



# FOCUS

LAW / DROIT

FALL /  
AUTOMNE  
2014

## BRANCHÉ

Connecting students, professors  
and alumni as they explore new  
horizons in legal education  
and practice



McGill

Faculty of  
Law

Faculté de  
droit

# FOCUS | LAW

## FALL/AUTOMNE 2014

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*Focus Law* est publié  
par l'équipe des  
communications  
de la Faculté de droit  
de McGill.

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## ★ EN COUVERTURE

This year, the Faculty of Law's annual Focus magazine examines the profound changes affecting the legal profession. This cover illustration by Aaron McConomy (colagene.com) evokes the need to balance education, practice and technology while remaining connected to the globalizing demands and possibilities of commerce and justice.

## ★ GARDEZ LE CONTACT

Stay in touch online: [www.mcgill.ca/law/alumni](http://www.mcgill.ca/law/alumni)

Consultez notre mensuel électronique, *Focus online*, pour en apprendre plus sur nos professeurs, étudiants et diplômés: [publications.mcgill.ca/droit](http://publications.mcgill.ca/droit)

Follow us on social media for news and events from McGill Law:

**Facebook:** LawMcGill

**LinkedIn:** McGill University - Faculty of Law

**Twitter:** @LawMcGill; Several professors and administrative staff, even the Dean, are now on Twitter. Find them via the main Faculty account, which of course, you will also want to follow!



## ★ RETROUVAILLES 2014

Homecoming will take place **October 16 to 19, 2014**.

Alumni who graduated in years ending in '4 and '9, including:

- Class of **1954**'s 60th anniversary
- Class of **1957**'s 57th anniversary
- Class of **1959**'s 55th anniversary
- Class of **1964**'s 50th anniversary
- Class of **2004**'s 10th anniversary
- Class of **2009**'s 5th anniversary



Et beaucoup plus. Everyone is also invited to the Alumni Coffehouse on October 16, 2014, starting at 5 pm in the Atrium. **RSVP:** [alumnioffice.law@mcgill.ca](mailto:alumnioffice.law@mcgill.ca). À bientôt!



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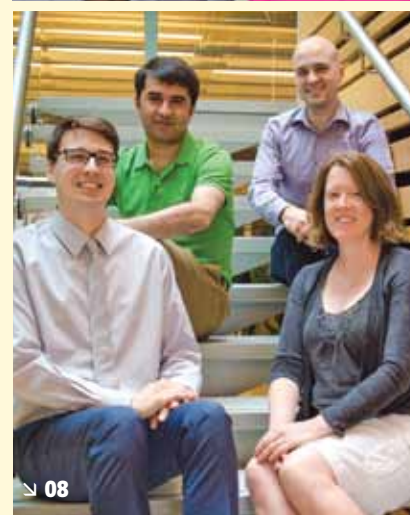
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**Siena Anstis**

JUGE CROMWELL



**Lawrence David**

JUGE ABELLA



**Allison Render**

JUGE MOLDAVER



**Marion Sandilands**

JUGE KARAKATSANIS



**Edward Béchard-Torres**

SUCCESEUR DU  
JUGE LABEL



**Olga Redko**

JUGE GASCON



**William Colish**

SUCCESEUR DU  
JUGE ROTHSTEIN

## MCGILL SE DISTINGUE À LA COUR SUPRÊME DU CANADA

**Sept étudiants de la Faculté sont choisis  
comme auxiliaires juridiques pour l'année 2015-2016.**

Chaque année, la Cour sélectionne 27 diplômés en droit à travers le pays pour œuvrer comme auxiliaires de recherche. Sous la direction du juge auprès duquel il ou elle travaille, l'auxiliaire juridique fait des recherches sur des points de droit, rédige des mémoires sur des questions juridiques et, d'une manière générale, assiste le juge dans les travaux de la Cour. Les auxiliaires doivent être parfaitement bilingues et posséder une connaissance approfondie du droit civil et de la *common law*, ce qui correspond parfaitement au profil des étudiants de McGill. À preuve, au cours des 13 dernières années, 85 étudiants de la Faculté ont été choisis pour occuper un poste d'auxiliaire juridique à la Cour suprême.

En 2015-2016, **Siena Anstis** travaillera pour le juge Cromwell, **Lawrence David** pour la juge Abella, **Allison Render** pour le juge Moldaver, **Olga Redko** pour le juge Gascon et **Marion Sandilands** pour la juge Karakatsanis. Quant à eux, **Edward Béchard-Torres** et **William Colish** travailleront respectivement pour les successeurs des juges Lebel et Rothstein.

### **Le juge Clément Gascon, BCL'81, nommé à la Cour suprême**

Au mois de juin dernier, le juge Clément Gascon de la Cour d'appel du Québec, diplômé de la promotion 1981, a été nommé à la Cour suprême. Il succède ainsi au juge Morris Fish, BCL'62, LLD'01, qui a pris sa retraite en août 2013, après avoir siégé 10 ans à la Cour. Le juge Gascon occupe le poste laissé vacant par l'invalidation de la nomination du juge Marc Nadon, au printemps dernier.

Admis au Barreau du Québec en 1982, le juge Gascon a travaillé pendant 21 ans comme avocat et associé au sein du cabinet Heenan Blaikie à Montréal, principalement dans les domaines du litige civil et commercial et du droit du travail. Au cours de sa carrière d'avocat, il a enseigné notamment à la Faculté de droit de McGill et a rédigé plusieurs ouvrages en droit du travail. Le juge Gascon a siégé à la Cour supérieure de 2002 à 2012 avant d'être nommé à la Cour d'appel du Québec en avril 2012.



## CAMPAGNES FÉMINISTE ET ANTIRACISTE

Le Collectif féministe de la Faculté de droit et la Black Law Student Association of McGill ont tous deux contribué à des campagnes photo de sensibilisation (à gauche) au cours de la session d'hiver 2014.

### «I, TOO, AM MCGILL»

La Black Law Student Association of McGill a pris part à la campagne «*I, too, am McGill*», orchestrée par des étudiants de l'Université désireux de sensibiliser la communauté étudiante aux microagressions à teneur raciales que les personnes issues des minorités visibles subissent sur une base quotidienne, au sein des institutions traditionnellement à prédominance blanche.

Sur les photos, les participants étaient dans un premier temps appelés à inscrire sur un tableau blanc des stéréotypes raciaux proférés à leur endroit, et dans un second temps à offrir une citation positive reflétant authentiquement la manière dont leur identité distincte façonne leur expérience universitaire. Les portraits étaient ensuite colligés sur un blogue, et relayés sur Twitter via le mot-clic #ITooAmMcGill. L'initiative, qui a remporté un franc succès sur les réseaux sociaux, faisait écho à des campagnes similaires réalisées cet hiver sur les campus de Harvard et d'Oxford.

Ces campagnes cherchent à sensibiliser la communauté étudiante à la discrimination consciente ou inconsciente que subissent les étudiants issus des minorités visibles, à travers les clichés culturels et les idées reçues trop souvent véhiculés.

### CAMPAGNE «JE SUIS FÉMINISTE»

Fondé en septembre 2013, le Collectif féministe de la Faculté de droit a pour sa part élaboré une campagne photo dans le cadre de laquelle les professeurs et les étudiants qui s'identifient comme féministes étaient appelés à afficher publiquement leur allégeance. Plus d'une soixantaine de participants et participantes ont accepté de poser pour la campagne. Les portraits ont été exposés dans l'atrium du nouveau Pavillon Chancellor-Day au cours de la Semaine d'action féministe de la Faculté de droit, organisée dans la foulée de la Journée internationale des femmes, et diffusés sur un blogue.

Les portraits, qui visaient à «dédramatiser et à démocratiser le féminisme», ont été généreusement partagés sur les réseaux sociaux. La campagne a également contribué à faire connaître le Collectif féministe, au-delà de la Faculté. Le succès de la campagne réjouit les organisatrices, qui envisagent les prochaines actions du Collectif avec enthousiasme.

## LE PROJET FACES OF CHANGE POUR DYNAMISER L'ESPACE FACULTAIRE

**Le projet Faces of Change, porté par les étudiants de la promotion 2014, transformera le visage de la Faculté grâce au sociofinancement.**

**F**aces of change vise à financer l'affichage, dans la Faculté, de photos et de plaques commémorant les exploits et succès des diplômés, afin d'inspirer et de stimuler les étudiants.

«Nous souhaitons encourager les étudiants et les étudiantes à imaginer leur avenir de manière créative en mettant en lumière les réalisations remarquables de certains de nos récents diplômés œuvrant dans divers domaines, dont la fonction publique, le monde des affaires, la direction de prestigieux organismes internationaux et l'amélioration de l'accès à la justice pour tous», peut-on lire sur la page web du projet.

Véritable «cadeau de fin d'études» offert par les étudiants à la Faculté, *Faces of change* cherche à enrichir, au-delà des mosaïques de photo de fin d'études traditionnelles, la collection de photos qui ornent les murs du Chancellor Day Hall. Les nouvelles photos et plaques honorifiques décriront le parcours des diplômés après leur passage à McGill. La dernière campagne du genre ayant eu lieu il y a environ 25 ans, les instigateurs du projet estiment qu'il est grand temps de rajeunir la collection.

La campagne de sociofinancement a été mise sur pied par les étudiants et diplômés **Éloïse Gagné, Nicholas Choinière, Michèle Lamarre-Leroux, Farid Muttalib** et **Leslie Ning**.



## FACULTY NEWS FLASHES

En juin 2014, le Barreau a remis le Mérite Christine-Tourigny à la professeure **Adelle Blackett** pour souligner ses importantes contributions à l'accès à la justice, son engagement social et son apport à l'avancement des femmes dans la profession.

Prof. **Allison Christians** won the 2014 John W. Durnford Teaching Excellence Award. From the LSA's committee report: "Students testified to Professor Christians' emphasis on active and participative student learning, and innovative pedagogical approaches, delivered with passion and humour. ... Students wrote that they came out of Professor Christians' classes not only with a strong knowledge of tax, but with important skills for life and for legal practice."

Prof. **François Crépeau** completed the first of his two terms as UN Special Rapporteur on the Human Rights of Migrants. His mandate focuses on protecting the human rights of migrants, especially women and children, and has thus far included fact-finding missions to Nepal, Malaysia, Vietnam, Albania, Italy, Qatar, Greece and Ghana.

The Faculty is now co-host to the *American Journal of Comparative Law*, under the guidance of Prof. **Helge Dedek**, who also directs the Institute of Comparative Law.

**Helena Lamed**, directrice du programme de méthodologie juridique, et **Nandini Ramanujam**, directrice exécutive du Centre sur les droits de la personne et le pluralisme juridique, ont été nommées professeures agrégées (professionnelles).



At our Spring 2014 convocation, the Faculty awarded an honorary doctorate to justice **Mary Ellen Turpel-Lafond**, one of Canada's most distinguished jurists of aboriginal descent. On leave from the Provincial

Court of Saskatchewan, Ms. Turpel-Lafond is British Columbia's first Representative for Children and Youth, an independent office of the Legislative Assembly of British Columbia, with a mandate to advocate for children and youth and protect their rights.

## PRIX HULT 2013 : UNE ÉTUDIANTE AU PROGRAMME DE DROIT/MBA RÉCOMPENSÉE

Une équipe de cinq étudiants de McGill, dont **Shobhita Soor**, étudiante au programme conjoint de droit/MBA, a remporté le Prix Hult 2013 récompensant le meilleur projet d'entreprise à vocation sociale. L'équipe remporte une bourse d'un million de dollars pour soutenir son projet d'entreprise visant à contribuer à la sécurité alimentaire de communautés sous-alimentées vivant dans des bidonvilles.

Les six équipes finalistes, dont l'équipe mcgilloise, ont été appelées à faire une présentation de leur projet le 23 septembre 2013 à New York, dans le cadre de l'assemblée annuelle de l'Initiative mondiale Clinton. Les finalistes ont effectué leur présentation devant un jury composé notamment du lauréat du Prix Nobel de la paix Muhammad Yunus et de dirigeants du Programme alimentaire mondial et de la Fondation des Nations Unies.

Le projet proposé par l'équipe de McGill, composée, outre Shobhita Soor, de **Mohammed Ashour**, **Jesse Pearlstein**, **Zev Thompson** et **Gabe Mott**, tous étudiants au MBA, portait sur la production, le traitement et la promotion alimentaire des insectes à des fins de consommation humaine. Avec son projet baptisé Aspire Food Group, l'équipe visait à sensibiliser les communautés des bidonvilles aux avantages de la consommation d'insectes, et à faciliter l'accès à la production d'insectes comestibles. Leur projet cherche à systématiser les marchés informels déjà existants, et à promouvoir des pratiques novatrices d'élevage d'insectes comestibles.

Dans le cadre de l'élaboration de son projet, l'équipe mcgilloise s'est rendue en Thaïlande, au Kenya et au Mexique pour étudier les conditions de vie dans les bidonvilles et les habitudes des populations locales en matière de consommation d'insectes. Ces observations ont servi à fonder leur modèle d'affaires.

Soulignons que l'équipe mcgilloise s'est démarquée parmi plus de 10 000 étudiants universitaires venus des quatre coins du monde. Lors de la cérémonie finale, le prix a été remis à l'équipe gagnante par l'ex-président américain Bill Clinton en personne.

## CRÉATION DU PROGRAMME DE MENTORAT REDLINK À LA FACULTÉ



➤ Me Jean Lortie, BCL'89, LLB'89, et Gabrielle Trahan

Un nouveau programme de mentorat a été mis sur pied à la Faculté à l'automne 2013. Il s'agit du programme de mentorat du Réseau d'expertise en droit (RED), ou Law Inspiration Network (LINK), qui vise à jumeler des diplômés de la Faculté qui œuvrent dans différents domaines du droit avec des étudiants, afin que ces derniers puissent ouvrir leurs horizons et bénéficier des conseils privilégiés de professionnels issus des domaines qui les intéressent.

Parmi les jumelages fructueux, on compte notamment celui entre Me **Jean Lortie** de McCarthy Tétrault et **Gabrielle Trahan**, étudiante à la Faculté, qui entretiennent depuis septembre une relation de mentorat. Gabrielle Trahan dit apprécier le contact plus informel que le programme de mentorat permet d'établir avec les professionnels : « Nous avons l'habitude d'avoir des rapports très codifiés et formels avec les avocats, mais je cherchais un rapport plus humain et sympathique pour poser toutes les questions qui me trottent dans la tête et que je ne suis pas forcément à l'aise de poser dans un contexte de 5 à 7, par exemple. » Et selon elle, le programme permet aussi de mettre « un visage humain sur les grands cabinets, qui semblent souvent inaccessibles. »

Et pour les mentors, comme l'explique Me Lortie, le programme est intéressant en ce qu'il permet aux diplômés de renouer avec la Faculté et de partager leur expérience avec les étudiants qui complètent actuellement leurs études en droit. « Un vrai bon mentorat est un mentorat où on a réellement à cœur les intérêts de l'autre », explique pour sa part **Maryse Bertrand**, vice-présidente des services immobiliers, services juridiques et avocat-conseil de CBC/Radio-Canada, et également mentor de **Marie-Pier Gagnon Nadeau**, étudiante à la Faculté.

Les mentors sont recrutés parmi les diplômés de la Faculté ayant cumulé au minimum cinq ans d'expérience professionnelle, dans un domaine juridique ou non juridique. Le programme cherche à promouvoir la diversité des parcours professionnels des diplômés de la Faculté. Outre les avocats en pratique privée, les juristes employés par des organismes non gouvernementaux, fonctionnaires, journalistes ou entrepreneurs, sont également sollicités. L'expertise diversifiée des mentors donne l'occasion aux étudiants d'en apprendre davantage sur le marché du travail, et de poser un regard privilégié sur la pratique du droit dans les domaines qui les intéressent.

Pour participer, il suffit de remplir un formulaire d'adhésion dans la section RED/LINK du site web de la Faculté. ([bit.ly/redLINK](http://bit.ly/redLINK))

« Nous avons l'habitude d'avoir des rapports très codifiés et formels avec les avocats, mais je cherchais un rapport plus **humain et sympathique** pour poser toutes les questions qui me trottent dans la tête. »

## FACULTY NEWS FLASHES

**Sébastien Jodoin** and **Alexandra Popovici** will join the Faculty in 2014-2015. Both Jodoin and Popovici will join us as Assistant Professors (Special Category). Jodoin's appointment began in August 2014, while Popovici will arrive in January 2015. Justice **Louise Provost** will be Judge in Residence at the Faculty and will teach a course on ethics and professional law this fall.

Le professeur **Robert Leckey** a été nommé directeur du Centre Paul-André Crépeau de droit privé et comparé pour un mandat de trois ans. Il est entré en fonction en août 2014. Par ailleurs, soulignons que le Centre Crépeau propose un site bilingue dédié aux Archives de l'Office de révision du Code civil (ORCC): <http://digital.library.mcgill.ca/ccro/>. On y retrouve divers documents de travail de l'ORCC, représentant environ 40 000 pages.

Prof. **Pierre-Emmanuel Moysé's** mandate as director of the Centre for Intellectual Property and Policy has been renewed for three years. During Prof. Moysé's sabbatical leave, professeur **David Lametti** will serve as Acting Director.

In June 2014, Prof. **Lionel Smith** was named to a Sir William Macdonald Chair, while Prof. **Daniel Weinstock** was appointed as James McGill Professor. Furthermore, Smith was awarded a Killam Research Fellowship.



Thanks to a generous donation from the Li Ka Shing Foundation (Canada) to the University, 10 McGill Law students travelled to Shantou University, China, where they were paired with 10 law students during a two-week exchange program. The program alternates annually between Montreal and Shantou and aims to help students gain a nuanced understanding of each other's social, political and legal institutions.

## DIPLÔMÉS DE LA FACULTÉ DE DROIT ÉLUS À L'ASSEMBLÉE NATIONALE

**La Faculté brille sur la scène politique québécoise, alors que cinq de ses diplômés ont été élus ou réélus à l'Assemblée nationale aux élections générales du 7 avril dernier.**

### DIPLÔMÉS DE LA FACULTÉ DE DROIT ET FIGURES PARLEMENTAIRES

**Gerry Sklavounos**, BCL'98, LLB'98, **Kathleen Weil**, BCL'82, LLB'82, candidats libéraux dans Laurier-Dorion et Notre-Dame-Grâce, ont été réélus respectivement pour un quatrième et un troisième mandat. Tous deux tiennent désormais des rôles de premier plan au sein du gouvernement Couillard. M. Sklavounos occupe les fonctions de leader parlementaire adjoint, tandis que Mme Weil s'est vu confier le ministère de l'Immigration, de la Diversité et de l'Inclusion.

Quant à **François Ouimet**, BCL'88, LLB'88, député libéral de Marquette depuis 1994, il a été réélu pour un septième mandat consécutif. En plus de ses fonctions de député, François Ouimet occupe le poste de premier vice-président de l'Assemblée nationale.

**Rita de Santis**, BCL'80, a également été réélue dans Bourassa-Sauvé, et elle œuvre à présent comme adjointe parlementaire du ministre responsable de l'Administration gouvernementale et de la Révision permanente des programmes.

Dans l'opposition, la députée péquiste de Joliette et ex-ministre déléguée aux Services sociaux et à la Protection de la jeunesse **Véronique Hivon**, BCL'94, LLB'94, a également été élue pour un troisième mandat. Elle occupe désormais les fonctions de porte-parole de l'opposition officielle en matière de culture et communications, d'enseignement supérieur et de soins en fin de vie.



## PARLONS CONFLIT

### LA RÉOLUTION DE CONFLITS À L'ÈRE DU NUMÉRIQUE :

Étudiant à temps plein à la Faculté de droit,  
Jonathan Elston est à la fois médiateur agréé,  
pro de la technologie et entrepreneur.

En décembre 2013, il a lancé une application et un site web, Mediate2Go.com. Issue de ses recherches sur les modèles de règlement des conflits tels que l'arbitrage et la médiation, l'application offre des outils de messagerie et de gestion pour les médiateurs professionnels, ainsi qu'une composante gratuite en libre-service.

« Il existe des applications pour nous aider dans plusieurs sphères de nos vies, mais j'ai finalement réalisé qu'il n'y en avait aucune pour aider les gens à résoudre leurs conflits », fait remarquer Jonathan Elston. « En incitant à la réflexion, cette application aide les gens à résoudre leurs conflits eux-mêmes. »

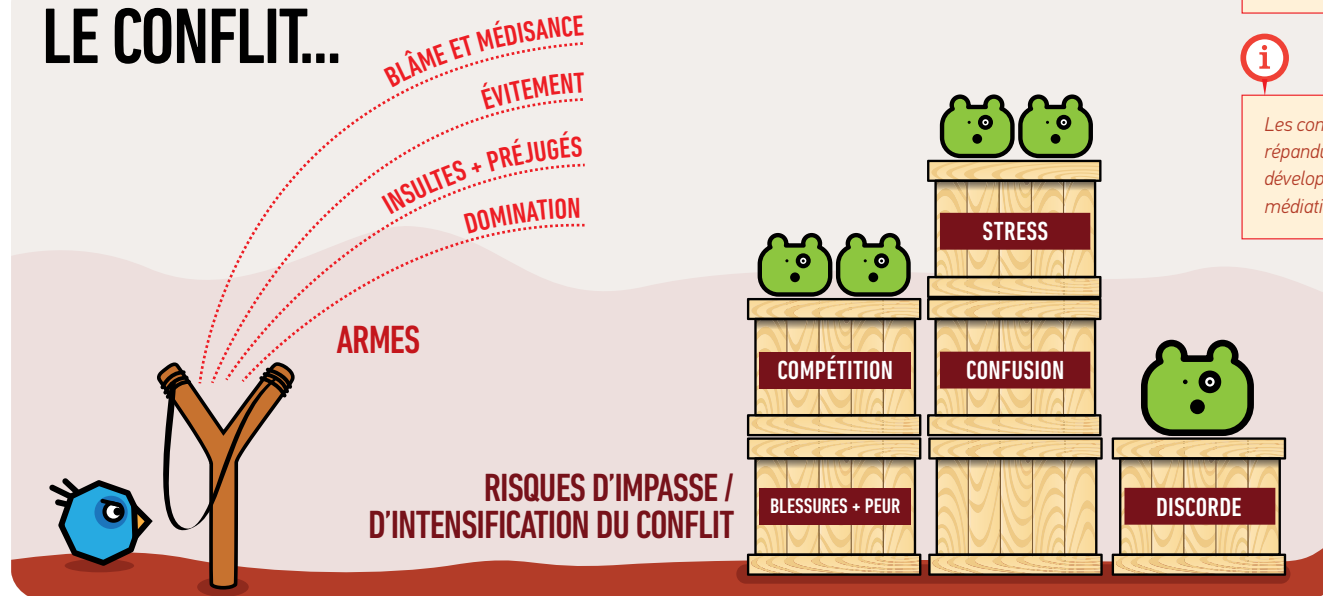


Certains gestionnaires consacrent jusqu'à 48% de leur temps à tenter de résoudre des conflits en milieu de travail.

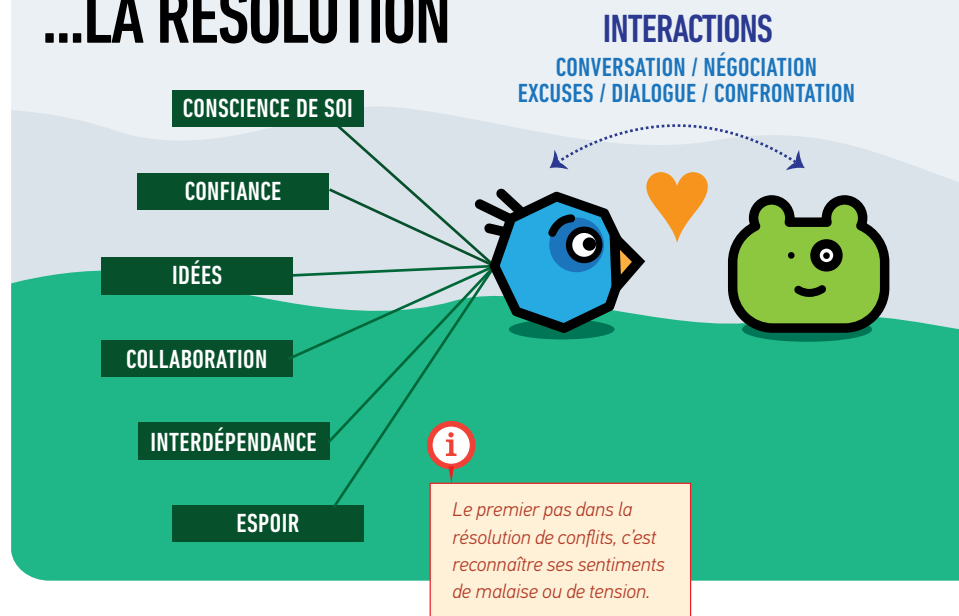


Les conflits entre voisins sont si répandus que plusieurs villes ont développé des programmes de médiation à cet effet.

### LE CONFLIT...



### ...LA RÉOLUTION

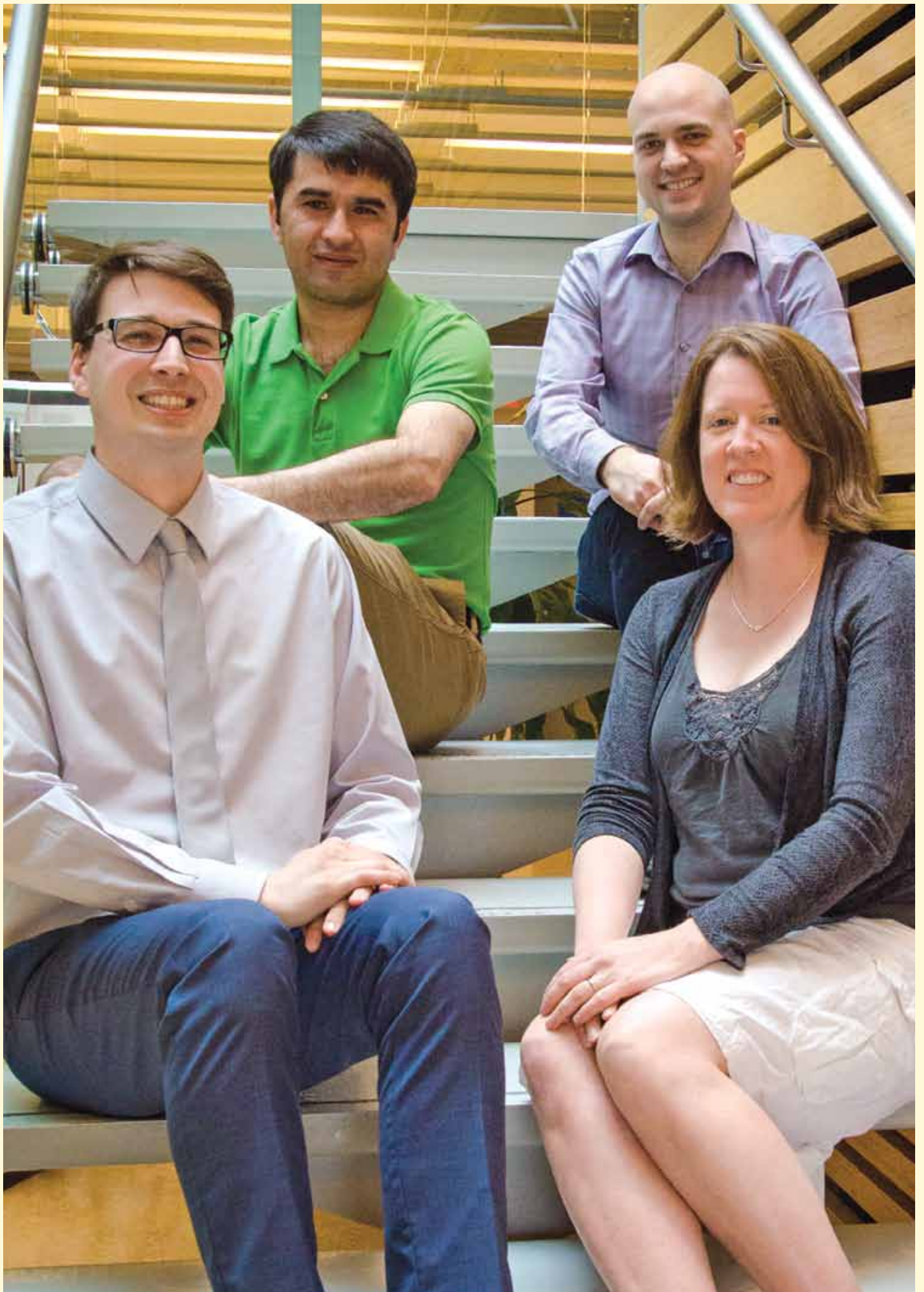


Le premier pas dans la résolution de conflits, c'est reconnaître ses sentiments de malaise ou de tension.



#### L'APPLICATION MEDIATE2GO OFFRE :

- ☑ **Un système de messagerie cryptée** qui assure la confidentialité des communications entre les médiateurs et leurs clients.
- ☑ **Des accords de règlement à l'amiable** pouvant être signés et classés numériquement.
- ☑ **Des sondages** sur la satisfaction de la clientèle
- ☑ **Un système de gestion de cas** permettant aux médiateurs et aux arbitres d'organiser leurs consultations dans le nuage.
- ☑ **Des gabarits et des questionnaires** pour :
  - ☑ Améliorer la communication interpersonnelle et développer l'empathie.
  - ☑ Aider les avocats à cerner les intérêts et les besoins de leurs clients et à se préparer à la négociation.



# Street LEGAL

**What does legal research look like when it leaves the professorial office? For Allison Christians, Hoi Kong and Daniel Weinstock, it means field trips and community consultations, highlighting the connection between research, action and practice.**

**O**n a rainy day in May, as the 2014 winter term came to a close, Professor Allison Christians and three of her students (pictured at left) went to Ottawa on a mission.

Christians had been invited by the standing committee on Finance to testify about the Foreign Account Tax Compliance Act, or FATCA, a law enacted in the United States in 2010, and a related intergovernmental agreement signed between the U.S. and Canada in 2014. Christians' three students had helped with the research for her testimony and Christians had invited them along.

"My kids love field trips for their school," said Christians, who is the H. Heward Stikeman Chair in Tax Law. "I thought it would be nice to have a field trip for McGill."

Marc Roy, a research assistant for Christians, had examined the interaction between the income tax act and the implementation act in question. "It was really rewarding and eye-opening to see that work come into play in the submission for the testimony," he said. "It was an opportunity to see law as practice, as an activity that is happening in Parliament, for example, every day—it's more than just what's in textbooks, statutes or case law. And instead of watching the process on CPAC or reading about it in the paper, we saw it first-hand."

Doctoral student Vokhidjon Urinov also jumped at the opportunity to see his research in action. "The topic of discussion that we had that day is an integral part of my dissertation," Urinov said. "My doctoral project is automatic tax information exchange. This is exactly what this whole discussion was about but in the context of two coun-

tries. I wanted to see the process by which international law, which is an intergovernmental agreement, becomes domestic law."

Karl Degré wrote about the impact of FATCA for a term paper in Christians' class and emphasized that although adoption of the agreement will affect all Canadians, there seems to be little public awareness on the subject. "How do you say to the general public, 'Hey, this is going to impact your life, a lot! You should listen!'" he asked. "With taxes, it's hard to get people engaged, especially if it's very complex."

Part of Christians' hope for the field trip was that it would link the work done in the classroom and in the library to big-picture issues such as civic engagement and tax justice.

"As a public institution, we want our students to engage in public dialogues," Christians said. "McGill Law students have this image of themselves as students, and as such think that they don't have something to say. But I think students are eager to be engaged and they have something to offer to the public: a knowledge base and an ability to think through problems. Our students do it in different ways, in clinical scenarios, by writing op-eds, and so on."

At the same time, she acknowledged that her particular area of research is challenging to make accessible. "Tax is so arcane, it's hard to get people riled up. When you talk about tax and a finance committee meeting, it's hard to see how you can educate the public that they ought to be paying attention to these things. A Facebook page doesn't seem like the way, but is it something else? Writing about it in student papers?"



Degré is optimistic about the Faculty's role in facilitating the process: "Maybe a way to get the Faculty involved is to hold conferences, and build a student base," he said. And Urinov points to a similar potential for professorial engagement: "It starts from professors saying, 'Let's go and see.' That may result in an op-ed or further research."

For Christians, field trips like this create increased awareness among students, professors and the general public that can lead to greater engagement. "Just being more aware makes you ask questions," she said. "After seeing the process for the standing committee on Finance, if you know who's on the finance committee, you are more aware if they meet again, and what they are talking about."

Replicating the joy of school field trips doesn't hurt either, she added. "Wouldn't it be fun if on a regular basis we could roll up the McGill bus to Parliament or to the Supreme Court?" ■



▷ Christians with undergraduate students Degré and Roy in Ottawa

The event had all the hallmarks of an urban consultation put on by a local community group: a few dozen people gathered on a weekend morning in a converted brownstone to discuss land development in their neighbourhood; a whiteboard pinned with maps of streets, buildings and proposed real estate developments; orange juice and doughnuts in the back corner.

What was unusual about the event, however, was that it was organized and led not by a community-based organization but by a group of academics.

Faculty members Hoi Kong and Daniel Weinstock, along with Nik Luka, a professor in the School of Architecture and Urban Planning, are conducting a real-world experiment to test the theory of deliberative democracy.

Their lab on the ground is the socially and economically diverse neighbourhood in the Rosemont-La Petite Patrie borough of Montreal known as the Bellechasse site, which became the subject of a government-led study for redevelopment in 2008. The proposed plan for

the site includes a mixed-use development and a rebuilt bus maintenance centre for the Société de Transport de Montréal (STM).

The project, which is funded by an Insight Grant from the Social Sciences and Humanities Research Council (SSHRC), seeks to overcome traditional barriers to participation in community consultation, be they physical (accessibility, timing) or psychological (apathy or helplessness borne of the challenge of staying informed on a complex subject).

A bilingual website, [imaginonsbellechasse.com](http://imaginonsbellechasse.com), written by McGill students in collaboration with the Comité logement de la Petite-Patrie, a local affordable housing organization, offers a helpful primer on the intimidating terminology of urban planning and municipal legalese.

In the project's next phase, the consultation sessions will feature iPads that allow participants to share their opinions through virtual voting, and the website will also host an interactive design studio that presents virtual models of various redevelopment scenarios, open to community members for comment and critique.

“ I think students are eager to be engaged and they have something to offer to the public: a knowledge base and an ability to think through problems. ”



▷ Daniel Weinstock



▷ Hoi Kong

“People feel disempowered and disengaged. They feel left out of the regulatory planning processes that determine how land is used and developed,” Kong said. “Although people are typically invited to participate, there are concerns about the quality of the participation and also about who comes to participate.”

“The different reflections on democratic-political institutions and how they are created by our constitutional laws and frameworks was an interesting introduction to administrative law,” said Sarah Chênevert-Beaudoin, who is going into her second year and who helped moderate the forum, get in touch with community partners and organize different events and group discussions.

Kong and Weinstock are examining the project’s implications on municipal governance, institutional decision-making processes and, in the courts, judicial doctrine.

“Governments everywhere are attempting to use online tools to bridge democratic deficits and this project will enable local governments to achieve this in a land-use planning context,” Kong explained.

Working with Martin Blanchard, a community organizer at the Comité logement de la Petite-Patrie, Weinstock will approach the research from a theoretical perspective, investigating whether this kind of citizen participation facilitates or undermines the capacity of community groups to protest and to meaningfully have their opinions heard.

Kong and his students, meanwhile, hope to present local officials and planning staff with a set of options for incorporating digital, community-based techniques into existing planning and design processes.

“We want to have cities make neighbourhoods that people recognize themselves in,” Kong said, adding that this project will help create a redevelopment plan that “reflects the experience and aspirations of the people who live there, which we believe is going to result in a better neighbourhood.” ■

**{ MARK WITTEN AND  
VICTORIA LEENDERS-CHENG }**



# FLIPPed

**Fact patterns begone! Three professors and their students reflect on ways to teach law differently, and on the implications of doing so.**



▸ Alyssa Clutterbuck

**F**rom her first day in Professor Angela Campbell's Death and Property course, Alyssa Clutterbuck knew it would be different from any other course she had taken as a McGill Law student.

"The class felt distinctly different from the get-go," Clutterbuck recalls. "Looking at the syllabus, there was less reading but more participatory activities and more group exercises, which meant having to engage more deeply with the readings."

The syllabus outlined two major assignments, each worth 25 per cent of the final grade, that would push students to stretch their imaginations, legal and otherwise. Clutterbuck remembers feeling the alluring call of this challenge.

"Both of the assignments felt like they were an invitation to be creative," she says. "Very often, in law school, I have felt that you shouldn't be creative. You should follow the expectations and clearly go in a straight line from Point A to Point B. Given this new opportunity, I tried to pick what I felt were really outside-the-box things for my assignments. To me, it was such a nice space to be able to bring in social issues and other topics I think about to the class. I felt like it was a setting that would really reward me for critical thinking."

Jessica Walsh echoes this sentiment. "I had taken Family Law with Professor Campbell the semester before and felt that her lectures were comprehensive and critical and her assignments somehow managed to blend practicality with creativity," she says.

"My ambition with this class was to create a safe and respectful space for discussion that is open to a diversity of opinions and approaches," explains Campbell. "Student involvement and participation in the classroom enriches the learning of all class members and I included problem-based learning formats in this course to invite students to share questions and comments in class, with a view to stimulating discussion."





Professor Angela Campbell watches as students work in groups

The two assignments upended such traditional methods of evaluation as fact patterns, papers or exams. The first asked students to present “artifacts” from the everyday world related to the law of death and property and to discuss issues raised by these artifacts.

“This course explores how and why property is transferred upon death in Canada’s main legal traditions,” Campbell says, “and I wanted to provide students with an opportunity to think about how these legal principles reflect or embody cultural appreciations of family relationships, property and individual expressions of intent.”

Clutterbuck took the opportunity to examine the intentions and effects of the Rhodes Scholarship. “So much of Cecil Rhodes’ wealth was accrued through this awful legacy of mining and colonialism, and yet the Rhodes Scholarship does all these wonderful things that bring the world together and brings scholars together into this great educational space,” says Clutterbuck, adding that her artifact choices allowed her to investigate more closely the complex ways—legal and personal—by which people think about death and legacy.

The final assignment of the course challenged students to think carefully and critically about the transmission of legal knowledge. Campbell wanted to get students to “consider the relevance, meaning and accessibility of death and property laws to all segments of society” and so called on students to create a public education resource to engage with an audience that might not have access to full or accurate information regarding the law of wills and estates or successions.

Walsh recalls meeting one evening with two classmates to brainstorm about a project idea. “We were discussing how many people do not make wills and how encouraging will-making is something governments may want to consider,” she says. “This led me to think about ways that governments have tried to implement policies through the very private family sphere, and I immediately thought about the baby box from Finland.”

The Finnish government provides all expectant mothers with a maternity package containing children’s clothes, bedding, diapers and child-care products, all of which arrives in a box that can then be used as a bassinette.

“Our group decided to create a baby box, modeled after the box of provisions the Finnish government provides to all new families, but to include a pamphlet about will-making and about why making a will at the time of having a new baby makes sense.”

The box in the context of the Death and Property class was somewhat incongruous, Walsh points out, but “it reiterated powerfully that death is a part of the life spectrum and something we should consider from our earliest days.”

Clutterbuck says that she was impressed by the inventiveness her classmates demonstrated in taking on their final projects. “People made apps, Wikipedia pages, brochures, podcasts... Every-one’s presentation was really professional.”

Adds Walsh: “The symposium at the end of the year where all the students presented their projects was very rewarding. I think it fostered a sense of accomplishment that allowed us to approach the exam period with confidence, in that our major projects for the course were completed. I also felt privileged to be part of a class that had produced so many interesting and creative projects.”



➤ Jessica Walsh explains the contents of her group's

"baby box," which tells new parents about the

importance of making a will.

“A university education is an exercise in **learning about just human interaction**, in the course of which students also learn about themselves.”

It is this kind of classroom dynamic that Professor Shauna Van Praagh sees as an ideal outcome of innovative legal education. Van Praagh leads the Legal Education Seminar, a course led for many years by Roderick Macdonald and aimed primarily at doctoral students to prepare them for careers involving teaching.

“The course gives students the chance to think about teaching law meaningfully,” Van Praagh explains. “They discuss the work of authors who insist that a legal education does so much more than pass on information. Law students relearn how to behave, read, think and learn; their legal education should help them be mindful about the information they have been taught to privilege and the information that is excluded.”

“The Legal Education Seminar provided a phenomenal opportunity for us to examine and reimagine ourselves as teachers and learners,” observed one of the seminar’s students, DCL candidate Marika Giles Samson. “The course called upon us to deeply consider what we are we doing when we are teaching and learning law, to think about the broader implications of our pedagogical choices, both within and outside the classroom.”

“Working on the seminar changed the way that I see classroom interactions,” adds DCL graduate Enrique Boone Barrera. “I came to understand that a day in class, from its physical setting to the role that each participant plays, reveals conceptions about what it entails to have a ‘legal education’ and about pedagogy.”

Legal pedagogies must address three interrelated aspects, Van Praagh notes: the way students learn, the way the professor teaches, and the material that must be learned. Walsh says that Campbell’s class exemplifies an approach to legal education that willingly overturns traditional classroom expectations, to invigorating effect.

“The modest amount of reading material for the course was key to creating a classroom dynamic where people felt able to participate if they wished,” Walsh points out. “The enormous amount of reading in other classes often stifles how far a class can push ideas because students generally do not get through all the material and by the midway point of the semester, students are either behind or they stop reading. Rather than a detriment, having less reading in this class meant that it was very possible to keep on top of the class materials and to work with the material more deeply.”

The McGill program’s hallmark BCL/LLB approach has also introduced novel ways of teaching law, Van Praagh adds. “Our approach to legal education has been compared to the innovations developed by Christopher Langdell at Harvard in terms of its innovation and impact on the future of legal education. Among other things, it facilitates and encourages interdisciplinary teaching and learning in law.

Walsh and Clutterbuck both agree that the interdisciplinary perspective of their Death and Property course increased their understanding of the subject. “The focus in the class of constantly trying to consider civil law, common law and aboriginal conceptions of death and property meant that we were consistently referring back to introductory readings about these traditions,” says Walsh. “There is something to be said about mastering a smaller amount of material and then taking it farther.”

“Professor Campbell explained to us on the first day why she had reconstructed the course,” Clutterbuck says. “Wills and Estates and Successions were previously taught separately as the common law and civil law classes. Professor Campbell was committed to trans-systemic legal education and as a result, she nicely incorporated civil law and common law approaches as well as aboriginal legal

traditions, including cases dealing with aboriginal peoples' wills which are subject to the Indian Act."

Ultimately, says Van Praagh, discussions about legal education should always take into account "the type of education that will prepare the lawyers of tomorrow and the way that this education shapes the society in which we live today and also the society in which we aspire to live in the future."

According to Professor Rosalie Jukier and McGill Law doctoral student Kate Glover, law graduates often proceed to careers outside the traditional category of practicing lawyer. "These graduates take up positions as executives, politicians, policy-makers, social justice advocates, legislative drafters, librarians, journalists, authors, consultants, mediators, law enforcement officers, and so on."

Jukier and Glover recently co-authored a paper on the role of graduate legal education on the future of the law faculty, which was published in the most recent issue of the *Alberta Law Review* (2014). In this paper, they argue that a university education in law "is an exercise in learning about just human interaction, in the course of which students [also] learn about themselves."

"Instead of falling into the notorious 'trap of academe versus profession,' we should view the law faculty as an institution with a broad, single mission—that of cultivating jurists," Jukier and Glover say, going on to quote fellow McGill Law Professor H. Patrick Glenn, who notes in his esteemed volume *Legal Traditions of the World* that jurists demonstrate an ability to see "law as learning according to rigorous requirements of reasoning," with a view to understanding "conditions of governance of complex personal relationships."

This idea of educating jurists, then, requires both a revision of expectations of law graduates, to break the restrictive categories of academic, theoretician, practitioner or policy-maker, and it also requires a relentless focus on capacities for problem-solving, professionalism, judgment, intellectual curiosity and self-awareness. Writ large, educating jurists means educating individuals who reflexively and constantly take into account their contributions to society, to intellectual reflection and to creative and critical thinking.

In an impassioned speech made at the London School of Economics and Political Science in 2012, Roderick Macdonald made the case that "every great university needs a legal studies program" because the skills students acquire in legal education are the very

ones that a modern university aspires to educate—guide, draw forth, and raise—in its students.

The university, Macdonald argued, is essentially "a community of learners in quest of virtuous lives." "Virtue," in Macdonald's words, "means seeking a performance of one's commitments that speaks of who we are."

In academic and educational settings, it means "reverence for accumulated wisdom of the past tempered with an acknowledgment of its contingency; it calls forth a commitment to the protocols of free inquiry, disciplined by methodological rigour and respect for evidence; it demands respect for new knowledge and new frameworks, and humility in the face of the challenges such knowledge and frameworks pose to orthodoxy."

"Acting virtuously does not simply mean doing a job in order to make a living," Macdonald emphasized. "Acting virtuously is a way of being alive."

Because true engagement with the law is inescapably self-reflexive and self-critical, Macdonald added, legal education provides universities overall with a powerful "inoculation against the virus of complacency." It teaches students to understand the intricacies of relationships, to ground themselves in the particular and in the general, to blend everyday questions with broader, governing principles, and to stand both in and outside of the law—to constantly view and judge themselves and their community.

McGill doctoral student Jeffrey Smith evoked a similar theme in a paper for the McGill Annual Graduate Conference in Law, held at the Faculty in May 2014. In a paper titled "The hidden richness of imagination: The role of the scholar as public intellectual in Canada," he states: "society's problems are complex. The need for scholars of law to fully engage those problems, and in an overt public discourse through the exchange of critical ideas, seems evident."

Legal scholars should, Smith argues, "aspire to shaping society's conversations through public intellectualism," to enter into the public fray, to use new media to publish their writing, to not only comment on the law but also to take action. Only then, he says, can they engage more closely with the societies in which they work.

Only then can their education be true to the meaning of the Latin word *educare*: To guide, lead, draw forth and to raise up each individual, to the benefit of all. ■



Professor Shauna Van Praagh



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# Process DUE

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In light of the profound changes affecting the legal profession, six McGill Law alumni and Dean Daniel Jutras discuss the pressing need to create connections among practitioners, clients, law faculties and the general public, as well as the means to do so, through technology, education and access to justice.



**Fred Headon**, BCL'96, LLB'96, Assistant General Counsel, Labour and Employment Law, Air Canada;  
2013-2014 President, Canadian Bar Association

**Jill Hugessen**, BCL'85, LLB'85, coach and founder, Force 10 Coaching

**Daniel Jutras**, Dean of the Faculty of Law at McGill

**Martha Shea**, BCL'84, LLB'84, family law and collaborative dispute resolution

**David Skinner**, BCL'91, LLB'91 and **Karen Dunn Skinner**, BCL'93, LLB'93,  
lean practice management advisors and founders, Gimbal Canada

**Norm Steinberg**, BCL'75, Global Vice Chair, Norton Rose Fulbright, Chairman of Norton Rose Fulbright Canada;  
chair of the McGill Faculty Advisory Board

## TRENDS

**(Editor)** Be it the closing of Heenan Blaikie this year, the discussion about globalization or the influence of technology on law, it seems like the legal industry is going through a time of intense change. What factors do you think are most affecting this phenomenon?

**Norm Steinberg:** A good place to start this conversation could be to put things in context and to ask, 'Why did our firm, Ogilvy Renault, become part of a global merger? Why did our firm and why did Norton Rose go down this road of consolidation?'

There are a number of trends that influenced the mergers: first, both Norton Rose and Ogilvy Renault aspired to become truly international. Norton Rose wanted to be in places like Australia, Canada and Africa, and we at Ogilvy Renault wanted to serve our clients outside Canada, with full practices on a truly global basis.

Second, we at Ogilvy Renault wanted to have the scale that results from being bigger, both to cover more geography and to have the resources that come with size. By having large revenues, we can invest at an accelerated pace in technology, in training, in research and development, in marketing and so forth. This is something that accounting firms figured out a long time ago.

So, globalization, the need to invest in technology, greater concern by everyone about cost. ... These are all long-term trends and we have to ensure we are not complacent dealing with these trends. We have to continue to think strategically and always try to think out of the box in terms of where we want to go.

**Fred Headon:** Technology has become so pervasive and our ability to communicate online has become so easy, it has moved us to a broader shift that really spans generations.

Throughout the CBA Futures Initiative ([www.cbafutures.org](http://www.cbafutures.org)), we have heard that our clients feel that the legal process is too opaque. There is a thirst to be more involved in the process, to see all the steps.

**(Editor)** Martha, as the sole practitioner in this group, have you noticed similar trends?

**Martha Shea:** There is definitely a convergence of forces for change. In my practice, I can see that people are very individualized now and they don't have the 'respect' for the law that they used to.

When I started litigating and people came to court, they were dressed up. They were going to see a judge. Now, people come to court in their shorts, they walk in, look at the judge and say, 'No, I don't agree with that. Why are you saying that?' It is a different ball game now and all of us on the ground have got to work that through, in an intelligent and creative way.

**Fred Headon:** People expect to be able to jump in and participate. A generation back, you might have called it the Marshall McLuhan effect. Today, you might call it the Facebook effect.



Norm Steinberg

**(Editor)** There has also been an explosion of alternate legal service providers.

**Karen Skinner:** AxxessLaw is a firm that started recently in Toronto and rented space from Wal-Mart. They do a lot of basic family law and offer advice on family law, wills and estates, and it is right there, accessible for the person who might never be able to access a Bay Street tower.

**David Skinner:** There was some confusion in the Canadian legal market and in the press that this was Wal-Mart practicing law. That is not the case. Rather, as you are walking down the aisle buying your milk and eggs, you might think, “We just had a baby. Maybe we should re-consider our will to accommodate this new dependent.”

There are also a lot more legal services available online. You can get a will off the internet for \$25. It gets you partway there, at least. It’s a bit like consulting Dr. Google. We have all done that. Should we? The point is that you can.

**Norm Steinberg:** We are working on our strategic plan called 2020, which is intended to shape and prepare our law firm for the world of 2020. My guess is that our practice in 2020 will be very different from our existing practice.

For one thing, it is going to be much more technology-oriented. Who will we be competing with? Google and companies in the high-technology space like that, that are going to be able to deliver, despite everybody’s astonishment, legal services in non-traditional ways. We will also be competing with lower-cost providers in lower-cost jurisdictions around the world.



➤ Fred Headon



➤ David and Karen Skinner

**David Skinner:** With the surfeit of bright, technologically capable graduates looking for jobs, they are also out there looking at technology as one way to solve problems. Just look at companies like Rocket Matter (legal billing and law firm management software) or Legal Zoom (online incorporation software).

**Karen Skinner:** With globalization, you can also outsource your legal work and get it done in Bangalore or in Johannesburg while you are asleep, or even in lower-cost jurisdictions right here in North America.

**Daniel Jutras:** Globalization has also profoundly changed legal education. Many law schools have added new dimensions to their programs and the focus is shifting to regional and transnational rules, international business rules, international human rights rules, global environmental rules.

In many ways, this is already our strength at McGill: we devote ourselves to examining and understanding legal phenomena wherever it may lie—in the Quebec Civil Code, in transnational model legislation, in municipal city charters, or in the Common Law of British Columbia. This openness and curiosity are turning into a blessing in this changing environment. It turns our students into very nimble and creative lawyers.

## THE PROCESS OF LAW

**(Editor)** Would you say these factors are influencing the profession as a whole? Are the key values of the profession changing as well?

**Jill Hugessen:** If I had to summarize it in one word, it would be commercialization. Law, in spite of what people want to continue thinking of as a vocation, has become a business. I should mention I am talking specifically about private practice and big law firms, but I do think these changes have an impact on the rest of the profession.

As a profession, we are a little slow to change, accept or acknowledge this commercialization. We still think of law as the domain of a select few, which prevents us perhaps from looking at more creative ways of providing a competitive product at an appropriate price.



“That monopoly is breaking down and it is **never going to go back**. People never step back from the ability to do things on their own.”

**David Skinner:** Many of us like to believe that as a profession, we are engaged in art, that people come to us for our knowledge, creativity and ability to solve problems. That is true, but people solve problems within frameworks and Karen and I, in our work, are trying to get people to recognize that most of what we do in law is a process.

Clients are prepared to pay top dollar for that very innovative tax solution as part of that M&A transaction, but every M&A transaction starts with the same basic fundamentals: a list of terms in the form of a term sheet, due diligence, and then some drafting, some negotiation.

**Fred Headon:** This is where cost and process actually come together. When we actually break law into a process, sketch out the different steps that are involved, then we can identify who else might be able to do parts of whatever work needs to be done, look for ways to allow clients to be more directly involved in that process.

**David Skinner:** It is not a question of making everybody an identical robot and doing the exact same thing. That would be destructive. But it is about taking those elements that are routine and repetitive and finding a way to hone them and deliver them in the most efficient fashion.

**Norm Steinberg:** There is also the growing issue that there is really no growth in the traditional legal market. The relationships we have with major clients are becoming much more like partnerships and the way we carry on business is very different.

When a client approaches us with a new mandate, we discuss how to deliver the results in a cost-effective way. We often devise alternative fee arrangements that drive our efficiency and profitability and deliver the results to our clients that they expect.

**Martha Shea:** When clients come to us (when they seek help from the legal profession), it is because there is a conflict. Litigation is often a small part of that conflict, so you have to look at very creative ways of working with clients.

In collaborative law, we work with our clients to see what part of the puzzle, what part of the issues, what issues, in fact, they need us for. Sometimes, they don't need us for all the issues or differences and we approach the case by unbundling the legal services; in French, we call it “un mandat à portée limitée.”

In divorce, for example, we may be telling a client, ‘Maybe you only need me to draft the procedures, maybe you need me to negotiate your pension split versus your house and the rest you'll be able to do in mediation.’

**Karen Skinner:** These are all external pressures eating away at what has traditionally been a monopoly: lawyers controlled the access and the practice. That monopoly is breaking down and it is never going to go back. People never step back from the ability to do things on their own.



➤ Martha Shea

## LEGAL EDUCATION

**(Editor)** What do you think is the role and place of the Faculty amidst all this change?

**Fred Headon:** In our consultations through the CBA Futures Initiative, we have also heard loud and clear that the skills that a successful lawyer needs are going to be more than what we learn in the law faculties today.

Having a solid grounding in the law and legal reasoning is the foundation of what we do but we need to supplement that with other skills, from the business world, for example.

**Norm Steinberg:** I remember when I was in law school back in the '70s, I was delighted to take an accounting course, which was very useful because it gave me a grounding in accounting. It is not the responsibility of law schools to simply churn out what the law firms require, but a relevant curriculum would include accounting, business courses, environmental courses.

**Daniel Jutras:** The curriculum now is very different from what it was in the '70s! The change affects not only the topics that are addressed, but the ways in which teaching and learning takes place. Preparing the next generation of competent legal professionals entails much more than coverage of basic legal concepts. Students need to develop the ability to solve complex problems that cannot be addressed in silos, or without the insight of other disciplines. They also need to be reflective about their role in society, and how they behave as legal professionals.

To cover this larger band of learning outcomes, we are moving toward team teaching, capstone courses and projects, simulations, role-playing, case studies, internships, research opportunities and collaborative learning that encourages critical understanding.

The goal is to develop active learning courses and assignments through which students can translate legal ideas and categories into creative—and just—solutions to real life, complex problems. That is the added value that law schools can offer to future legal professionals. But I remain convinced that the education of lawyers is a responsibility that is shared between law schools and the legal profession.

**Jill Hugessen:** People used to learn at the shoulder or the elbow of an experienced practitioner after graduation and then they would fall into that person's practice when the practice got too big for that one person. That has changed.

This is where coaching often comes in. Coaching is often about how to listen—to your peers, your clients—how to empathize, be genuine and curious, all in ways that ultimately serve the client and allow you to develop your practice. It is not just business development but rather refining the skills that underlie practice management.



▷ Daniel Jutras



▷ Jill Hugessen

**[Editor] How do you become a trusted advisor to your client, which is the ultimate goal?**

**Martha Shea:** We have a whole new role as an educator to our clients, to sit there and explain, "Here are the resources available, here is how the law applies to your case, here are the processes we can use to apply the law and resolve these issues."

There are many lawyers who dismiss these 'soft skills' but they are not soft skills. They are core to a successful completion of a file and an access to justice that is proportionate, equitable and involves the citizen. It is essential that when our clients come out of the process, that they respect and understand the law.

**Daniel Jutras:** The integrated program at McGill is built on the idea that the law has many sources. That means paying attention not only to the formal legal rules of the state but also the formal or informal unwritten rules of social life, sport, neighbourhood, social norms ... all the layers underneath, what really matters to people.

We approach the law with the presumption that it is not predetermined, that rules are expressed differently, in culturally specific ways. This is where we excel. It is all open but at the same time, it's not "anything goes." It is very liberating but can be scary as well.

Martha is right to emphasize the ability to listen to people, and to help them realize their own goals and be the masters of their lives.

**Martha Shea:** I'm reminded of the vision [influential law professor] Rod Macdonald espoused, that society is moving and that we, as bedrock foundation part of society, have to make sure we fulfill a multitude of roles. That includes acting as a bridge between law or justice and society in general.

**David Skinner:** Rod Macdonald was a very powerful example of the transformative role one person can have on an entire institution and on an entire profession.

**Jill Hugessen:** I remember sitting in Foundations class when somebody asked if the point being discussed was going to be on the exam. Rod's answer was: "This is about so much more than that."

It was a marking moment for people in the class. It was as if Rod was saying, "Wake up and realize the privilege that you have to be entrusted with this information. This is the future of our profession, understanding how our society works and contributing to make the whole system better."

It was very powerful. ■





## HOME *Sweet* HOME

On July 9, 2014, Chancellor Day Hall closed for 14 months for renovations to upgrade the building's heating, electrical systems, plumbing, windows and more. Focus Law took the opportunity to revisit the building's storied history.





## HERITAGE VALUE

Commissioned in 1892, Ross Mansion was designed for businessman and philanthropist James Ross in the château style by architect Bruce Price, who also designed the Frontenac, Windsor and Viger Stations, as well as McGill's Strathcona Music Building.

In the 1920s, James K.L. Ross (James Ross' son), hired architects Trowbridge and Livingstone to undertake \$600,000 of renovations that affected every room in the house, including adding a private bathroom to each bedroom, covering up the skylight and punching out the windows to create a library/reading room in what is now the Common Room.

A bon vivant, James K.L. Ross went bankrupt, perhaps unsurprisingly, in 1929. The house was auctioned to the Montreal Trust in 1935 and then purchased by J.W. McConnell as a gift to McGill in 1948.

Architecture student Julian Mirabelli undertook a class project to document the heritage elements of the mansion. "The historical and heritage significance of this building comes from its architectural style, the reputation of its architect and the historical figures who lived here," he says. "There is also heritage significance in the building materials and technologies used."

## HISTORY AND MEMORIES

Since 1977, Professor **H. Patrick Glenn** (pictured above) has worked on the second floor of OCDH in Room 32, on the landing near the majestic winding staircase. He reminisced about his 37 years in his office:

"My office used to have a lovely view over downtown Montreal and it was previously occupied by Donovan Waters, who moved to Victoria in 1976. I kept his blinds, the carpet and the round table, all of which are still here. But he had some frightful orange curtains that I threw out.

This building has memories. The three offices opposite mine used to be classrooms. I think it was one long classroom but it may have been two. The library was downstairs in what is now the Stephen Scott room and the classrooms were upstairs.

In fact, my first office was in what is now the Atrium but was at the time a corridor running along the side of the building. We called it the Bunker and it had a number of small offices—secretarial offices, student affairs offices and professors' offices.

We used to have Mme Allaire, the receptionist, at the bottom of the staircase. She would answer the telephone for everyone and if it was a telephone call for you, she would make a note on a pink piece of paper and put it in your mailbox. She sat there for years and it was always that way at that counter at the bottom of the stairway.

There were all kinds of pranks going on. The funniest thing I ever heard was that there was an unnamed professor in the Faculty who was a bit of a bore and never looked up from his notes. Some now-distinguished graduate of the Faculty stood up and literally tore his shirt off his body during a lecture and, legend has it, the professor didn't even look up from his notes.

That was the kind of small, intense place it was even at that time, in the 1950s."



## THE BIG MOVE

A grand total of 34 staff and Faculty members moved out of their offices in Old Chancellor Day Hall, entailing hundreds of boxes of papers, books and administrative documents, as well as artwork and furniture. This also resulted in a cascade of moves in New Chancellor Day Hall and, temporarily, to an office building on McGill College Avenue, as professors, staff and student groups adjusted to the new arrangement.

Faculty of Law Building Director **Margaret Baratta** remarked: "It's like any other move—which anybody who has moved houses or apartments will understand—but with almost 60 people at the same time.

"We made room for Dean Jutras and his office staff on the sixth floor of NCDH, vacated offices in 3674 and 3690 Peel to accommodate new residents, and even tackled the Faculty archive room! We hired students to go through all of the materials with the help of staff from Archives and they prepared almost 300 boxes for archiving, shredding or recycling."

Much of the move will take place in reverse 14 months from now, when renovations are completed, to bring everything back.

Says Baratta, who coordinated every detail with the other members of the Faculty's Space Committee (**Steve Smith, Véronique Bélanger, Debbie Carlone**): "Right now, I don't even want to think about how much work that will be!"

As the boxes piled up in her office, Professor **Geneviève Saumier** (pictured above) noted with a grin, "Mon bureau n'a jamais été aussi en ordre!" ■

## ON SAYING GOODBYE TO MY ROOM IN CHANCELLOR DAY HALL

by F.R. Scott



Former Dean F.R. Scott was the epitome of the multi-faceted scholar: lawyer, teacher, poet, political activist (often to the dismay of the University administration), he was a relentless advocate of law as an evolving expression of humanity, a guide for action and a tool for social change.

Nevertheless, his waning years at the Faculty, which he spent as Dean, were challenging and his departure evoked in him a wave of nostalgia.

Full of descriptions of hoarded books, papers and paraphernalia, this poem captures the life and retirement of a respected academic figure.

*Rude and rough men are invading my sanctuary.  
They are carting away all my books and papers.  
My pictures are stacked in an ugly pile in the corner.  
There is murder in my cathedral.*

*The precious files, filled with yesterday's writing,  
The letters from friends long dead, the irreplaceable evidence  
Of battles now over, or worse, still in full combat –  
Where are they going? How shall I find them again?*

*Miserable vandals, stuffing me into your cartons,  
This is a functioning office, all things are in order,  
Or in that better disorder born of long usage.  
I alone can command it.*

*I alone know the secret thoughts in these cabinets,  
And how the letters relate to the pamphlets in boxes.  
I alone know the significance of underlinings  
On the pages read closely.*

*You scatter these sources abroad,  
and who then shall use them?  
Oh, I am told, they will have a small place in some basement.  
Gladly some alien shelves in a distant library  
Will give them safe shelter.*

*But will there be pictures of J.S. Woodsworth and Coldwell  
Above the Supreme Court Reports? The Universal Declaration  
Of Human Rights, will it be found hanging  
Near the left-wing manifestos?*

*And where are the corners to hold all the intimate objects  
Gathered over the rich, the incredibly years?  
The sprig of cedar, the segment of Boulder Dam cable,  
The heads of Buddha and Dante, the concretions, the arrowheads,  
Where, where will they be?*

*Or the clock that was taken from my 1923 air-cooled Franklin?  
The cardboard Padlock, a gift from awakened students?  
The Oxford oar, the Whitefield Quebec, the Lorcini?  
These cry out my history.*

*These are the cells to my brain, a part of my total.  
Each filament thought feeds them into the process  
By which we pursue the absolute truth that eludes us.  
They shared my decisions.*

*Now they are going, and I stand again on new frontiers.  
Forgive this moment of weakness, this backward perspective.  
Old baggage, I wish you goodbye and good housing.  
I strip for more climbing.*



## StarGAZER

After a career spent at the Smithsonian Institution and at NASA, George S. Robinson offers a no-holds-barred take on how to get space law back on solid ground

**George S. Robinson has always charted his own path. The first person to graduate with a DCL from the Faculty's Institute of Air and Space Law (IASL), Robinson later became legal counsel at the Smithsonian Institution in Washington, D.C. In Montreal with his wife, Ann, for an IASL conference this past May, he sat down with Focus Law to talk about the connections between evolutionary biology and space law.**

### **How did you become interested in air and space law?**

Because I was afraid of flying! I overcame the fear by earning my pilot's license while at the University of Virginia School of Law in the 1960s. I would fly male classmates to a couple of local all-women's colleges for quick dates. Compensation helped pay my law-school tuition.

After law school, I worked with the Federal Aviation Agency's Office of the General Counsel in Washington. About two years into the job, I met George Gleason and Steven Doyle, who also had attended McGill's Institute of Air and Space Law. They convinced me to apply to the Institute. So, I trekked to Montreal with my wife Ann and completed the LLM degree in 1967. We later attended McGill again to earn my DCL in 1970.

### **What was life like as a student here?**

The second time around, Ann and I rented a reasonably decent apartment on Milton Street, but student living in those days was tough ... we had very little money, it was a particularly cold winter, and we couldn't afford much in the way of food. Eating out meant going someplace on the outskirts of the city and buying a hot dog with





all the free trimmings ... and indigestion. To splurge for dessert, we walked down to a local drug store off Sherbrooke for chocolate caramel turtles. Two for 50 cents.

We made many good friends both times we were in residence. In between, I worked for the FAA, and then NASA after my DCL residency.

#### That must have been an exciting time to be at NASA!

Yes. I was there when Apollo 11 landed on the moon, and worked on collaborative space programs with five nations, including Canada. I remember having to answer endless letters of congratulations sent to NASA and the U.S. from people around the world, and being asked to respond to many of the letters sent personally to aerospace engineer and space architect Dr. Wernher von Braun.

Some of the most philosophically articulate letters of congratulation and explanation of what the Apollo 11 was really all about came out of remote tribal areas in Africa, as well as from average citizens of India, Pakistan, remote areas of Latin America, and the like.

In the United States, we had very good scientists, engineers, economists, and financial management types, but very few who gave any serious thought to the philosophy—very few who were willing to say that space migration generally is an integral survival component of all biology, and that space migration ultimately is critical for survival of humankind.

I'm an evolutionary biologist, both by training and interest. That is what I studied at Bowdoin College in Maine, and relied upon to guide my practice of law for over 50 years.

#### It sounds like working for the Smithsonian Institution would have been right up your alley, then.

My job at the Smithsonian, as I saw it, was to protect and represent the Institution, and particularly its scientists carrying out basic research around the world.

In addition to an extraordinary and bizarre variety of tasks, I helped put together a number of research centres, including the National Zoological Park's 3000-acre Conservation and Research Center in Virginia, and a 50,000-acre research centre for protected and endangered species in Kenya. I also worked in various centres in Panama, Tunisia, and the former Yugoslavia.

In fact, I sometimes found myself protecting our scientists who, themselves, were somewhat endangered! There were occasions when I exchanged places with the scientists in local jail houses. Some local officials "retained" scientists in remote areas and took "gratuities" in exchange for their release.

In all, however, my greatest interest and pleasure was in working closely with the Secretary of the Smithsonian and the Director of the National Air and Space Museum in building the new Space Museum on the Mall and its offspring at Dulles International Airport.

#### The conference you are attending here is the 2nd Manfred Lachs Conference on Global Space Governance. Your thoughts on what it means to govern space, and to do so globally?

In this context, I often borrow a Spanish classmate's utterance in reference to ownership and governance of lunar resources: "The one with the biggest stick makes the law!"

I have used that expression to explain my view of what really happens in the legal world, and to explain that all laws are transitory. Laws are designed to develop a level playing field until some person or nation can take advantage of it, withdraw in whole or in part, and then attempt domination. It's a genetically coded dictate of all life forms, individually and collectively, and that includes what we refer to as "altruistic" behaviour.

We humans are exploring space to find a better place to live. We must survive or become extinct.

For developing the laws that are necessary, negotiating changes in treaties, or formulating new laws that are domestic, international, global, and even transglobal, it is important to understand why you are doing it and what it really responds to, in the context of the laws themselves, but also, ultimately, in the context of the survival of our own species. ■

*Established in 2014 by friends and family of Dr. George S. Robinson, the George Robinson Prize is awarded to a graduating student at the Institute of Air and Space Law on the basis of his/her successful doctoral thesis exhibiting advanced research capabilities and constituting an original contribution to space jurisprudence. To learn more about the prize, or to make a contribution, contact Katherine Knitel at [katherine.knitel@mcgill.ca](mailto:katherine.knitel@mcgill.ca).*

## ALUMNI GATHERINGS

In February 2014, Dean Daniel Jutras invited NYC area Law grads for a Coffeehouse held at Crowell & Moring, and later in May, he reconnected with alumni from the Greater Toronto Area at a coffeehouse hosted by Norton Rose Fulbright. In March, the Faculty hosted its annual Student Achievement and Donor Support reception, where students who have received scholarships and prizes had the opportunity to meet, greet and personally thank their benefactors.



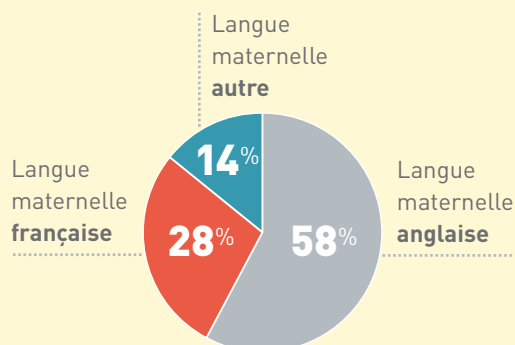
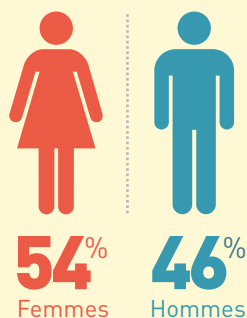
PHOTOS: Maria Marcheschi; Nicholas Morin







ADMISSIONS



**1 381**  
Candidats à l'admission



**178**  
Étudiants admis



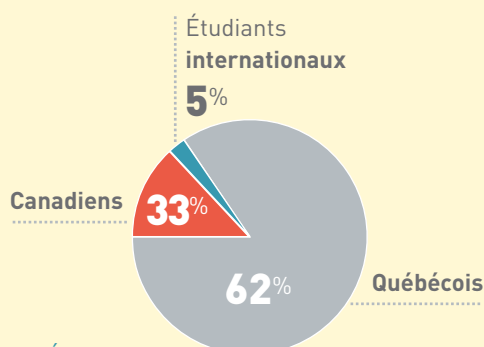
**17%**  
Étudiants du cégep



**21%**  
Ont fait des études supérieures

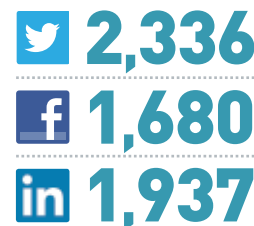


**24 ans**  
Âge moyen des étudiants de 1<sup>re</sup> année

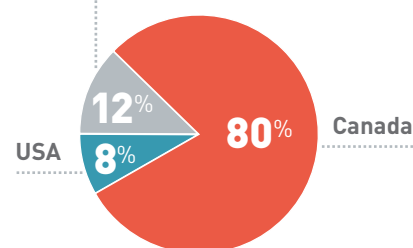


GLOBAL REACH

Social media membership



International  
(in over 100 countries, from Andorra to Zimbabwe)



Alumni

**9,101** alumni around the world  
**\$655,940** in annual donations in 2014  
**238** signed up to REDLINK program

THE FACULTY

**173** hours of continuing legal education at the Faculty in 2013-2014

**121** courses offered in 2014-2015

**49** Faculty members  
(22 women, 27 men)

**15** research chairs

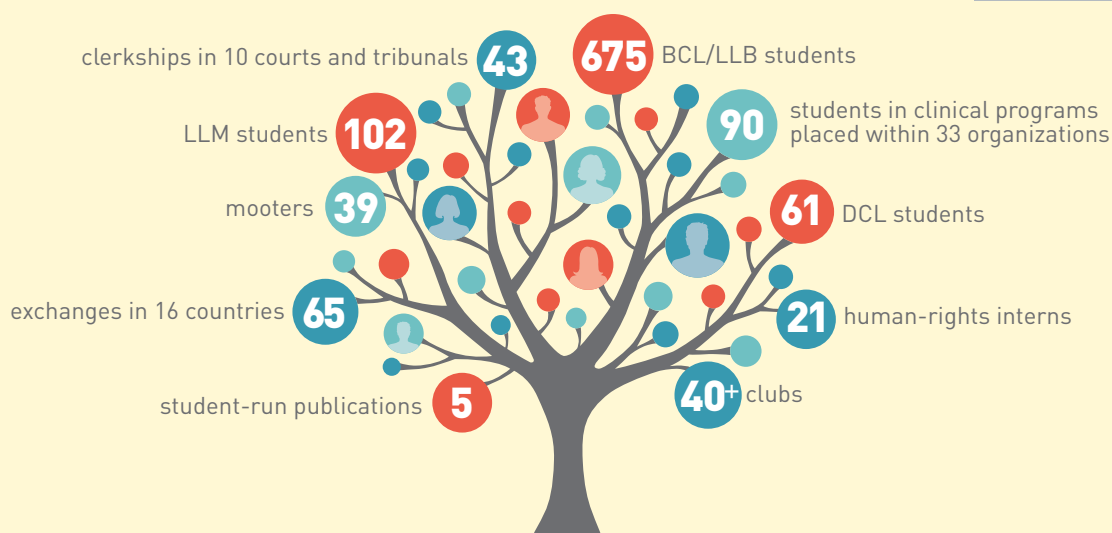
**10** research groups, centres and institutes

**8** new hires in past 3 years: **Christians** (2012), **Weinstock** (2012), **Niezen** (2013), **Miller** (2013), **Manikis** (2013), **Bjorklund** (2013), **Jodoin** (2014), **Popovici** (2015)

Published in



STUDENT BODY





## RODERICK A. MACDONALD (1948-2014)

On se souviendra de Roderick A. Macdonald comme l'un des plus importants chercheurs et théoriciens de l'histoire de l'Université McGill. Enseignant d'abord et avant tout, il a été un mentor et une source d'inspiration pour des générations d'étudiants et de professeurs de droit, ainsi qu'un catalyseur de changement à la Faculté de droit, à l'Université, dans la société canadienne et dans le reste du monde.

Le professeur Macdonald s'est joint à la Faculté de droit de McGill en 1979. Son mandat à titre de doyen de la Faculté de droit (1984-1989) a constitué un bond en avant pour la Faculté, qui, à l'époque, trouvait sa voie en tant qu'institution bijuridique, bilingue et cosmopolite. C'est Roderick Macdonald qui lui a donné une base solide, fondée sur des principes et ancrée dans une conception pluraliste du droit.

Son engagement indéfectible à l'égard du bilinguisme, du pluralisme juridique, de l'interdisciplinarité et du dialogue a forgé la trame intellectuelle de la genèse du programme avant-gardiste de McGill, et en est indissociable. La nature linguistique, transnationale et dialogique du programme est directement inspirée des valeurs que le professeur Macdonald préconisait et que la Faculté encourageait.

L'inventivité pédagogique de Roderick Macdonald, son utilisation de la musique et des arts visuels et de prestations théâtrales dans les salles de cours ont inspiré à ses étudiants

la confiance nécessaire pour explorer leurs propres assertions du droit, de même que leur rôle moral, éthique, politique et social en tant que juristes. Pour le professeur Macdonald, chaque moment en était un d'enseignement et d'apprentissage, chaque enseignant se doublait d'un apprenant et chaque étudiant était digne d'une considération et d'un respect absolus. Il savait toujours comment faire ressortir ce qu'il y a de meilleur en chacun.

Sa vision audacieuse de l'éducation juridique, son extraordinaire énergie en tant que chercheur, sa capacité à redéfinir et à réinventer le cadre du droit, son engagement profond envers la justice, son intégrité sans faille et son dévouement absolu continuent à ce jour à définir la mission et les aspirations de la Faculté de droit de McGill.

L'un des plus influents juristes de sa génération, le professeur Macdonald a écrit trois livres et assuré la préparation et l'édition de six ouvrages collectifs. Il a publié plus de cent articles remarquables dans des revues scientifiques et des douzaines de chapitres dans des recueils, des rapports de la Commission de réforme du droit, des études et des rapports de recherche. Sa capacité à jeter un éclairage unique et original sur un large éventail de questions de droit public et de droit privé restera sans égale.

C'est avec une profonde tristesse et une reconnaissance infinie que le 13 juin 2014, la Faculté de droit a fait ses adieux à l'un de ses membres les plus généreux, brillants et dévoués—un être humain et un universitaire merveilleux, original, compatissant et passionné, un modèle pour nous tous.

– Extrait d'un texte de Daniel Jutras, doyen et titulaire de la chaire Wainwright en droit civil.

Version intégrale : <http://bit.ly/RodObit>

## BOOKS BY ALUMS

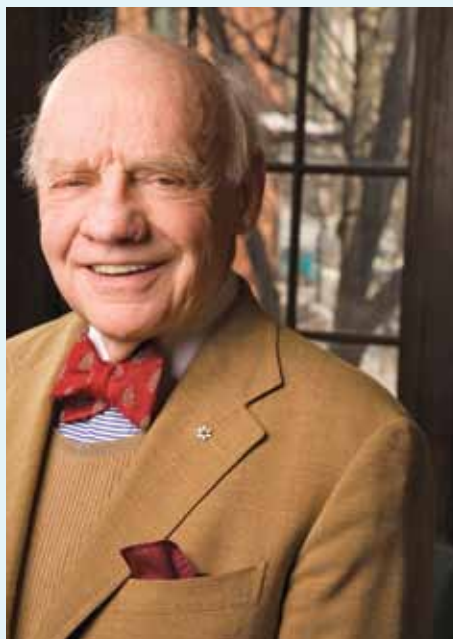
**Michael Byers**, BCL'92, LLB'92, wrote a prize-winning book, *International Law and the Arctic* (Cambridge University Press, September 2013). His book took the \$50,000 Donner Prize for the best public policy book by a Canadian in April 2014. Byers holds the Canada Research Chair in Global Politics and International Law at the University of British Columbia.

**Pearl Eliadis**, BCL'85, LLB'85, has penned a book, *Speaking Out on Human Rights: Debating Canada's Human Rights System* (McGill-Queens University Press, May 2014). The book explores the evolution of commissions and tribunals as vehicles of public policy and considers their mandate to mediate rights conflicts in such contested areas as hate speech, religious freedoms, and sexuality.

Together with Brooks Daly, Deputy Secretary-General of the Permanent Court of Arbitration (PCA), McGill Law graduates **Evgeniya Goriatcheva**, BCL/LLB'10, and **Hugh Meighen**, BCL/LLB'09, have co-authored *A Guide to the PCA Arbitration Rules* (Oxford University Press, May 2014). Their book is a commentary and article-by-article analysis of the new procedural rules for arbitration adopted by the Court in December 2012.

**Hilmi M. Zawati**, DCL'10, President of the International Legal Advocacy Forum (ILAF), and an international human-rights advocate, has published *Fair Labelling and the Dilemma of Prosecuting Gender-Based Crimes at the International Criminal Tribunals* (Oxford University Press, 2014), which is based on his 2010 doctoral thesis.

William S. Aaron, BCL'53  
 Robert D. Allard, BCL'70, LLB'71  
 Jon S. Anderson, BCL'59  
 John H. Dawson, BCL'59  
 Lise Desnoyers-Chamberland, BCL'62  
 John Fetherstonhaugh QC, BCL'50  
 Kathleen Cranley Glass, LLB'80, BCL'81, DCL'92  
 Gilles Godin, BCL'49  
 Pierre A. Godin, BCL'55  
 Frank Frederick Hubscher, BCL'51, LLM'53  
 Mary Hugessen (née Stavert), BCL'58  
 Arnold H. Isaacson, BA'59, BCL'62  
 Jean-Pierre Jasmin, BCL'58  
 Asher Kahn, BCL'59  
 William P. Keating, BCL'51  
 Sam Levine, BCL'90, LLB'90  
 T. R. Anthony Malcolm, BCL'56  
 Lewis Percher, BCL/LLB'08  
 Sydney Phillips QC, BCL'49  
 Clifford S. Postelnik, BCL'68  
 Harold Grant Ross, LLB'76  
 Stephen J. Roth, BCL'66  
 Abraham Segal, BCL'59  
 Leonard A. Seton QC, BCL'42  
 Jack Shayne, BCL'53  
 Claire R Sheiner (née Silver), BCL'82, LLB'83  
 Mark Joseph Steinberg, BCL'93, LLB'94  
 Haykazun Sumbulian, BCL'60  
 Laurel L. Ward, LLB'78  
 John H. Watson, BCL'49  
 George E. A. Whelan QC, BCL'52  
 Robyn Elyse Wolfe, BCL'84, BCL'85



## REMEMBERING WILLIAM TETLEY (1927-2014)

A world-renowned expert in maritime law, Professor William Tetley led an extremely full life.

He graduated from the Royal Canadian Naval College in 1945 and served at sea and in the Reserve from 1945-1951. He practised civil, commercial and maritime law from 1952 to 1970—during which time he also acted as a book reviewer at *The Gazette* in Montreal—before

turning his attention to municipal and provincial politics: he served as City Councillor in Town of Mount Royal from 1965-1968, the member for N.D.G. in the Quebec National Assembly from 1968 to 1976 and a cabinet minister in the first Bourassa cabinet, from 1970 to 1976.

Professor Tetley joined the Faculty in 1976 and built an illustrious academic career in which he authored more than 150 articles and seven monographs and was appointed Distinguished Visiting Professor of Maritime and Commercial Law at Tulane University, New Orleans. In 2007, he was presented with the Faculty's F.R. Scott Award for Distinguished Service in recognition of his contributions to his field.

Always committed to public service, Professor Tetley also served as chairman, president and member of the executive council of many maritime councils and law associations, including a task force on the maritime industry of Montreal appointed in 1992 (Table de concertation sur l'industrie maritime de Montréal) as well as the Comité maritime international. He was named to the Order of Canada in 1995.

Professor Tetley passed away, surrounded by his family, on July 1, 2014. The Faculty of Law offers its most heartfelt condolences to his wife, Rosslyn Tetley, his four children and nine grandchildren, and to the entire family.

## ORDER OF CANADA

In July 2014, Federal Court Judge **James K-Hugessen**, BCL'57, was named a Member for his contributions to the advancement of disability law and for his dedication as a jurist, while **Malcolm Bruce McNiven**, BCL'79, was named a Member "for his broad and sustained commitment to the preservation and flourishing of Montreal culture and heritage."

En décembre 2013, **Marie Deschamps**, LLM'83, professeure auxiliaire à la Faculté, était nommée Compagnon de l'Ordre du Canada (C.C.) « pour ses nombreuses contributions en tant que juriste et pour son dévouement à l'égard de la formation des jeunes », tandis que **Michael Goldbloom**, BCL'78, LLB'79, principal de l'Université Bishop, était fait membre de l'Ordre du Canada (C.M.) « pour avoir établi plusieurs organisations communautaires à Montréal et pour sa détermination à ériger des ponts entre les communautés francophones et anglophones de la ville. »

## AVOCATS ÉMÉRITES DU BARREAU - 2014

- La professeure **Adelle Blackett**, BCL'93, LLB'93 (également récipiendaire du Mérite Christine-Tourigny 2014)
- Le professeur **François Crépeau**, BCL'82, LLB'82
- Le professeur **Daniel Jutras**, doyen
- L'hon. **Marie Deschamps**, LLM'83, professeure auxiliaire
- **Caroline Ferland**, BCL'95, LLB'95
- **Marie Christine Kirouack**, BCL'91, LLB'91
- **Simon V. Potter**, BCL'71



# '60s

➤ **MORRIS FISH**, QC, BCL'62, LL'D'01, who retired in 2013 from the Supreme Court of Canada after 10 years, joined Davies Ward Phillips & Vineberg LLP as Jurist in Residence in February 2014. Drawing upon his invaluable litigation experience and knowledge of appellate practice, he provides mentoring and strategic advice to the members of the Litigation practice group.

➤ **DAVID P. O'BRIEN**, BCL'65, recently became the new Chairperson of the board of directors for the Centre for Affordable Water and Sanitation Technology, a Calgary-based charity that provides safe drinking water in the world's most impoverished areas. O'Brien is Chairman of the Board of RBC, an Officer of the Order of Canada, and a member of the Canadian Business Hall of Fame. He is a committed volunteer and supporter of health and education initiatives.



In June 2014, **MARY DAWSON**, CM, QC, BCL'66, was reappointed as Canada's Conflict of Interest and Ethics Commissioner for a two-year term. She has

been serving in that role since July 2007. Ms. Dawson previously had a long career with the Government of Canada and oversaw a wide variety of legal issues at the Department of Justice.

➤ En mars 2014, **JOE OLIVER**, BCL'64, a remplacé le regretté Jim Flaherty au poste de ministre des Finances après que celui-ci eut annoncé sa retraite de la vie politique. M. Oliver, qui a été élu à la Chambre des communes pour la première fois en mai 2011, est le député fédéral du comté Eglinton-Lawrence (Ontario).

# '70s

➤ **IAN M. SOLLOWAY**, BCL'73, Chair of the English-Speaking Section of the Bar of Montreal, received the Past-President's Medal of the Lord Reading Law Society in April 2014. This is the Society's highest award, bestowed from time to time on a worthy member or former member of the Society who has achieved excellence in the legal profession; has made a significant contribution to the community and is of the highest integrity.



In February 2014, the Faculty presented **STUART H. COBBETT**, BCL'72, with its James A. Robb Award to honour his exceptional work as a Faculty volunteer. Cobbett,

who has served as Chairman of McGill's Board of Governors' since 2010, is a partner with Stikeman Elliott. He has been an active member of the McGill Alumni Association for many years. He was lecturer in the Faculty from 1976 to 1985. He is also a governor of the Quebec Bar Foundation and serves on several boards of directors.

# '80s

➤ **BERNARD AMYOT**, BCL'82, LLB'83, formerly of Heenan Blaikie, is one of the founding partners of LCM Attorneys, a new litigation boutique law firm in Montreal that opened its doors in March 2014. Amyot recently ran in the federal Liberal nomination for the riding of Ville-Marie.

➤ **RICHARD NEIL GOLDMAN**, BCL'84, LLB'85, received Pro Bono Québec's Médaille de Saint-Yves during the Barreau's September 2013 Award Ceremony. Admitted to the Quebec Bar in 1987, Goldman has, throughout his career, devoted his time to the most vulnerable groups. He is actively involved with human rights organisations and promotes access to justice through pro bono legal work.

➤ En octobre 2013, **STEPHEN W. HAMILTON**, BCL'84, LLB'84, était nommé juge puîné à la Cour supérieure du Québec à Montréal. Il a remplacé la juge Manon Savard. Titulaire d'un baccalauréat en droit civil



**JEFFREY EDWARDS**, BCL'86, LLB'86, an adjunct professor of law at McGill and a lawyer who specialized in the resolution of construction and product quality

claims, was appointed as a new justice to the Civil Division of the Court of Quebec in Montreal. An accredited arbitrator and mediator, he is a leading Quebec expert in the law of product quality and defective workmanship.

d'Oxford, il est membre du Barreau du Québec depuis 1986 et du Barreau de l'Ontario depuis 1988. Il a également enseigné à la Faculté entre 1992 et 2006.

➤ Since May 2010, **R. WADE LITCHFIELD**, LLB'89, has been VP and General Counsel of Florida Power & Light Company (FPL). FPL is a wholly owned subsidiary of NextEra Energy, Inc., one of the leading energy providers in the United States. Litchfield joined FPL in 1998 as Senior Attorney.

➤ Noted international law scholar **STEPHEN J. TOOPE**, BCL'83, LLB'83, stepped down in June 2014 as President and Vice-Chancellor of the University of British Columbia. He will take up the direction of the University of Toronto's Munk School of Global Affairs in January 2015. Before joining UBC, Toope was President of the Pierre Elliott Trudeau Foundation, and a professor at McGill Law, where he was also Dean from 1994 to 1999.

# '90s

➤ **PATRICK FERLAND**, BCL'98, LLB'98, qui est chargé de cours à la Faculté depuis 2011, est l'un des cinq associés fondateurs de LCM Avocats, une nouvelle boutique de litige à Montréal. Au cours des dernières années, il a pris part à de nombreux dossiers d'envergure, dans lesquels il a représenté d'importantes sociétés privées et certaines sociétés d'État, en plus d'agir pour le compte d'un État et d'entités publiques étrangères.

➤ **LAVERNE JACOBS**, BCL'99, LLB'99, who teaches at the Faculty of Law of the University of Windsor, received a one year Fulbright Visiting Research Chair in Canadian Studies at the University of California, Berkeley, where she has been since January 2014. Jacobs focuses her research on the creation of administrative law regulations that affect persons with disabilities, and on the ability of those with disabilities to participate effectively in the lawmaking process.

➤ **MARKO PAVLIHA**, DCL'92, Head of the Law Department at the Faculty of Maritime Studies and Transportation, University of Ljubljana, and former Slovenian Minister of Transportation and Vice-President of Parliament, delivered his annual lectures on the Law of Marine Insurance to the International Maritime Law Institute. This was his 15th consecutive visit to IMLI.



**DANIELLE LAVOIE**, BCL'91, LLB'91, a récemment joint les rangs de Cadillac Fairview à titre de vice-présidente, exploitation pour l'Est du Canada.

Comptant plus de 20 années d'expérience dans l'industrie de l'immobilier, elle occupait jusqu'à tout récemment le poste de vice-présidente, gestion immobilière, chez Strathallen.

- **CRAIG SHEPHERD**, LLB'96, was appointed in May 2014 to the Board of Trustees of the American Kidney Fund, a health-care charity based in the Washington, D.C. area. Craig also serves on the boards of Drug Royalty III GP and Medcan Health Management. He is Managing Director and Chief Legal Officer of DRI Capital, where he has responsibility for business development, legal affairs, strategic planning and serves on the Investment Committee. Craig and his wife, Erica, have two daughters, ages 9 and 5.

- **TODD WETMORE**, LLB'92, formerly of Shearman & Sterling Paris, is among the six founding partners of a new global arbitration firm named Three Crowns LLP, which launched its operations in London, Washington and Paris in April 2014.

'00s

- **WILL AMOS**, BCL/LLB'04, who has been litigating with Ecojustice and teaching part time at the University of Ottawa's Faculty of Law, will seek the federal

Liberal Party of Canada nomination in the new riding of Pontiac (Western Quebec) in the fall of 2014.

- **MARC MILLER**, BCL'01, LLB'01, an associate in the Montreal office of Stikeman Elliott and a member of its corporate and commercial group, won the federal Liberal nomination for the riding of Ville-Marie in the winter of 2014.
- **MARK MORRIS**, LLB'01, a co-founder of Axxess Law PC, Toronto, was recently named one of the top 25 top lawyers in Canada with his business partner.
- In March 2014, **GENEVÈVE PAINTER**, BCL/LLB'06, was awarded a Woodrow Wilson Women's Studies Dissertation Fellowship for her thesis *Indigenous Women's Rights versus Self-Determination: A Genealogy of the Conflict*, which explores how gender equality and indigenous self-governance became framed as intrinsically competing interests in need of reconciliation. Painter is doing her PhD at the University of California, Berkeley.



**SOPHIE LAMONDE**, BCL'01, LLB'01, associée du cabinet Stikeman Elliott, est entrée au palmarès des «40 meilleurs conseillers juridiques de moins de 40 ans en fusions et acquisitions» de la

publication spécialisée *The M&A Advisor* en octobre 2013. Elle a également été reconnue dans l'édition 2014 de la publication *The Best Lawyers in Canada* pour son savoir-faire dans les secteurs du droit des sociétés et des fusions et acquisitions.



**EMILIA ORDOLIS**, BCL/LLB'08, and **ANDRÉS DREW**, BCL/LLB'07, welcomed baby Vivian in April 2014. Andrés, a member of the Faculty's Advisory Board, is a Senior Policy Advisor at Natural Resources Canada, and Emilia is a Senior Policy Analyst at Health Canada.

'10s

- **SIMONE BITTMAN**, BCL/LLB'11, completed an LLM at University College London in 2012, where she won the Dean's Medal as the top graduate in the LLM program. She also garnered a New Square Prize for Top Performance in an Intellectual Property Dissertation, for her dissertation entitled "Copyright ownership of academic scholarship". She has since returned to Canada to article at the Ministry of Health and Long-Term Care for the Ministry of the Attorney-General of Ontario and was called to the bar in October 2013.
- À la fin de l'été 2013, **LUDOVIC LANGLOIS-THÉRIEN**, BCL/LLB'12, quittait McCarthy Tétrault pour se consacrer à la production cinématographique. Il était par ailleurs au Festival de Cannes 2014 pour promouvoir son premier court métrage intitulé *The Rules* et en tant que membre de l'équipe du film *Mommy*, réalisé par Xavier Dolan.



In November 2013, **JOHN HLIBCHUK**, BCL'00, LLB'00, became the Regimental Commanding Officer of the Royal Canadian Hussars in Montreal. After graduating from McGill Law,

Hlibchuk served as an advisor to the Commanding Officer of Pacific Region RCMP; Senior Policy Advisor to the President of the Treasury Board; and Senior Policy Advisor to the Minister of Justice. He is currently a lawyer with the Federal Government, teaches law at John Abbott College, and sits on the board of directors of the NDG Food Depot.

- En mars 2014, **GREG RICKFORD**, BCL'05, LLB'05, auparavant ministre d'État aux Sciences et à la Technologie, a remplacé son collègue Joe Oliver au poste de ministre des Ressources naturelles. Il est député fédéral pour le comté de Kenora (Ontario) depuis 2008.
- After a term as Associate Dean Research at Osgoode Hall, **FRANÇOIS TANGUAY-RENAUD**, BCL'02, LLB'02, is spending the year as a Visiting Faculty Fellow at the University of Toronto Centre for Ethics, as well as at Massey College. He remains Director of the Jack & Mae Nathanson Centre on Transnational Human Rights, Crime and Security. In late July, he and his wife, Saumya, welcomed a son, Yohan Gautam-Renaud.

# CLOSING argument conclusions FINALES



**A**s I write this from my temporarily relocated office in New Chancellor Day Hall, renovations have begun in the historical home of the Faculty. Seeing this elegant building all boarded up is both a source of grief and a source of joy. All of us already miss the beautiful rooms, the elegant stairs and the Common Room that encase so many of the Faculty's rich memories. On the other hand, we all know that Old Chancellor Day Hall will come out of this a bit less "Old"—rejuvenated and ready for many more years of adventures in legal education. This said, the magnitude of renovations that became inevitable was somewhat unexpected, underlining in very concrete ways the complexities of planning in a state of uncertainty.

Leaving aside the venerable buildings that often house it, legal education itself is also grappling with much that is unpredictable. Budgetary challenges, shifting opportunities for law graduates, globalization, changes in the market for legal services, new technologies, and innovations in teaching and learning: there is a growing list of factors that call on great law schools to begin right now the renovations that will carry them into the future.

Il faut résister à la tentation d'y voir une crise. La situation n'est pas critique. Elle est, au contraire, pleine du riche potentiel qui naît de tous les bouleversements, grands et petits. Le marché des services juridiques est en mutation profonde? Tant mieux! Plutôt que d'essayer de prédire qui seront les clients dans vingt ans et ce que seront leurs besoins, il vaut mieux développer chez nos étudiants et nos étudiantes la capacité de s'adapter à un environnement changeant. La connaissance des notions juridiques fondamentales ne serait plus suffisante pour amorcer une carrière d'avocat? Mais qui donc s'est contenté, jusqu'ici, d'enseigner un droit désincarné qui ne résiderait que dans les livres? La formation des juristes devrait être plus pratique, plus axée sur les habiletés profession-

nelles? C'est aborder la question par le mauvais bout de la lorgnette: il faut plutôt répondre au besoin irrépressible des étudiants et des étudiantes de donner un sens à leur formation, et légitimer leur refus d'être des consommateurs passifs de savoirs prédigérés. La globalisation et l'émergence des nouvelles technologies ont déjà transformé les professions juridiques? Qu'à cela ne tienne! Il faut amener les étudiants à définir eux-mêmes la manière dont ils serviront l'intérêt public au sein d'un ordre professionnel sans frontières, et ancrer leur apprentissage dans la réalité complexe et foisonnante qui nous entoure.

In short, we must plan the constant renovation of legal education, without being blinded by short term pressures and external forces. We must consider the long term "known unknowns" as well as the "unknown unknowns", without being paralyzed by an uncertain future. Most of all, we must continue to put the student and the public good at the heart of our project.

What does this mean, concretely? Connect active learning, field experience and critical thinking. Create dialogues between legal traditions. Break down silos between courses, disciplines and teachers. Use problems in the real world to redefine the questions. Challenge the boundaries of academic and professional roles. It all translates into something that McGill's Faculty of Law, its students, professors and alumni have taken as an article of faith for many decades: we must build connections between things, people and ideas that others keep separating. Sounds like a good plan for the future of Old Chancellor Day Hall. ■

**{ DANIEL JUTRAS }**



# Participez à la Campagne annuelle de la Faculté

Les dons annuels versés à la Faculté de droit nous permettent d'atteindre de nouveaux sommets à l'égard de quatre objectifs fondamentaux: promouvoir l'action communautaire, l'avancement de la recherche juridique de pointe, le développement de pratiques pédagogiques novatrices et l'amélioration de la formation juridique et, enfin, le rayonnement international de la Faculté. Votre don à la Faculté de droit aura un impact dans un domaine qui vous tient à cœur.

**Aidez-nous à faire une différence aujourd'hui.** 🇨🇦



For more information, please contact Natalka Haras at 514-398-6634 or [natalka.haras@mcgill.ca](mailto:natalka.haras@mcgill.ca)



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