

# USask Law: 2020 National Tax Moot Champions

- Celebrating, learning and teaching in a virtual world
- Faculty research: From ventilators to the shadow pandemic
- Donors inspire aspiring business and law leader





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Published by the College of Law at the University of Saskatchewan, of NOTE contains news and updates from the college as well as information relevant to our alumni and all of our college community.



#### **Iglu Day**

Students in the Nunavut Law Program build traditional iglus in Iqaluit (March 2020)

To submit information or articles for *of NOTE*, or to send us your latest news, whether personal or professional, please contact:

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We acknowledge we are on Treaty 6 Territory and the Homeland of the Métis. We pay our respect to the First Nation and Métis ancestors of this place and reaffirm our relationship with one another.

#### **CONTRIBUTORS**

**Inalie Portades** is a communications coordinator in development at the University of Saskatchewan.

Cover image © Dentons Canada LLP
Pictured (L to R): The Honourable Judith
M. Woods, Justice of the Federal Court
of Appeal, Donald G.H. Bowman, Anna
Lekach, Will Hampton, Graham Fuga
and Madison Miller.





Shifting to online

The college adjusts to virtual learning, teaching and celebrating



From ventilators to the shadow pandemic

Law professors focus research on COVID concerns



**Donors inspire law student** 

Jina Bae pursues her childhood dream of becoming a CEO

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## **DEAN'S MESSAGE**



It's been almost a year since the college ceased inperson instruction and the doors to our building were closed; yet in many ways it feels like only weeks. The pandemic may have altered our sense of the passing of time, but we have worked hard to ensure that many of our celebrations, traditions and schedules remain consistent with previous years. Of course, most interactions are now through a screen, but I am proud of how all students, faculty and staff have come together to retain a sense of normalcy in the college as best we know how. Read more about the behind-thescenes shift to online operations on page 7.

Moot season is always an exciting time at the college. As we prepare for virtual moots this spring, this issue provides a look back at our teams that competed in the early part of 2020. As you can tell by the cover, we did

well. See the full list of awards and accolades on page 18.

As COVID-19 has and continues to affect society, sometimes in unexpected ways, many of our faculty members have shifted the focus of their research based on the challenges the world is experiencing. On page 14 you will learn more about Professor Farnese's involvement with the Saskatchewan ventilator project, and on page 13 we focus on the timely research on domestic violence being done by Professor Wiegers.

In many ways, the pandemic has also brought out the best in the student body and alumni. Although there have been struggles, the strength and resiliency shown is admirable. Despite facing their own uncertainties and challenges, students have stepped up to help those less fortunate in our community and every time we have asked for assistance, our alumni have come forward—eager to contribute. In the 109-year history of the College of Law, students and alumni have faced a great many challenges including two world wars and two pandemics. In every case (and I will include COVID-19 in this) the college has emerged strong and has continued to flourish in great part due to the spirit of community that bonds us all together. While I am not allowing myself the luxury of looking too far forward just yet, I am secure in the knowledge that when it is time to re-emerge, the entire college community in Saskatoon, across Canada and around the globe will be ready to carry us forward.

I would like to end on a couple of personal notes.

First, it seems hard to believe that I am approaching the end of my first five-year term as Dean of Law. As per university policy I underwent a review process in the middle of last year and was delighted that the Board of Governors offered me a second term. Needless to say I accepted the offer without hesitation and my second term as Dean will run from July 2021 to June 2026. The opportunity to lead this great institution has been the highlight of my professional career and I view it as a great honour and privilege to serve the students, staff, faculty and alumni of the College of Law. However, in true College of Law fashion, it would be remiss of me not to mention that in amongst all the honour and privilege I have just had so much fun so far, particularly when connecting with alumni across the country. I look forward to five more years of the same.

Finally, I'd like to record the thanks of the college for the many contributions of Judge James Plemel of the Provincial Court of Saskatchewan. Judge Plemel has been a great friend to the college over the years, serving as judge in residence, attending alumni and speaking events, and participating as a member of the Dean's Forum on Access to Justice. We wish him all the best in his retirement. We look forward to working with Chief Judge Shannon Metivier (LLB'92) as her appointment begins on March 1, 2021.

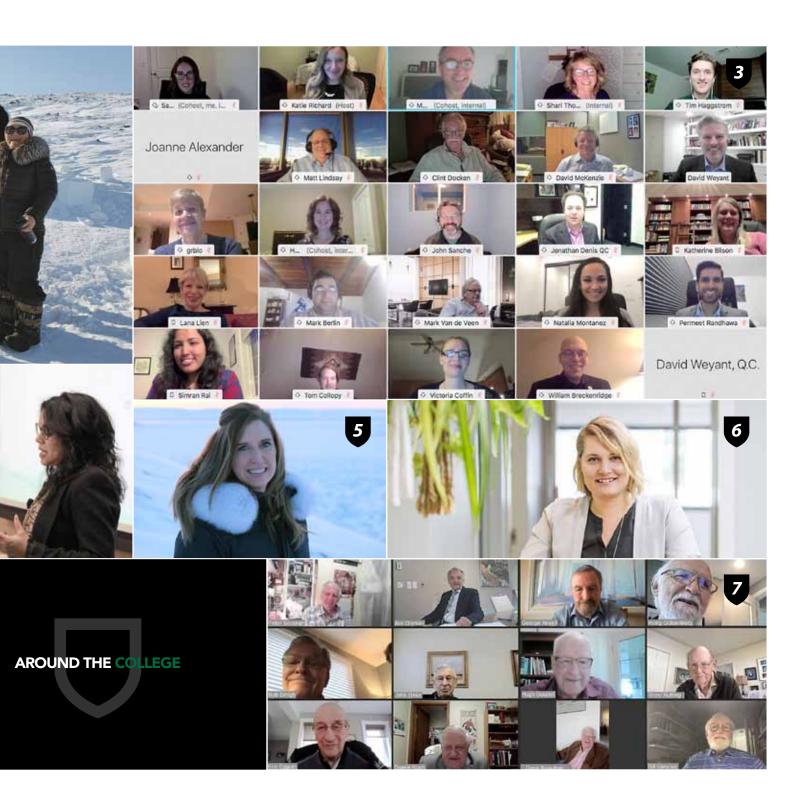
Keep in touch...

Sincerely,

Martin Phillipson Dean, College of Law



- Students in the Nunavut Law Program participated in an iglu building workshop in Iqaluit on March 13, 2020.
- Participants of the 2020 Dean's Forum for Access to Justice and Dispute Resolution.
  Front row (I to r): Miranda Wardman and Melissa Nelson; Second row: (I to r): Everhett Zoerb and Martin Phillipson (Dean); Third row (I to r): Jenine Urquhart and Elaine Selensky; Back row (I to r): Haley Stearns and Brea Lowenberger (Director, CREATE)



- Alumni from Calgary joined the dean for a virtual meetup on Nov. 25, 2020.
- Carrisima Mathen, LSM, delievered the 2020 Silas E. Halyk, QC, Visiting Scholar in Advocacy Lecture on Jan. 27, 2020 at the College of Law.
- 5 Lana Walker was appointed director of the Nunavut Law Program effective July 1, 2020.
- Rachel Loewen Walker joined the college as Ariel F. Sallows Chair in Human Rights on July 1, 2020 for a one-year term.
- The Class of 1960 held their 60th reunion via Zoom on June 3, 2020.

#### **MCKERCHER LLP LECTURE SERIES:**

# 2020 highlights

The 2020 McKercher Lecture Series covered a wide variety of topics from several engaging speakers. While in-person lectures were put to a halt in March, the series moved to an online format to kick-off the new academic year in September. Below is a summary of these events, many of which are now available for viewing at **youtube.com/CollegeOfLawUsask.** 

Jan. 20, 2020:

Developments in problem-solving courts presented by the Hon. Judge Marilyn Penner (SK Provincial Court), Glen Luther (USask) and Dr. Mansfield Mela (USask).

Feb. 3, 2020:

Wunusweh Lecture in Aboriginal Law Indigenous Justice: Seeking an Indigenous Understanding of Justice in Canada presented by Justice Leonard (Tony) Mandamin, Federal Court of Canada (retired).

March 2, 2020:

Shumiatcher Lecture on Law and Literature Harry Potter goes to law school presented by Lenora Ledwon, Professor of Law, St. Thomas University School of Law

March 5, 2020:

Corporate Responsibility: The case for diversity presented by Ken Fredeen, General Counsel, Deloitte LLP

March 11, 2020:

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**Creating a revenge porn tort** presented by Hilary Young, Associate Professor at the University of New Brunswick Faculty of Law

Sept. 21, 2020:

Ariel F. Sallows Lecture

The Time of Misogyny: Gender, Politics, and the Stories We Tell presented by the USask Ariel Sallows Chair in Human Rights, Rachel Loewen Walker

## SPECIAL SERIES: RE-ENVISIONING POLICING IN CANADA

Oct. 5, 2020:

**Ep. 1** ft. Gerry McNeilly, former Ontario Independent Police Review Director

Oct. 13, 2020:

**Ep. 2** ft. Harold R. Johnson, Cree author and lawyer

Oct. 19, 2020:

**Ep. 3** ft. Senator Gwen Boniface, former Commissioner of the Ontario Provincial Police

Oct. 26, 2020:

**Ep. 4** ft. Kent Roach, Professor and Prichard Wilson Chair in Law and Public Policy, Faculty of Law, University of Toronto

Nov. 16, 2020:

Insolvency and the CCAA in 2020: Practical Developments and Tips for Legal Advisors presented by Janine Lavoie-Harding (McKercher LLP), Jeff Lee, QC, (MLT Aikins LLP), and Michael W. Milani, QC, (McDougall Gauley LLP). Moderated by the Hon. Madam Justice Georgina Jackson (Court of Appeal for Saskatchewan).

More than 240 people virtually attended the 2020 Sallows Lecture by Rachel Loewen Walker

























# LAW LECTURE SERIES FOCUSED ON RE-ENVISIONING POLICING



Michaela Keet

#### By Sarah Trefiak

As the fall edition of the McKercher Lecture Series at the University of Saskatchewan (USask) College of Law moved online, the speakers committee decided to view the shift in operations as a new opportunity.

"We've always envisioned this community as extending beyond our hallways, including our students, faculty, alumni, and others from the broader academic community and members of the public. Planning the 2020-21 year meant creating a new vision for how to have these conversations," said Professor Michaela Keet, chair of the College of Law speakers committee.



Typically, each lecture covers a different topic, but this past fall the McKercher Lecture Series featured a spotlight series that allowed a deeper look at the issue of "Re-Envisioning Policing in Canada."

"Issues of police-citizen relations have long been of interest to the law, whether in relation to the criminal law or the legal authority of the police, oversight of policing, or the tensions between 'law and order' and citizens' basic liberties," explained Professor Brent Cotter, a recent appointee to the Senate of Canada. "So, it was a natural subject for the law school to explore."

Recent conflicts and tensions between police and Indigenous people, or people from racial minority communities, were indeed reasons the committee decided to focus on this topic.

"The need to understand the policecitizen relationship better, and imagine ways forward toward greater reconciliation, has become even more urgent," added Cotter.

The committee invited a slate of experts to give the audience a better picture of the challenges between police and citizens, as well as offer insights into

the ways in which policing can be re-envisioned and improved, and the ways in which we might all contribute to those improvements.

"We designed the series to hear from experts on various aspects of the topic," said Cotter.

Gerry McNeilly, former independent police review director in Ontario, provided a perspective on policing and the issues faced by citizens from minority communities; Harold Johnson, a Cree author and lawyer, examined issues faced by people of Indigenous ancestry; Senator Gwen Boniface, former commissioner of the Ontario Provincial Police, spoke to the challenges that police face and the potential for change; and Professor Kent Roach of the University of Toronto, whose insights have been sought by the legal community, academia and by those who provide police leadership and oversight, closed the series.

Each of these free public lectures can be viewed on the College of Law's YouTube channel at youtube.com/CollegeOfLawUsask.











# Looking back: Making the shift to online operations



The dean's remarks at the First-Year Welcoming Ceremony were live-streamed to students across the country.

#### By Sarah Trefiak

The early days of March 2020 were a stressful time in the College of Law. Following the announcement on March 13 that classes would move to remote delivery, faculty and staff had only three working days to adjust to online courses and another two weeks to prepare for final examinations to be held remotely.

Throughout the past year, students, faculty and staff have persevered and adjusted so that classes, exams, special events and career opportunities could have some semblance of normal. Here is a look at how it was done and how things are going.

#### Relearning teaching and learning

When the college made the decision to adopt a new learning management system called Canvas in May 2016, Professor Tamara Larre welcomed the change with open arms. In her opinion, the previous system used by the college did not have the layout and functionality that was conducive to online learning.

"I had already signed up to be an early adopter and was taking courses through the Gwenna Moss Centre for Teaching and Learning," she said. "So, I was very pleased when the college was permitted to switch to the system this year."

Larre estimates she attended at least a dozen sessions on systems like Canvas and WebEx to learn all she could about teaching online and read extensively on the concept of online learning. When it came to building her courses in the system, she found it was a challenge she surprisingly enjoyed, but a challenge nonetheless.

"At first I had a feeling like I didn't know what I was doing. I had never even taken an online class before," she explained. "It also was a major time commitment. It involved figuring out so many little things that by the end of each day it felt like I had little to show for all of my work."

She also worried about the lack of personal connection her students might feel, without seeing her or their classmates face to face.

"The first year of law school is hard, but I knew

it would be immeasurably more difficult and less enjoyable without the chance to socialize with other students—to commiserate, if nothing else."

So Larre made sure to try some new tactics in her courses such as reflective writing, breakout rooms and practice quizzes. She also increased her use of visuals, such as flow charts, and encouraged students to pause the lecture videos as they watched to either submit a question or yell out an answer.

While at first it seemed to Larre that classroom learning was taken away, she now believes online learning provides an even larger range of options, as well as more flexibility for students.

"I was forced to focus on my teaching and really think about what and how to deliver content and help students to learn it. As a result, I received some really positive feedback from my tax law students."

Larre was quick to acknowledge the support of college staff and her colleagues who discussed online learning at length with her.



**Professor Tamara Larre** 

"It somehow felt like we really came together to rise to the challenge," she said. "I am also thankful that the students were so understanding. Their kind comments really kept my spirits up."

# Career office finds new ways to connect employers with students

Job searching for law students is tough on a regular day, but add in a pandemic and fear of the unknown can take over quickly. A number of students had secured summer positions early in 2020 only to see them evaporate rather quickly when the pandemic halted almost every aspect of life in March.

Shari Thompson, the student professional development strategist in the college's career development office, realized quickly that she would need to find a way for students and employers to virtually connect.

"I embraced tools like LinkedIn, Zoom, and WebEx," said Thompson. "I am a big believer in modelling what you are asking your students to do."

With those tools in their pockets, second-year students started to apply for articling positions in April—the first in the country to test the virtual recruitment process.

Beginning in September 2020, first-year students began the process of applying for summer positions, attended professional development sessions, reached out to their upper-year mentors, and booked appointments with Thompson to learn all the tips and tricks around recruitment. In addition, annual career events such as the CBA-SK Firm Showcase, Career Forum and On Campus Interviews were held entirely online.

While the technology and lack of face-toface interactions presented challenges, not all changes to the career process have been viewed in a negative light. "Students can now be more mobile and work remote positions," explained Thompson. "This new virtual world has exposed them to more opportunities, and they now have access to a wider assortment of virtual events than ever before"

# A virtual celebration to welcome new students

One of the areas immediately affected by the pandemic was events. Unfortunately, the Winter 2020 McKercher Lecture Series was cut short and alumni events planned for the spring in Toronto and Vancouver were cancelled.

When it became clear that fall classes would be held online, Katie Richard, alumni relations and events co-ordinator, needed to find a way to move the college's largest event, the First-Year Welcoming Ceremony, online.

"I think the biggest challenge was making sure our incoming students, their family and friends, all felt that we celebrated this milestone with just as much importance and pride as we would have in person," said Richard.

The event was designed to include a combination of pre-recorded and live remarks. The dean hosted the event live from Convocation Hall—the usual setting for the ceremony—while representatives from the judiciary, legal organizations and Burnet Duckworth and Palmer LLP (sponsors of the event), addressed students and their families.



BD&P LLP has sponsored the First-Year Welcoming
Ceremony since its inception in 2012

College of Law alumni also met with small groups of first-year students following the event to answer questions related to their careers and law school experiences.

"Not only is the event important to our incoming students, but it helps us honour our alumni and engage them in a unique way," explained Richard, adding that due to the online nature of the event, the college was able to include speakers and participants from outside Saskatchewan.

One of those was keynote speaker Brad Berg, a partner with Blakes LLP in Toronto and member of the college's Dean's Advisory Council.

"Brad touched on his personal story as member of the LGBTQ community, the challenges and opportunities presented by COVID, and the importance of using your privilege for good," said Richard.

"We're very thankful for all our speakers and our sponsor BD&P. They were more than happy to support our plans for hosting this event in an online format and were engaged right from the start."



Brad Berg (LLB'92) delivered the keynote address from the offices of Blakes LLP in Toronto

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# Recruitment efforts successfully adapt to new restraints

In a typical year, the college's admissions and recruitment team would visit a number of local career fairs and travel across the country to lure potential students to USask Law. This year, recruitment entailed screen-to-screen rather than face-to-face interactions as well as a steep learning curve when it came to online platforms.

"The platforms were all new to me and so we did the best we could," said Michelle Halvorson, admissions officer at the College of Law. "Prospective applicants had specific days they could attend the virtual fairs, look through the materials and chat either in a group or one-on-one."

While there were challenges due to using new technologies and platforms, online recruitment did not appear to have a negative effect. In fact, based on the numbers, recruitments efforts were just as successful as previous years. As of Jan. 5, 2021, the college had received 164 more applications compared to the exact day in 2020.

# The student experience in the virtual classroom

Arguably, law students have had to make the biggest adjustments due to college operations being moved online. The new learning environment has presented both challenges

and opportunities that differ from one student to the next.

For Joel Hacker, a first-year student from Ottawa, the physical disconnect has been the biggest challenge. While he enjoys the flexibility of online learning, and commends the college for attempting to integrate out-of-town students, he believes there is no replacement for attending class in-person.

"I definitely miss the regular in-person interactions with fellow classmates and professors the most," he said. "I didn't realize how much I would miss these connections when it was first announced that classes would be held online."

Hacker emphasized that learning from classmates by discussing concepts and studying in groups is an underrated element of higher education.

"Simply put, in an intense field of study like law, students value their peers' opinions, and we love to learn from one another," he said, adding that the opportunities for that are now limited.

Third-year student Greg Dale agreed that the unintentional impromptu hallway discussions are greatly missed.

"Learning online has made it harder to connect with other students, and to know where you stand compared to other students," he observed.

As a parent, Dale is grateful for the flexibility online classes have provided.

"Being at home has made the stress of getting kids and myself to school and spouse to work on time much more manageable," said Dale. "When daily schedules conflict with class schedules, it is fantastic to be able to listen to lectures when there is time. It has allowed me to be a much more contributing member to the daily household duties and be available for kids activities."



"Being at home has made the stress of getting kids and myself to school and spouse to work on time much more manageable."

-Greg Dale





#### **FACULTY RESEARCH**



Associate Professor **Sarah Buhler** is one of three USask researchers partnering on a \$1.3-million study on affordable housing. The research is funded by a grant from Canada's Social Sciences and Humanities Research Council (SSHRC) in partnership with Canada Mortgage and Housing Corporation (CMHC).

Buhler was named a co-investigator on a research project that will compare the experiences and outcomes of tenants living in subsidized, non-profit housing, with those living in market rentals. This project will also look at aspects of the landlord-tenant relationship, such as how landlords interpret and apply eviction legislation, negotiate with tenants, and perceive eviction costs.

The college's CREATE Justice centre and CLASSIC are collaborators on the project.



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**Dr. Jaime Lavallee**, assistant professor at the College of Law, is part of the national steering committee for the Rebuilding First Nations Governance Project (RFNG). RFNG is a national alliance of First Nation communities and Tribal Councils, academic researchers and public sector practitioners created to support First Nations that have made the decision to transition from the Indian Act to their own inherent rights governance.

This six-year applied action research project is supported by a \$2.5-million SSHRC Partnership Grant awarded in 2020.

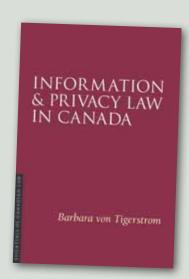
#### **FACULTY BOOKS**

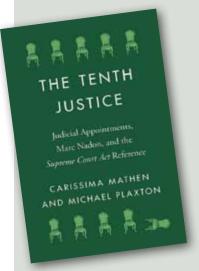
#### Information and Privacy Law in Canada

by Barbara von Tigerstrom

June 2020

Information and privacy law is a broad and varied field that includes principles and remedies in the common law and civil law, as well as many federal, provincial, and territorial statutes and regulations. Increasingly, Canadian law in this field is influenced by developments in other parts of the world. Information and Privacy Law in Canada aims to provide a comprehensive introduction to this important and dynamic area of the law, which can help readers gain a concrete understanding of its main elements and serve as a foundation for further investigation.





# The Tenth Justice: Judicial Appointments, Marc Nadon, and the Supreme Court Act Reference

by Carissima Mathen and Michael Plaxton June 2020

With detailed historical and legal analysis, including never-before-published interviews, *The Tenth Justice* explains how the Nadon Reference came to be a case at all, the issues at stake, and its legacy.

# Supreme Court Law Review, 2nd Series, Volume 98

by Dwight Newman (General Editor), Derek Ross (General Editor), Brian Bird (General Editor) October 2020

This collection of 13 papers examines many of the freedoms listed in section 2 of the *Charter* that have been "forgotten" in the sense that they have not received (much) interpretation in jurisprudence or discussion in legal scholarship.







# CREATE Justice promotes inclusive justice system during Saskatchewan Access to Justice Week

In October 2020, organizers in Alberta, Saskatchewan, Ontario, and Nova Scotia highlighted the work of justice and pro bono groups in each province, which included hosting a series of webinars to educate the public, lawyers and community members on how to improve access to justice in their own neighbourhoods, as well as series of Saskatchewan-specific events and announcements that highlighted local justice innovation.

"In any three-year period, nearly half of the people in Canada will have a problem serious enough to require legal assistance, yet in most provinces, someone working full-time at a minimum wage job earns too much to qualify for legal aid," said Brea Lowenberger, director of CREATE Justice and organizer of Access to Justice Week in Saskatchewan.

According to Lowenberger, many Canadians face additional barriers, including a lack of fluency in English, physical distance from justice services and distrust of legal institutions. "These deterrents have only become greater because of the COVID-19 pandemic," she said. "We were pleased to be able to come together across the country for the first time this year and provide the tools that the legal profession and the public need to address these obstacles."

The week included a national webinar series with events focused on unbundled legal services, systemic racism and community-based access to justice. In addition, Saskatchewan organizations coordinated webinars on the topics of bystander training, legal research, and technology and access to justice.

Have ideas for the next Access to Justice Week? Contact createjustice@usask.ca

# Saskatchewan Legal Coaching and Unbundling Pilot Project (LCUP) Launches

Research on unbundled legal services in other Canadian jurisdictions has yielded exciting results, showing a high rate of satisfaction among both clients and lawyers. The Saskatchewan Legal Coaching and Unbundling Pilot Project (LCUP) Working Group is conducting similar research in Saskatchewan with the launch of the LCUP pilot project evaluation. The lawyer and client feedback forms are now posted at **sklcup.com**, for lawyers and clients to fill out at the close of a file.

LCUP is supported by The Law Society of Saskatchewan, CREATE Justice at the College of Law, and the Ministry of Justice.



#### **COMING SOON...**

#### **Legal Needs Assessment For Saskatchewan**

The Legal Needs Assessment for Saskatchewan is a collaboration between the Centre for Forensic Behavioural Science and Justice Studies (Jewell/Stoliker, the Forensic Centre), the Centre for Research, Evaluation, and Action Towards Equal Justice (Brea Lowenberger, CREATE Justice) at the College of Law (Heather Heavin), and the Law Society of Saskatchewan and aims to increase access to justice for Saskatchewan people by identifying legal needs and gaps in legal information and support, specifically in the family and civil law areas. The project has the potential for important law reform and service delivery impact for Saskatchewan residents, and is financially supported by the Law Society of Saskatchewan and the Law Foundation of Saskatchewan.

Learn more about you can become involved at *law.usask.ca/createjustice*.



Professor Heather Heavin College of Law



Brea Lowenberger CREATE Justice



# Professors Odumosu-Ayanu and Newman join forces for new book on Indigenous-industry agreements

#### By Sarah Trefiak

In December 2020, two College of Law faculty members released "Indigenous-Industry Agreements, Natural Resources and the Law"—a new publication that comprehensively reviews agreements that are formed between Indigenous peoples and companies involved in the extractive natural resource industry.

Dr. Dwight Newman, QC, professor and Canada Research Chair in Indigenous Rights in Constitutional and International Law, along with Dr. Ibironke Odumosu-Ayanu, associate professor, began developing the book in 2017 after a series of discussions and events on the subject—one they felt required further research and sustained attention than it was receiving at the time.

"I had been conducting SSHRC-sponsored studies of contracts in the oil and gas industry and during the course of this work, I found that there was growing interest in Indigenous-industry agreements," explained Odumosu-Ayanu, adding that she also received a Law Foundation of Saskatchewan Fellowship which allowed her to research agreements within a Canadian context.

"Dwight had also been writing on related issues and we began to discuss our shared interests in these agreements," she said. "The available literature, while important, did not capture many of the important issues and we sought to respond to this gap."

In 2017, they hosted an international, interdisciplinary, and cross-sector workshop where they explored questions raised by Indigenousindustry agreements. The workshop was funded by a Social Sciences and Humanities Research Council (SSHRC) grant with further support from the Canada Research Chair in Indigenous Rights in Constitutional and International Law and the College of Law

"We gathered together the very best people we could find who could foreseeably write something important on Indigenous-Industry agreements. So we had people in from Australia, the United States, other parts of Canada and from right here at USask too," explained Newman. "Once we had that lined up, we approached the publisher with the proposal for a collection coming from it."

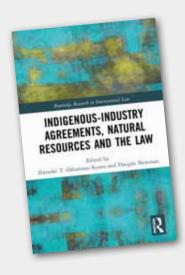
Newman said the book will be of interest to academics, practitioners, Indigenous communities, industry, government, and people in a variety of sectors impacted by these developments.

"The book brings together a lot of knowledge and ideas on this topic. People might draw upon some of these ideas in thinking differently on how to frame Indigenous-Industry agreements in taking account of gender or Indigenous law or any of a variety of things," said Newman. "Governments might look at the book and think about the issues raised on regulation on transparency issues or intersections with environmental issues and draw from the book too."

Newman emphasizes that the book is not about setting out exact changes to agreements; rather that it is meant to start more conversations on the topic.

"We hope others will join in the further study of Indigenous-industry agreements and that with good research, important changes will be supported over time."





Indigenous-Industry
Agreements, Natural
Resources and the Law is
available now at routledge.com



# PROFESSOR WIEGERS EXAMINES DOMESTIC **VIOLENCE AND ACCESS TO JUSTICE DURING** THE PANDEMIC

#### By Sarah Trefiak

Wanda Wiegers, a professor at the USask College of Law, has been involved in research related to domestic violence for more than 20 years.

Since 2016, her research has largely focused on "Domestic Violence and Access to Justice Within and Across Multiple Legal Systems" a project funded by the Social Sciences and Humanities Research Council of Canada. Jennifer Koshan (University of Calgary) was the principal investigator and Wiegers, along with USask colleague Michaela Keet, was among the co-investigators on the project.

When the pandemic struck, Wiegers, along with Koshan and Janet Mosher (York University), became interested in how domestic violence issues were being amplified and in the fall of 2020 they coauthored COVID and the Shadow Pandemic. The article, published in the Osgoode Hall Law Journal, highlighted the elevated risks faced by survivors of domestic violence during the early stages of the pandemic.

"These risks arise from an increased incidence of domestic violence, an expanded range of controlling and coercive tactics available to abusive partners, along with reduced access to services due to lockdowns, stay-at-home and other public health orders," explained Wiegers.

Wiegers hopes that the research outlined in the article will help identify access to justice issues that are relevant to those affected by domestic violence.

"Ultimately, we hope to enhance the safety of women and children—the primary victims of domestic violence."

Wiegers, Koshan and Mosher have also recently released Violence and Access to Justice: A Mapping of Relevant Laws, Policies and Justice System Components Across Canada, an e-book intended to provide a survey of legislation, government policies and justice system components that apply to domestic violence across Canada.

The resource, aimed at those who work with and support survivors of domestic violence, as well as researchers, lawyers and policy makers, was funded by the Law Foundation of Ontario and can be downloaded for free at CanLii.ca.

COVID-19, the Shadow Pandemic, and Access to Justice for Survivors of Domestic Violence

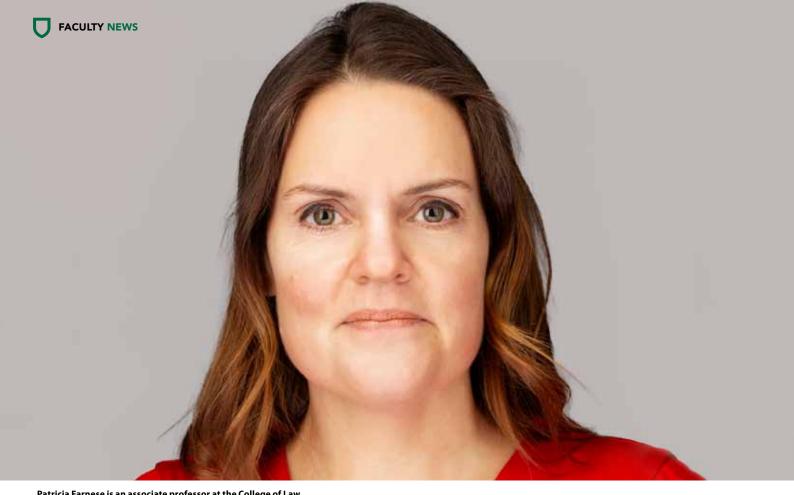
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JENNIFER KOSHAN, JANET MOSHER, AND WANDA WIEGERS:

- te Prefessor, Osgoode Hall Law School, York Ui n. College of Law, University of Saskatchewan. on Schmidt (University of Caigary, Faculty of La

"Ultimately, we hope to enhance the safety of women and children—the primary victims of domestic violence."

-Wanda Wiegers



Patricia Farnese is an associate professor at the College of Law

# USask law professor Patricia Farnese contributes expertise to made-in-Saskatchewan ventilator project

#### By Sarah Trefiak

In January, the University of Saskatchewan (USask), in partnership with the Saskatchewan Health Authority and RMD Engineering, made headlines after successfully developing a "made-in-Saskatchewan" ventilator.

Patricia Farnese, associate professor at USask's College of Law, played an important role in ensuring the project's success.

After learning her friends Julie Montgomery, an associate professor at the Western College of Veterinary Medicine, and Jim Boire, CEO of RMD Engineering, were pursuing development of a ventilator to assist COVID-19 patients, Farnese offered to help decipher policies, rules and regulations.

"They needed someone in-house who could take that information and process it quickly,

look at what they already do and see if they could meet the standards," said Farnese. "And so I offered to help."

Farnese, who has been involved in USask's One Health Initiative for more than 10 years, said the project further highlighted the importance of bringing health and legal professionals together.

"The health field is very regulated and so it's not the case that you can come up with a good idea for patient health and bring that idea to realization without going through a legal process," she explained. "The law provides confidence to the public that what gets approved is going to be safe and do what it's supposed to do."

Her experience with the project has also

brought her a new perspective when it comes to her responsibility to students in the classroom.

"Many of our graduates aren't working in traditional legal practices, but rather in industry as in-house counsel or consultants," she explained. "So I have a better perspective and understanding of how I can bring that insight to the classroom."

She also has a new appreciation for her own legal skills.

"I took for granted what my legal training has given me—the ability to read, synthesize and readily communicate large amounts of technical information. It's a skill I have because of my legal training and practice."

U

Farnese had planned to travel to France, Germany and the United Kingdom during her 2020 sabbatical, but after those plans proved impossible due to the pandemic, working on the ventilator project became a rewarding alternative.

"It felt good to be doing something useful at a time when the whole world was shutting down," she said. "I was able to work with a good team of excellent people who do world-class work—most of whom were trained at USask."

Besides providing devices that could potentially save lives, Farnese hopes the project also changes the face of medical manufacturing in Canada, for two reasons.

"First, there is vulnerability we have in Canada because we don't have a medical manufacturing industry. We are seeing that right now with vaccine procurement," explained Farnese. "Secondly, I believe it is really important for these manufacturers to exist throughout Canada. We need to focus on local capacity and connections."



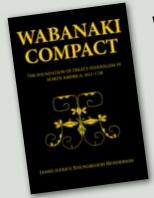
#### INDIGENOUS LAW CENTRE PUBLICATIONS



# Gladue Awareness Project: Final Report

by Benjamin Ralston

Funded by the Law Foundation of Ontario Access to Justice Fund, this informative report shares knowledge with respect to both the crisis of Indigenous over-incarceration in Saskatchewan and the justice system's response.



# Wabanaki Compact – The Foundation of Treaty Federalism in North America, 1621-1728

by James Sa'ke'j Youngblood Henderson

The Wabanaki Compact presents a legal history of the beginning of trans-Atlantic treaties between the nations of the Wabanaki Confederacy and British sovereign.



#### 2019-2020 Rehabilitative Alternatives to Incarceration – A Handbook of Community & Government Programs in Saskatchewan

Written by CLASSIC, this handbook is meant to increase awareness about community and government resources across
Saskatchewan that provide rehabilitative alternatives to custodial sentences, particularly for Indigenous peoples.



#### Métis Treaties in Canada: Past Realities and Present Promise by Larry Chartrand

This book is a legal inquiry into the prevalence of Métis diplomacy during the Métis Nation's growth and development on the American prairies.



## **ALUMNI NOTES**

**Dan Bereskin (BE'62, LLB'62)** was appointed as a Member of the Order of Canada on Nov. 27, 2020, for his "leadership in the field of intellectual property law and trademark law in Canada and abroad."

On Aug. 29, 2020, **Harvey Walker (BA'64, LLB'69)** was re-elected, by acclamation, to a second four-year term as Mayor of the Resort Village of Cochin, Saskatchewan.

**Beth Bilson (BA'67, MA'70, LLB'77)** was appointed interim dean of the College of Education at the University of Saskatchewan on Jan. 8, 2021.

In August 2019, **Fran Atkinson (LLB'79)** moved to Meadow Lake to take the position of Associate Regional Crown for the Northwest Prosecutions office in Meadow Lake.

**Craig Hill (BA'81, JD'84)** was appointed Queen's Counsel in Alberta in March 2020.

Prema Thiele (BComm'90, LLB'90) partner and national group head (corporate and capital markets) at Borden Ladner Gervais LLP, was recognized by the Women's Executive Network as one of Canada's Most Powerful Women.

**Ena Chadha (LLB'92)** was named Interim Chief Commissioner of the Ontario Human Rights Commission effective July 22, 2020.

Jo-Anne (Jodie) Stark (BComm'91, JD'92)

authored a book entitled *Mastering the Art of Legal Coaching* and launched a national non-profit association, the Legal Coaches Association, in the spring of 2020. Jo-Anne was also named the Director of Advocacy for the CBA, BC branch in Vancouver.

Bryce Pashovitz (BSA'89, LLB'95), has been editing a book originally authored by Greg Koturbash (BA'92, JD'92) entitled A Law Professional's Guide To: Investigating Impaired Drivers, and the 4th edition has just been released.

**Christopher Rathbone (BA'89, JD'97)** was an executive producer for *Stay*, a Daryl Wharton-Rigby film.

**Judge Lua Gibb (LLB'05)** was named a 2020 *Saskatchewan CBC Future 40 under 40* winner on Dec. 2, 2020.

**Stephen Mansell (JD'07)** was appointed Deputy Minister of Justice for the territory of Nunavut effective April 27, 2020.



Heather and Aaron Pope's new son Clifford

#### Heather Campbell Pope (LLB'09, LLM'16)

and her husband, Aaron Pope, welcomed their son, Clifford Myles Pope, in March 2020. He looks forward to virtually meeting other Generation Pandemic babies. He can be reached at dementiajustice@outlook.com.

**Michael Johnston (LLB'09)** appeared at the Supreme Court of Canada on the historic *Rv Chouhan*, representing the Defence Counsel Association of Ottawa—the first time they have intervened at the Supreme Court of Canada.

**Talon Regent (JD'15)** was named one of *Canadian Lawyer's* Top 25 Most Influential Lawyers in Canada in 2020.

**Jessica Kelly (JD'17)** was appointed to the Lakeland College Board of Governors in October 2020.

#### **Judicial Appointments**

Melanie A. Baldwin, QC (BA'89, JD'92)

was appointed a Judge of Her Majesty's Court of Queen's Bench for Saskatchewan on Nov. 19, 2020.

**Cara Haaf (LLB'02)** was appointed a Judge of Her Majesty's Court of Queen's Bench for Saskatchewan on Nov. 19, 2020.

Colin Clackson, QC (BA'80, LLB'83) was appointed a Judge of Her Majesty's Court of Queen's Bench for Saskatchewan on

of Queen's Bench for Saskatchewan on Dec. 1, 2020.

**Leah Schatz, QC (LLB'93)** was appointed a Judge of Her Majesty's Court of Queen's Bench for Saskatchewan on April 30, 2020.

**Judge Shannon Metivier (LLB'92)** was chosen as the new Chief Judge of the Provincial Court of Saskatchewan effective March 1, 2021.

**Jeffrey Lubyk** (**JD'98**) was appointed as a judge to the Provincial Court in Prince Albert on Feb. 5, 2021.

# 2020 Queen's Counsel Appointments (SK)

Derek Roger Arnold (BComm'82, LLB'85)

James Paul Bourassa (BA'72, JD'75)

Randy Urgel Brunet (LLB'86)

**David Michael Chow (JD'00)** 

**Katharine Lucille Grier (LLB'82)** 

William Thomas Jennings (LLB'80)

Joleen Lesley McCullagh (BA'96, LLB'00)

Richard Terrence Molaro (JD'80)

Charmaine DiAnne Panko (LLB'05)

Helen Gertrude Semaganis (BA'93, LLB'95)

Katrina Marie Swan (BA'97, JD'01)

Curtis Wayne Talbot (BA'84, LLB'84)

Christopher Shawn Weitzel (JD'03)

Jodi Reagan Wildeman (BComm'00, LLB'03)

## In memoriam

It is with sorrow that we note the passing of the following alumni:

Lyle W. Drewry (BA'61, LLB'62)

d. July 20, 2019

William J. Sheppard (JD'51)

d. Oct. 19, 2019

Mary L. MacGregor (LLB'72)

d. Jan. 3, 2020

The Hon. Anysie R. Chorneyko (BA'56,

LLB'56)

d. Dec. 14, 2019

Ross S. Jack (LLB'53)

d. Jan. 3, 2020

Evan D. Sorestad (JD'83)

d. Jan. 20, 2020

Richard P. (Dick) Rendek, QC (BA'52,

LLB'54)

d. March 1, 2020

Harold W. Lemieux (BA'66, BComm'68,

LLB'69)

d. March 9, 2020

Ryan N. Claxton (JD'01)

d. April 10, 2020

David J. Eremko (BA'75, LLB'78)

d. Aug. 30, 2020

The Hon. Robert D. Laing (LLB'67)

d. Oct. 14, 2020







# **USASK LAW: 2020 NATIONAL TAX MOOT CHAMPIONS**

The USask team of Madison Miller and Graham Fuga (appellant team), along with Anna Lekach and Will Hampton (respondent team), brought home the top prize at the 2020 Donald GH Bowman National Tax Moot, held Feb. 27-28 in Toronto.

Seventeen law schools from across Canada attended the competition, the most number of teams in the event's 10-year history. Following two preliminary rounds, the USask appellant team was named a semifinalist and competed against the University of Alberta. After the semifinal round, USask moved on to the final round—once again against Alberta.

During the awards ceremony on Saturday evening, the College of Law's team received the Best Team award and also took home the prize for Best Appellant Factum.

"The team worked extremely hard preparing facta, practicing their oral submissions, and responding to the facta and oral submissions of the other competitors," said USask coach Brooke Sittler.

Throughout the team's preparation, 15 volunteers from the surrounding legal

community pitched in to help hone their advocacy skills.

"These volunteers generously gave their time to the students and provided thoughtful and relevant feedback," said Sittler.

Volunteers included tax specialists and non-tax specialists, a justice of the peace, faculty members, government and private bar counsel, and former co-coach Joe Gill. One volunteer judge even travelled from Edmonton to assist.

"The volunteers' questions came up time and again through the rounds of mooting," said Sittler, adding that the volunteer support exemplifies the teamwork and encouragement that the students needed to build each other up and help each other to excel in the moot and in future practice.

Sittler also referred to an informal report that revealed that approximately 100 volunteers helped to make the moot a success.

"This speaks volumes to the dedication our legal community has to the development of young lawyers."



Brooke Sittler served as coach for the 2020 USask Law Tax Moot team

"These volunteers generously gave their time to the students and provided thoughtful and relevant feedback," said Sittler.

# 2020 Moot Teams

## Canadian Client Consultation Competition Team



(L to R) Gisele Dumonceaux (coach), Carly Manning and

## Canadian National Negotiation Competition Team



(L to R) Zina Scott (coach), Hayden Redl, Dani Nichols, Abbie

#### **Corporate/Securities Law Moot Team**



(L to R) ) Jenine Urquhart, Kit McGuinness (coach), John Plesca, Tito Kurc, Mike Munro, Wendy White

# Western Canada Family Law Negotiation Competition Team



(L to R) Natalie Hermann, Slade Hall, Kayla DeMars-Krentz (coach), ShayAnne Surtees, Daniel Woloshin

#### **Gale Cup Moot Team (Saskatchewan)**



(L to R) Lucas Richards, Devlin Gavigan-Hosaluk, Lisa Watson (coach), Mackenzie Stewart, Dali Holloway

#### International Academy of Dispute Resolution Team



(L to R) Joe Fingerote (coach), Archer Bell, Jessica Figley and Katie Newman

#### Gerda Bloemraad Jessup Moot Team



(L to R) Turner Purcell, Victoria Campbell, May Shendye, Joelle French, Tina Shayganpour. Missing: Andre Memauri (coach)

#### **Kawaskimhon Moot Team (Nunavut)**



(L to R) Pascal MacLennan, Lori Idlout (coach), Nuka Olsen-Hakongak, Alanna Copland, Alina Seagal (coach), Andrew Morrison

## Kawaskimhon Moot Team (Saskatchewan)



(L to R) Taylor Roufosse, Cian James-Hoey, Chris Lafleur (coach) Ayendrila Sharma, and Levi Graham

#### **Laskin Moot Team**



(L to R) Brittania Mohrbutter, Larissa Meredith-Flister, Fraser Duncan, Austin Cooper. Missing: Anna Singer (coach)

#### STLA Western Canada Moot Team



(L to R) Brooke Johnson (coach), Angela Goodman, Jessica Quan, Shelby Fitzgerald. Missing: Gul Fida

#### **Gale Cup Moot Team (Nunavut)**



(L to R) Jasmine Redfern, Angnakuluk Friesen, Kathleen Selkirk (coach), Jessica Shabtai, David Lawson

# INDIVIDUAL AND TEAM AWARDS

**Jasmine Redfern** - Justice Petra Newton Award for Civility (Gale Moot)

**Austin Cooper and Fraser Duncan** – Top 15 Oralists (Laskin Moot)

**Katie Newman** – Top 10 Outstanding Individual Mediators (INADR)

**Mike Munro** – Third Top Oralist (Davies Corporate/Securities Moot)

**Jenine Urquhart** – Ninth Top Oralist (Davies Corporate/Securities Moot)

**ShayAnne Surtees** – Top Outstanding Individual Performance (Family Law Negotiation Competition)

**Kali Stahl and Dani Nichols** - Frederick H. Zemans Spirit of Negotiation Award (CNNC)

**Abbie Treslan and Hayden Redl** – Third place overall (CNNC)

**Laskin Moot Team** - Fourth place factum, Ninth best school overall

STLA Western Canada Moot Team – Advanced to Sopinka Cup



#### By Inalie Portades

Through hard work and support from her donor-funded scholarship, Jina Bae is on track to pursuing her childhood dream.

"It has always been my dream to become the CEO of my own company one day," Bae said. "I want to see more women, people of colour, and visible minorities in leadership roles."

Bae's ambitions drew her to study in the Edwards School of Business at the University of Saskatchewan (USask). While specializing in operations management, she is also on the path to obtaining a law degree through the College of Law's Combined Bachelor of Commerce/Juris Doctor program.

"To become a great leader, I need to understand people, policies, trends and industries; I believe pursuing higher education is allowing me to get closer to that goal," she said. "USask is also close to my heart as my oldest sister graduated from the College of Nursing."

Bae was accepted into the combined degree program and began her new academic journey in the fall. Diligent in her studies, she said she couldn't have excelled as a student without the support of her scholarship.

Thanks to the campus community—alumni, friends, staff and faculty—who donated to the Campaign for Students that funded her

scholarship, Bae is able to devote time to participate in extracurricular activities, which is helping her gain additional skillsets for her future career.

Bae has taken on many leadership roles in various organizations, such as the president of AIESEC in Saskatoon, vice-president of the Pre-Law Student Society, marketing director for the World Mining Competition, and now photographer for Young Women in Business. She volunteered at the University of Saskatchewan Students' Union Women's Centre and Food Centre, and sang with USask's Greystone Singers in her first year of university.

To further her potential as a future CEO, Bae is enrolled in Certification in Common Law in French at the University of Ottawa, and is a part of the Corporate Law Club at USask. She is also busy advancing her photography skills and kick-starting an online business venture in her spare time.

"Receiving a scholarship has allowed me to become a well-rounded student," she said. "It is because of donors that I'm able to contribute my time to make a difference in the community and my future—I thank them for their support."

The Campaign for Students raises money to help students with scholarships and bursaries. It also provides additional financial assistance for distance learning tools, and medical and mental health support. Last year, \$1.17 million was raised through the campaign to ease financial concerns of students while working toward their degrees.

"In a time where classes are mainly online, it's crucial for students to have access to resources such as a reliable internet connection. If a student couldn't log-in to a learning platform, they wouldn't be able to finish their courses, forcing them to drop out or delay their studies," Bae said.

Donor support proves to help students like Bae pursue their dreams and serves as an inspiration for their future.

"When someone else supports your education and interests, you feel motivated and inspired," she said.

Bae said she hopes to give back in the future so others can receive the same help she has received.

"I hope to show the same generosity that others have done for me."

Article originally published on news.usask.ca



### TRIO OF USASK LAW STUDENTS AWARDED TOP HONOUR AT GLOBAL NEGOTIATION CONFERENCE



#### By Sarah Trefiak

Gillian Harrington, Xaverie MacLennan and Archer Bell were named "Most Constructive Team" at the international competition held July 21-24, 2020. The event, usually held in Switzerland, was conducted over Zoom due to travel restrictions stemming from the COVID-19 pandemic.

As the first Canadian team to compete, the three Juris Doctor students met about twice a week starting at the the end of June to prepare. Due to the online nature of the event, training looked a little different than the moot or negotiation competition preparation law students usually endure.

"We had to address issues in our training that would not typically be discussed for in-person competitions, such as how to deal with technical difficulties, the positioning of the camera during negotiations, the lack of body language, and greater difficulty establishing trust and familiarity," said Bell.

"Apart from the virtual aspects, another major challenge was the multi-party aspect of the negotiation. This was an entirely new area for us; Archer, Xaverie, and my experiences have primarily been in one-on-one party negotiations," added Harrington.

The purpose of the Global Negotiation Conference is to promote the interdisciplinary study of practical and theoretical negotiation to students from all over the world. The 2020 event featured competitors negotiating an international peace treaty for the decade-long conflict in Syria, which resulted in the displacement of more than 12 million people.

"This was a wonderful opportunity for our students to experience what it may be like to engage in problem-solving processes on the world stage," said law professor and coach Michaela Keet. "Now, more than ever, this seems a crucial skillset to build in our current generation of graduates."

To add to the impressiveness of their victory, the team was able to achieve it while negotiating in the early morning hours.

"We were running on Zurich time, which meant that here in Saskatoon the conference began at 5 a.m.," said MacLennan. "It was a bit of a change to be ready to engage in such complex negotiations so early in the morning."

# LLM RESEARCH SNAPSHOTS



**Toni Rempel**Wellness and Legal Education

Rempel is examining how legal education can enhance student's ability to deal with mental health problems and improve their performance, ethical conduct and professional identity by way of being educated about the cognitive, neurological and physiological implications of emotions and well-being.

"The recognition of emotions in law that already exists and seeking to understand how emotion is related to cognition, ethics and improved mental health will improve legal education and produce influential, competent, professional and ethical leaders. I argue that the cost of ignoring the "emotional brain" is demonstrated through the prevalence of law student and lawyer distress and the notoriously bad reputation of lawyers."



**Mason Stott**Increasing Investment in the Canadian Orbital
Rocket-Launching Industry

Canada has never launched a rocket destined for orbit around the Earth. Stott's thesis investigates how to attain the sufficient and appropriate levels of governmental regulation in order to encourage such economic activity in Canada, while at the same time protecting the environment and national security, as well as respecting international law.

"The general public may be interested in this research topic, as bringing orbital launches to Canada could result in a diversified economy, an increase in national sovereignty, less reliance on other orbital launching nations, and access to advanced technologies."





**Bonnie Marwood** Dangerous Offender Hearings and Gladue **.**..............

Marwood is taking an intensive look at the past five years of dangerous offender hearings within the province of Saskatchewan. Her research demonstrates that when an Indigenous offender faces a dangerous offender application with the benefit of a Gladue Report, they stand a far greater chance of having their cognitive deficits meaningfully examined.

"Twenty years after the Gladue decision, which was meant to be transformative for Canadian law and Indigenous offenders, while little has changed, there is a climate of social unrest blossoming. While the role of culture in violence prevention is a sorely underdeveloped area of research, its importance is becoming apparent. I believe that society has forgotten these men and they will remain largely unheard without research like this."

#### **LLM NEWS**

Chukwunonso Ekolisa successfully defended his LLM thesis titled Framework for Obligations Regarding Environmental Protection and Human Rights in Nigeria's Bilateral Investment Treaties on Jan. 15.

Supervisor: Ibironke Odumosu-Ayanu.

Scott Hitchings successfully defended his LLM thesis titled Personal Property Security Interests on Lands Reserved for First Nations on June 19, 2020. Supervisor: Ronald C.C. Cuming.

Tamara Pearl successfully defended her LLM thesis titled Māmawī Wīchihitowin: Colonization is not about sharing space. The Treaties are. on Sept. 4, 2020. Supervisor: Larry Chartrand.

Florence Ifediba successfully defended her LLM thesis Rethinking Canada's Duty to Consult Doctrine: Accommodating Aboriginal Rights in the Deployment of Small Modular Reactors (SMRs) on Dec. 6, 2020.

Lawren Trotchie successfully defended her LLM thesis The Prairie Province Epidemic: A Cry for the Meaningful *Inclusion of the Indigenous Perspective into* the Sentencing of Indigenous People and Gladue on Dec. 16, 2020. Supervisor: Glen Luther.

#### Oluwadamilola (Dammy) Asuni

successfully defended his LLM thesis A Comparison of the Legal and Institutional Framework for Regulating Human Rights in the Oil and Gas Industry in Nigeria and Canada on Jan. 6, 2021.

Supervisor: Robin Hansen.

Meredith Maloof successfully defended her LLM thesis Post-Mortem Organs and Tissue Through a Property Law Lens on Jan. 19, 2021. Supervisor: Felix Hoehn.





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