

# LEGAL REFLECTIONS SUMMER 2016

## MESSAGE FROM THE EXECUTIVE DEAN

Durham College (DC) continues to invest in the education of our future students by continually reviewing and revising our programs. In addition, DC annually upgrades and updates our physical resources. This year, we are thrilled to announce that the provincial government has committed \$22 million to replace the Simcoe building. I am sure many of you enjoyed classes in the Simcoe building during your time at the college.

The new building will be the Centre for Collaborative Education and will be home to many of DC's innovative programs. The Global Class which currently provides technology and opportunities for students to engage live with other students around the world, will be housed in this centre. The School-College-Work Initiative, which supports at-risk secondary school students completing their diplomas on campus, will also be located in the centre. In addition, it is anticipated that health laboratories and entrepreneurial activities and opportunities will be housed there.

This is very exciting news for the college and we are looking forward to this opportunity.

I hope you are all doing well in your careers, and appreciate you staying in touch.

#### Stephanie Ball

Executive Dean School of Justice & Emergency Services

## MESSAGE FROM THE ILCO PRESIDENT

The Institute of Law Clerks of Ontario (ILCO) is an association that promotes education, networking and advancement for its members to assist in a law clerk succeeding in their chosen field of law.

Students often wonder — why should I become a member of ILCO when I am not working as a law clerk yet? As a student member of ILCO, you receive all emails advising of our continuing legal education seminars, our newsletter which contains some great articles of interest for different fields of law and invitations to members only events which offer networking opportunities. ILCO also offers its members other benefits such as access to reduced insurance rates for home and automobile insurance, reduced rates for attractions and other similar benefits.

ILCO has also implemented a new program this year to recognize law clerks who have worked in their field for over ten years and are considered to be experts in that area. Those that qualify are then recognized by ILCO as an expert in their area of law and many members have already applied.

Many potential employers are advertising that the applicants must be members of ILCO and recognizing this, DC has partnered with ILCO to assist its students with their careers by including a student membership with ILCO for all third-year students. This will help students during their last year when they are applying for positions at the completion of their courses.

ILCO encourages all members to give input as to what seminars and events ILCO can provide. If you have any questions, please either visit our website at <a href="https://www.ilco.on.ca">www.ilco.on.ca</a> or give the office a call at 416.214.6252.

Lisa Matchim President, ILCO

## FROM THE CO-ORDINATOR'S DESK...

#### By Kathleen Stewart

It's been a strange and busy year. Strange: because it's been a full year since Drew Dowling's retirement from the Law Clerk Advanced program, and we are still trying to fill the really big shoes he left behind. It has been no small task and I am grateful that I have been able to catch up with him periodically throughout the year. I have it on good authority that he is thoroughly enjoying his retirement, as he should!

Busy: because it's ALWAYS busy; the older I get the busier it seems. I can't help but smile when students discover that faculty are on campus until the end of June and inevitably ask, "what do you do if we're not there?" There is an incredible amount of work that occurs in the spring term including teaching. The Law Clerk fast-track program starts every May and goes throughout the summer, so class is still in session for some. Many faculty use the time to engage in their own learning and professional development — working in education is a lifelong commitment to education! Apart from teaching, there are numerous things we do to ensure that the curriculum is up-to-date including reviewing, updating, and where necessary, revising every course outline, consulting with our Program Advisory Committees, evaluating course resources, and engaging in critical discussion of curriculum proposals.

Each spring is an opportunity to take a step back from what we do as individual subject matter experts in our respective classrooms and look at the bigger picture. Having an open exchange of ideas that we question and champion can only make us better at what we do. Where possible, we seize opportunities to modify the curriculum to respond to changes in the industry and changes in our student population. There are some modifications in the works this spring including shifting the second-year field placement from the middle of the term to the end of the term and embedding employment law into the curriculum. In addition, the Canadian Law course is moving to a lecture/lab format with a flexible delivery pattern, which will give students who are self-directed and self-motivated the opportunity to engage in their learning outside of the traditional face-to-face daytime schedule. You will read about the Top Hot technology project in this issue, which will be expanded to other courses in the upcoming year.

And then there's the meetings! Divisional meetings, college-wide town hall meetings, program co-ordinator meetings, program review meetings, program team meetings... let's just say there are a lot of meetings in the spring.

In this 140-character age of communication, this response to the question, "what do you do if we're not there?" is far too long. Suffice to say, we do our very best to ensure that when September rolls around, we will be ready to welcome a new class of potential law clerks and provide them with the very best education we possibly can.



## **WELCOME TO OUR NEWEST PROGRAM ADVISORY COMMITTEE MEMBERS!**

Program Advisory Committees (PAC) exist to facilitate dialogue between colleges and industry partners and help ensure that college programs keep up-to-date with industry trends and demands. PACs expanded several years ago to include student members to ensure the student voice is also present at the table.

The Law Clerk Advanced PAC has been an active and engaged group of industry professionals and students. Each year, members come and go as they finish their terms or graduate from the program. We would like to thank Stefano Ciarlariello, our third-year student representative, for his time and commitment to the committee and wish him well in his new position at Dentons LLP.

We are also very grateful to Melinda Shiers who is leaving our PAC after many, many, many (!) years of service!

At the same time that we're bidding adieu to some of our members, we are pleased to welcome three new members to the PAC. Jochen Bobris is a 2014 graduate of the program and a law clerk with Thomas Gold Pettingill LLP. Amy Vranchidis is also a 2014 graduate and a senior legal assistant with McLeish Orlando LLP. Zadiha Iqbal is a law clerk with the Greater Toronto Airports Authority and the co-chair of Continuing Legal Education with ILCO. We are thrilled to have these wonderful new members on our PAC.



## FROM CLASSROOM TO LAW FIRM: STUDENT EXPERIENCES

#### By Brianna Williams and Michelle Redpath

Two years down, one to go! As students of the Law Clerk Advanced program entering our third and final year of study in the fall, we have had the opportunity to experience learning within the classroom and within a professional legal environment.

The DC Law Clerk Advanced program has been a positive experience for both of us. The program itself is extensive and has a good reputation among law firms locally and in Toronto. One aspect of the program that we have enjoyed is that the work you complete in class is a simulation of the work required of a law clerk actually working in the legal field. Professors of the program are approachable and willing to provide career and academic advice as well as insight from their years of experience in the legal field. On multiple occasions we have sought advice from our professors. For example, when determining if we wanted to work downtown or stay local, the advice they gave us was tailored to each of us personally as they have had the opportunity to get to know each student. We feel free to voice our concerns, ask questions and speak openly about our experiences. Kathleen Stewart can attest to this based on the amount of emails and visits she receives from each of us in any given month. We are still working on our plan of setting up our own sitting area outside the professors' offices.

The Law Clerk Advanced program does not only teach legal knowledge but also teaches practical skills that help students succeed in the legal environment. Cover letter writing, resume writing and interviewing skills not only help showcase what we have learned, they also give us confidence when looking for a placement host. Initially, we had concerns about being prepared for the process of contacting employers with our resume, interviewing, and securing placement but after working on these skills we were able to overcome those concerns.

After meeting with a human resources generalist at one of Toronto's top law firms, we both decided we wanted to seek a placement in downtown Toronto at a mid-to-large sized law firm. At the end of January in our second year, we began searching for a host for our two-week field placement. We both applied to Blaney McMurtry LLP and were contacted for an interview the next week. The interview lasted about 30 minutes. We were each contacted a few days later and offered a placement position. What a relief!

For our two-week placement at Blaney McMurtry LLP, we were placed in the area of insurance defence litigation which allowed us to utilize and build the litigation knowledge we developed with the help of Virginia Harwood. While it is impossible to learn everything about litigation in a classroom, we were provided with an extensive knowledge base that allowed us to understand the relevance and importance of tasks we were asked to complete within the firm. During our fourth term, we took part in one on one consultation meetings with Virginia in which we had limited time to discuss our progress on our assignments and ask questions. The purpose of the practice meetings was to emphasize being prepared, speaking professionally, and being respectful of other peoples' time. These meetings were a helpful learning experience as during our placement in the firm we independently met with a law clerk or legal assistant multiple times a day to discuss progress and gather information. In our experience, legal professionals asking you to complete a task are more impressed by your ability to ask questions than annoyed by your lack of knowledge on every legal concept. On that note, bring a pen and paper with you everywhere!

The education we gather through this program is meant to grow with placement experience and that knowledge will continue to grow once we have graduated. The end is in sight! We are looking forward to our third year of the program and completing more placement in downtown Toronto.

## INSTITUTE OF LAW CLERKS OF ONTARIO JUST FOR LAW — 26TH ANNUAL CONFERENCE

By: Darla Weir, Lesley Wagner, and Virginia Harwood

Spring at DC brings opportunities for faculty to engage in a variety of professional learning activities. In May, Darla Weir, Lesley Wagner and Virginia Harwood attended Just for Law – the 26th annual of the Institute of Law Clerks of Ontario (ILCO) in beautiful Montreal, Quebec.

A variety of legal exhibitors showcased what's new in the realm of legal resources, technology and recruitment to support the ever-changing practice of law.

Law clerks and lawyers from across Canada offered a diverse selection of concurrent sessions providing a platform to share best practices, discuss new trends, review current case law and network with those in our practice areas and beyond.

Attendees also took time to reflect on the importance of business etiquette with the engaging Charles the Bulter. Additionally, Liz Pearson, author and dietitian, reminded us the importance of wellness through her interactive keynote address - yes, there was cardio!

As always, the highlight of the conference was connecting with alumni. This year we were fortunate to visit with Allison Ramsay, a 2005 graduate; Kathie Arruda, a 2007 graduate; and Kelly Rowan, a 2010 graduate, and learn about their successful careers as law clerks!

Significantly, Lesley Wagner, an outgoing ILCO Certification Committee member, enjoyed spending time discussing ILCO's new certification initiative for ILCO members. Certification applications are currently being accepted now and the committee has certified ten ILCO members as certified experts in their area of practice. Consider submitting your application for certification!

Lastly, we enjoyed spending time with Lisa Matchim, president of ILCO. Lisa is a great supporter of the law clerk programming at DC. We appreciated the efforts she and her team made to ensure the ILCO conference was an enjoyable and meaningful professional learning experience.

Hope to see you at next year's conference in Halifax, Nova Scotia.

## **ALUMNI PROFILE: KAYLY MACHADO**



I can't believe it has been five years since I donned the black gown with the green and gold stripes!

After completing the Legal Administration Advanced diploma, I went on to take the Victimology graduate certificate program. I had originally planned to work in criminal law and felt that the victimology program would help supplement my diploma in that regard.

Following graduation from the Victimology program, a classmate from the Law Clerk Advanced program recommended me for a general law clerk position at the Toronto firm Brown & Korte, now Brown & Partners LLP, a boutique insurance defence law firm.

Three months after my arrival at the firm, Harry Brown's law clerk accepted another position and as I was the only law clerk not currently assigned to a specific lawyer I was quickly drafted onto his team.

Being asked to work for a senior partner when you haven't yet figured out exactly how to work the office coffee maker can be intimidating to say the least, but I quickly found a role model in Harry's assistant. Lucy showed me the ropes and was, and still is, more than generous in sharing her 20-plus years of experience.

Realizing that I understood the legal aspects of insurance defence but not the insurance aspects, I began self-studying to obtain my Chartered Insurance Professional designation. I am pleased to say that in February of this year I accepted not only my diploma but the Highest Standing Award in the Claims Professional Series.

I have remained with Brown & Partners for the past few years and my role has continued to grow. I spend my days preparing files for arbitration/trial, drafting motions and doing legal research but by far the best part of my job is when I accompany my lawyer to a hearing. I recently assisted my boss with a hearing in front of the Ontario Court of Appeal, and I can now say with authority that having a three judge panel stare at you expectantly while you're trying to locate a document for your boss gets your blood pumping better than any cardio I've

Over the past four years my law firm has been very supportive, always pushing me to increase and vary my skill. This year, they are pushing me straight out the door! After some encouragement from my boss, I have made the decision to pursue my goal of becoming a lawyer. This coming fall, I will be back on campus to obtain my undergraduate degree in Forensic Psychology from UOIT with hopes of applying to law school upon completion.





### TOPHAT'S OFF!

#### By Nicole Doyle and Virginia Harwood

Through the support of the Durham College Innovation Fund, faculty in the Law Clerk Advanced and Law Clerk fast-track programs were afforded the opportunity to enhance the learning environment and have students engage with curriculum through the use of educational technology: TopHat.

You may have heard about "clickers" which are popular in educational settings since they allow a professor to poll the audience by asking a multiple choice question to the class. TopHat takes this concept to a whole new level and allows students to use their own devices, such as laptops, tablets and smartphones, to respond to a wide variety of question types including sorting, matching, word answer and number answer.

The technology was implemented in courses including Civil Litigation and Legal Research, which tend to be more arduous for students due to the nature of legal rules, writing, legislation, and forms requiring frequent practice and review for students to master the content.

Engaging students in some of this content can be challenging so we were seeking a creative and innovative way to connect students to the curriculum while supporting a universal design for learning (UDL) curriculum.

TopHat helped faculty members by providing them with immediate feedback on whether students were grasping the concepts. Likewise, TopHat allowed students to assess their own learning by obtaining immediate and private feedback and it encouraged them to be more engaged during class and online.

In summary, TopHat provides a platform for gauging learning, engagement with the curriculum. 24-7 access and review for students, a means to use students' own mobile devices as a learning tool, and most of all, it is fun for both students and faculty!

Through student feedback and our own positive experiences, it was recommended that TopHat continue to be used in future classes. Moving forward, TopHat has been adopted in our three initial pilot programs with the licensing fees approved as an ancillary fee. So, future faculty and students in the program will continue to benefit from this successful pilot project.



## **NEW IN TECH**

#### By Lynn Gaudet

I graduated from the Legal Administration program, now the Law Clerk Advanced Program, at DC in 1985. Throughout my career, I have witnessed the progression in technology from a stand-alone computer to networked systems and seen many changes in terms of how information is shared in our legal system.

I am currently employed with the Ministry of the Attorney General in Oshawa and in April of 2015, a new system was introduced in Durham called SCOPE. SCOPE was initially implemented in Toronto and has been introduced to a number of jurisdictions in Ontario over the last year. SCOPE is an electronic crown brief, which allows Crown staff to access information without the necessity of having a paper crown brief in front of them. Although the paper crown brief may always exist, SCOPE provides an efficient way for Crown staff to access required information.





## TRYING SOMETHING NEW: PROFESSOR OR PARENT?

#### By Kathleen Stewart

Being a good professor is a lot like being a good parent: at times, you have to make your students do things that they would rather not do because you know deep down that it's good for them. As a professor, I like to think of it as creating opportunities rather than making someone do something.

On March 30, instead of the traditional career fair that we have hosted for the past 18 years, graduating students planned and organized a breakfast networking event at DC's Bistro '67. The event was akin to a speed dating format making it all but impossible for students to hide amongst their peers or avoid interacting with employers. Shortly before the event, I received email messages like, "will I lose marks if I don't attend?" and, "I think this event is better suited to other students," or, "does it really matter if I attend?"

I was discouraged. Didn't they know what a tremendous opportunity this was? Didn't they realize that it didn't matter if they were interested in the companies attending – the mere fact of attending and interacting with hiring managers would help them build important job search skills? Didn't they know that life is uncertain and you never know when you might need a networking contact? I believe many students were simply fearful of being put in a situation they had never been in before.

Even though I'm sure some students did not see the event's value, I had students who said things like this:

"Thank you for organizing an event like our breakfast meeting. It was a great opportunity and very valuable for me. I never thought I would be brave enough to ask questions of employers. In this environment, I did not feel nervous and was comfortable interacting with them. I recommend that you host this event again."

"The networking event was a great experience! I think it was very successful and I felt privileged to have been a part of it. I met employers I never thought I could have met in my lifetime. I was truly afraid to attend the event or approach potential employers, but after this event, I have a new perspective. It became apparent to me as I spoke with employers that I am ready to start my career in law."

These comments helped confirm that pushing people outside of their comfort zone often results in positive growth and development. So, in spite of the discomfort, I'm going to keep creating opportunities for students to experience new things that will help them build important life skills - whether they like it or not. As a footnote, four students gained employment as a direct result of attending the event and interacting with employers. It doesn't get any better than that!

## **WORK-LIFE BALANCE**

#### By April Gross

As times change, an increasing number of employers are offering "alternate work arrangements," and it is a growing phenomenon that many are participating in. While it may be considered a dream for many, it is not for all, and one may not come to that realization until they have tried it, which I have done through my current employer.

It's been argued for years that flexible work environments result in increased productivity, better work-life balance and shorter commute times. Sounds like a dream, but it does present its challenges. While few people want to be chained to their office, being chained to your home can also be suffocating; it is worthwhile to know how much time you can spend in any given place and still feel productive. As alternate work arrangements become even more common, it is important to figure out the best mix of remote versus in-office time that works for you. As heavenly as it sounds to work from home, many realize very quickly that getting out the house is also good for your well-being.

I have been fortunate enough to have been given the opportunity to try this new trend. Our office was downsizing in floor space and thus offered employees the opportunity to work from home. I knew that I was interested and wanted to try it out. Working from home suited my lifestyle as I am a property inspector. I am in the field two to three days a week, so the risk of isolation was low since I am regularly speaking with customers. Keying my updates from home was a seamless transition, and it balanced out well.

One of the most difficult transitions for myself was adjusting to the updated technology i.e., Skype. Previously, if I need to speak to someone I always preferred face to face contact or picking up the phone. In the beginning I would shy away from Skype; however as time grew, I became more comfortable and now enjoy using it. Although I may not have the same distractions from the office as I once did, there can be distractions at home as well. Setting up an office area designated for my work and scheduling my breaks helps to keep me on track throughout the day.

As much I as enjoy this new age of working from home, there are times when I choose the traditional face to face contact. I always try, when possible, to attend meetings and training in person. By doing so, I feel I take away more by being in a group and in a more interactive setting. I am very grateful that my employer has given me the opportunity to work in the environment I thrive best in, and should things change and this arrangement no longer work, I have the opportunity to go back to my traditional desk in the office. Being able to effectively manage work-life balance is a great motivator, and I am thankful for the opportunity. If anyone is given the opportunity, I would recommend doing research and testing it out on trial basis, as success ultimately depends on the position and individual needs of the person.



## BERRIES OF SUMMER CRISP: FROM VIRGINIA'S GARDEN AND KITCHEN

I love cooking, growing my own food, and using healthy and local ingredients. This is one of my quick, healthy, and yummy summer desserts. Enjoy! This recipe will serve 6-8 people or 4 very hungry people.

Preheat oven to 375° F (190° C)

#### **CRISP TOPPING**

- 1 ½ cups large flake oats
- 1/3 cup lightly packed brown sugar
- 1 tsp ground nutmeg
- Grated peel (zest) of 1 large lemon
- 1/4 cup butter

#### **BERRY BOTTOM**

(you can use frozen berries too)

- 2 cups blueberries
- 2 cups strawberries
- 2 cups raspberries
- 3 tbsp whole-wheat flour
- 1/4 pure maple syrup
- 1 tbsp ground cinnamon
- 1. In a small bowl, combine oats, brown sugar, nutmeg, and lemon zest. Cut butter into small cubes and add to the bowl. Using a fork or pastry blender, cut the butter into the oatmeal mixture until crumbly. Set aside.
- 2. In a large bowl, combine the berries, flour, maple syrup, and cinnamon.
- 3. Transfer the berry mixture to an 8 inch square pan or baking dish. Sprinkle the oatmeal topping evenly over the top.
- 4. Bake for 35-40 minutes or until the top is golden brown and the berry mixture is bubbling.
- 5. Yum with some ice cream, possibly!