Then, for 22 years, she practised labour law, human rights, and *Charter* litigation at Goldblatt Partners LLP in Toronto, appearing before the Supreme Court of Canada and several appeal courts in landmark *Charter* cases that helped shape Canada's equality jurisprudence. She investigated numerous high-profile workplace harassment complaints, was appointed to sit on a Canadian Judicial Council's Committee of Inquiry, and acted as the Law Society's Discrimination and Harassment Counsel for almost 15 years. Justice Petersen has received several awards for her exceptional service in promoting LGBT rights, including the Law Society of Ontario's highest honour – the Law Society Medal.



Jocelyn Speyer, Law '83, was appointed to the Superior Court of Justice in Oshawa, Ont., on July 18, 2017. Aside from serving as Coroner's counsel for the 2013 Ashley Smith inquest, she spent her entire career at the Ministry of the Attorney General, split between the Guelph Crown Attorney's office and the Crown Law Office – Criminal, where she most recently served as chief counsel. She taught in CLE programs for Crown and defence counsel, judges and police officers throughout Canada; co-chaired the Federation of Law Societies National Criminal Law Program; and was inducted into the American College of Trial Lawyers.

Nancy Adams, Law '85 (Artsci'82), was appointed to British Columbia's Provincial Court on March 21, 2017. She was a civil litigator with Harper Grey Easton (now Harper Grey LLP) until beginning 17 years of service as a B.C. Crown counsel (1989-2006). Thereafter she practised solely in criminal law, mostly as defence counsel. She is known for teaching students about justice issues, mentoring law school clinical program students and promoting young lawyers' development.

Susan Chapman, Law '87, a lawyer specializing in criminal and administrative law, was appointed to Ontario's Court of Justice on Oct. 11, 2017. She presides in Toronto, where she previously was a partner with Ursel Phillips Fellows Hopkinson LLP. She has volunteered with various women's rights community organizations, sexual assault centres and legal clinics.

Darlene Summers, Law '88 (Artsci'85), a managing partner at Burke-Robertson before co-founding Thompson Summers, Family Law, was appointed a judge of the Superior Court of Justice, Family Branch, in Ottawa on June 21, 2017.



Peter Bawden, Law'89, a partner with Rochman Bawden, was appointed to the Superior Court of Justice in Toronto on Sept. 17, 2017. With some 25 years of experience in criminal defence, he has lectured on homicide-related topics at conferences for the Crown, LSUC, Criminal Lawyers' Association and Ontario Police College. He has also been both instructor and judge at Osgoode Hall's Intensive Trial Advocacy Workshop, guest editor of the *Community Legal Education Manual*, and Director of the Toronto Lawyers' Association.



Lucille Shaw, Law'89 (Com'86), a partner with Miller Maki LLP, Sudbury, was a May 19, 2017, appointee to the Superior Court of Justice (Brampton). Her broad civil litigation practice included personal injury and property

cases across northern Ontario. She spent three years as a provincial Consent and Capacity Board member and was President of the Sudbury District Law Association, Director of The Advocates' Society, and co-founder of "Colloquium," a program designed to develop the legal skills and knowledge of lawyers from Northeastern Ontario in order to enhance access to justice for residents in the region.



Janice Ashcroft, QC, Law'90, was appointed to the Court of Queen's Bench of Alberta (Calgary) on June 23, 2017. A civil litigator in her early career, in 1998 she joined the Alberta Human Rights Commission

as director's counsel and later senior legal

counsel. She has appeared at all court levels, litigating human rights cases and administrative law issues; taught at the University of Calgary's law school; and helped develop pro bono initiatives to ensure people's representation before human rights tribunals.



Deborah Swartz, Law'92, as of April 10, 2017, is a judge of the Superior Court of Justice and member of the Family Court in Kingston. She left the Bishop Law Office to start her own practice in 2006,

focusing on family law and arbitration, mediation and parenting coordination, often acting for young people through the Office of the Children's Lawyer. She has assisted unrepresented litigants for 20-plus years and supervised Queen's Clinical Family Law placement students.

Kristen Mundstock, Law'93, after a career with Chilliwack's Patten Thornton, was appointed to the British Columbia Provincial Court, Fraser Region, on March 12. As her firm's managing partner, she focused latterly on family law and civil litigation, appearing in all levels of B.C. courts. The former president of the Chilliwack & District Bar Association has also volunteered with numerous charities.

R. Cameron B. Watson, Law'93, was appointed to the Ontario Court of Justice (St. Catharines) on Aug. 17, 2017. For six years previously, he was senior litigation counsel for the Ontario Securities Commission's Joint Serious Offences Team and before that an Assistant Crown Attorney in the Peel Region and a defence counsel in Hamilton. He has served on Sheridan College's professional advisory council and as a volunteer board member for Victim Services of Peel.

Johnna Kubik, Law'95, a sole practitioner, was appointed to the Court of Queen's Bench of Alberta (Lethbridge) on May 12, 2017. A career civil litigator, she represented a wide range of clients, from insurance defence parties to the Lethbridge Police, Indian Residential School claimants, and mental health patients. She has helped promote access to justice through Legal Aid Alberta's regional appeals committee and a local pro bono clinic (Lethbridge Legal Guidance).

Heather Pringle, Law'99, a sole practitioner focusing on criminal law, was appointed to the Ontario Court of Justice (Toronto) on Oct. 11, 2017. Her community involvement includes volunteering with the Criminal Lawyers' Association and as a high school mock trial coach.

Anastasia (Stacey) Nichols, Law'00, was appointed on May 31, 2017, to the Ontario Court of Justice (Orillia). Since 2002, she had practised criminal law with Neuberger and Partners in Toronto, making numerous appearances before all levels of provincial courts and the Ontario Review Board. For the Criminal Lawyers' Association, she mentored new lawyers and promoted legal careers with high school students.

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