FACULTY OF LAW
Report to Community 2019

Energy
Innovation
Impact
Since we launched our strategic plan, Energy – Innovation – Impact, in 2017, we have been hard at work delivering on our commitments. From new course offerings for students, to participating in research that is truly making a difference in our communities, it has been an exciting year as we strive to become a national leader in legal research and innovation in legal education.

Message from the dean

Many of you have been contributors to the successes we have seen since I joined the law school four years ago. We launched the Calgary Curriculum, which has changed the way we teach the law and prepare students — and which now represents the model that other schools are beginning to emulate. The Class of 2018 is the first group to have completed all three years of the new curriculum, and we are already hearing from employers about how well prepared our students are when they enter the workforce. We are only the second law school in Canada to join the Institute for the Future of Law Practice (IFLP), which gives students hands-on training in legal innovation at various organizations and firms across the country.

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We launched a new Certification in Common Law in French in partnership with the University of Ottawa, which will help improve access to justice for French-speaking litigants in Alberta. Through our Business Venture Clinic, we are connecting student with entrepreneurs and start-ups. And we continue to work with Indigenous communities to develop and implement responses to the report of the Truth and Reconciliation commission that will make a real and positive contribution to the reconciliation process.

I’m honored to lead a law school that is producing graduates who are remarkable for their mix of broad legal education and practical lawyering skills; a law school that continues to lead the way in natural resources, energy and environmental law in Canada’s energy hub; a law school that is modern, innovative and intimate. I am excited to continue working with you to help make Calgary’s law school the leader in legal education provincially, nationally and around the world.

The Faculty of Law has the Energy for Innovation and Impact, with a university that lives in one of Canada’s most dynamic and enterprising cities. We are facing the future head on, and making our mark on the future of legal education.

Thank you for your continued support.

Sincerely,

Ian Holloway, PC QC
Professor and Dean of Law
University of Calgary
Meeting the goals of the Strategic Plan

17 new courses implemented as part of the Calgary Curriculum

4 new courses launched in response to the Truth and Reconciliation Commission’s Call to Actions

4 new community partnerships
Addressing issues that are global in scope, and local issues that are relevant across the globe.
Professor receives prestigious Killam Professorship

Professor Nigel Bankes was awarded a University of Calgary Killam Annual Professorship for excellence in research and teaching.

Bankes was drawn to natural resources and energy law because of his interest in sustainability and the environment. “My graduate supervisor at UBC convinced me that I needed to understand the resources and energy industries if I really wanted to get at the drivers of environmental degradation and identify opportunities for a more sustainable future,” he says.

Bankes has been internationally recognized for his work in Canadian oil and gas law, and legal and policy issues related to the Arctic, the Columbia River Treaty, and the resource rights of Indigenous people. During his time at UCalgary, he has also served as the director of graduate studies in the Faculty of Law, and led the creation and implementation of a Master of Laws program that specializes in energy, environmental, and natural resources law.

“The variety and change that is inherent in these areas of law has kept me interested in them throughout my career,” he says. “It is always dynamic as we change our energy mixes, and move to decarbonize our economies.”
New research collaboration to explore effects of fracking on citizens

Professor Nickie Nikolaou is part of a research team that received $250,000 to examine the impact of residential proximity to fracking locations in Alberta on human reproduction and child development. The funding is provided by the inaugural New Frontiers in Research Fund, which was launched in December 2018 by the federal government, and is focused on supporting innovative, interdisciplinary research that has the potential to deliver significant benefits to Canadians.

Nickie brings expertise to the project in regard to the legal and regulatory framework for oil and gas development in Alberta, and the role of municipalities within that framework.

Exploring the interdependence between human, animal, and environmental health

Dr. Lorian Hardcastle, PhD is a member of One Health, an interdisciplinary research team that has received a $200,000 grant from UCalgary’s Vice President (Research) office to develop new cross-cutting research aimed at tackling significant global challenges.

One Health is an approach founded on understanding the interdependence between human, animal, and environmental health, including economic and social dynamics. With growing support from national and international funding agencies to develop team-based approaches to resolve emerging health issues at the interface of animals, humans, and their shared environment, the One Health approach can improve sustainability of impact, increase cost-effectiveness, and enhance ability to mitigate unintended consequences.
Innovation
We are committed to enhancing student experience and deepening the role of experience in student learning.
New partnership improves access to justice in Alberta in both official languages

Imagine being in a courtroom and being scared to exercise your rights because of potential delays, extra costs, or a perception that exercising them would annoy the intervenors in the judicial system? What if this meant not getting a fair hearing? This is unfortunately the situation for many Francophone litigants in Alberta who remain unaware of their rights to French language services or uncertain as to how to exercise those rights.

This is also a situation UCalgary Law hopes to solve through a new certification program with the University of Ottawa Faculty of Law.

The Certification in Common Law in French (CCLF) gives current law students with competencies in French the unique opportunity to obtain a certification from the University of Ottawa during their three-year JD program at UCalgary.

“Not only does the CCLF increase the students’ access to work throughout Canada where knowledge of both official languages is an advantage or a necessity, it helps improve access to justice for French-speaking litigants,” says Caroline Magnan, director of the program.

The certification will give students an advantage when applying for prestigious clerkships with the Supreme Court of Canada, the federal courts, and the federal public service, and will allow graduates to provide legal services to the Francophone community, in the language to which they are legally entitled.

UCalgary Law is only the second law school in Canada to offer the certification. Students will also participate in a moot court event with teams from across the country, be paired with experienced mentors in the legal profession, and have the opportunity to learn from law firms, organizations and government agencies that work in French.

To find out more about the program, visit law.ucalgary.ca/future-students/our-programs/french-certificate
Practical learning gives students a leg up in legal practice

A new course — Marketing and Client Development — gives students a 360-degree immersive and interactive experience in the business of law, personal brand, marketing and client development, and prepares students for the modern legal marketplace.

Law student Brittney Shales explains what the course has given her: “We have learned practical knowledge tailored to understanding law firm economics; creating and understanding our brand; navigating life as a young associate; maximizing profitability and creating a high-performing culture of collaboration; as well as understanding how to meet clients’ needs in a more holistic way. My whole mentality has shifted and left me feeling better-equipped to think like a business owner when I start articling.”

Leadership for Lawyers course offers experience reducing defects and waste using Lean Six Sigma practices

Employing the Lean Six Sigma, a framework that aims to reduce defects and waste while creating organizational culture change, Leadership for Lawyers tackles a hands-on real-world case study, while requiring students to examine their own leadership skills.

Led by local lawyer Kyla Sandwith, students applied their skills to the law school’s Public Interest Law Clinic. The students employed the Lean Six Sigma framework to assist the clinic in streamlining their training and onboarding processes. This required working with clinic staff to identify challenges and goals, and to provide a step-by-step analysis for automations.

The results are significant: “The students dug in and generated insightful and materially valuable solutions for the clinic. Their work ensures our clinic will be functioning far more efficiently and effectively by the time we intake new students in the fall,” says Christine Laing, executive director of the clinic.

Not only does the CCLF increase the students’ access to work throughout Canada (...) it helps improve access to justice for French-speaking litigants.”

Caroline Magnan
Director CCLF
Impact
We will foster collaboration between academics, practitioners and policymakers for innovative solutions.
UCalgary Law involved in training, education of Alberta judges

Judges in all levels of our court system must stay up to date on new developments in the law, and often look to academics for assistance. Several times a year, our faculty members assist with the education and training of Alberta’s judiciary.

The National Judicial Institute in Canada is responsible for delivering judicial education programs in person and online across the country, with a curriculum meant to encompass substantive law, judicial skills development and social context awareness.

Professor Lisa Silver explains that our professors are requested for several reasons. Often, a relevant post written on the faculty’s ABlawg sparks interest in a current issue and professors provide a perspective on new case law or legal innovation. Other times, faculty members are sought out based on presentations given at conferences, or through word of mouth if judges are looking for training in a specific area.

“Judges like to ask academics to present as they will get the most updated and balanced perspective on the issue,” explains Silver.
Public Interest Law Clinic supports Alberta farmers in Supreme Court Hearing

UCalgary Law’s Public Interest Law Clinic represented a group of Alberta landowners who sought a favorable decision in Orphan Well Association v. Grant Thornton Limited. Over the staunch objection of the respondents in the appeal, the clinic first advocated to secure the Action Surface Rights Association’s right to participate, then developed the group’s intervention and argued on its behalf before Canada’s highest court. The Clinic’s hard work paid off. By upholding a government’s ability to enforce environmental regulation during corporate insolvencies, the Supreme Court’s decision makes it possible to protect Alberta’s agricultural land from future harm.

Find out more about the Public Interest Law Clinic by visiting ucalgary.ca/pilc

UCalgary Law makes clerkship history

UCalgary Law made clerkship history in early 2019 when a student received a clerkship with the Supreme Court of Canada for 2020, the fourth SCC clerkship in a row for students from our law school.

Each year, 36 law clerks are hired to support the nine judges of the Supreme Court of Canada in Ottawa. Under the direction of their assigned judge, law clerks research points of law, prepare memoranda of law, and generally assist the judge in the work of the Court.

“Clerkships with the Supreme Court are very prestigious. Because of the importance of bilingualism, it can be a challenge for western Canadians to win them, said Ian Holloway, dean of the law school. “Having students placed at the SCC for the past four years speaks volumes — both about the quality of our students, and the preparation they are given by our Career & Professional Development Office working with our faculty clerkship advisor.”
Student success
Perseverance leads to clerkship in Canada’s north

Amy Matychuk, JD’18 was certain she wanted to go to law school to work in a social justice or public interest field, but was unsure of how to do so. It wasn’t until she worked for Professor Nigel Bankes that she stumbled across a project that inspired her to look deeper into Indigenous legal issues.

“During the summer after my first year, I worked on a research project on the Canadian application of the United Nations Declaration on the Rights of Indigenous Peoples,” says Matychuk. “That work helped me understand that this was the legal issue in Canada where public interest and social justice intersect.”

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Though she wasn’t aware of it at the time, it was this realization that would lead Matychuk to apply, and be accepted for a clerkship at the Nunavut Court of Justice nearly two years later.

Matychuk learned about the Nunavut Court of Justice clerkship when she began applying for Alberta clerkships in her second year. By the time the Nunavut Court was accepting applications, she had already accepted a position with the Provincial Court of Alberta.

“I saw the Provincial Court as the front line of the legal system because it deals with the most marginalized segments of our population. I hoped that working at the Provincial Court would give me valuable experience working with people experiencing mental illness, poverty, and homelessness in the future,” she states.

Uncertain what she would do once she was called to the bar in 2019, she applied for the Nunavut clerkship in December 2018 and was accepted into the program in early February 2019. Her instincts were right, and her time at the Provincial Court (where the work is primarily criminal, followed closely by family and then civil law) has given her a wealth of experience dealing with the types of legal issues she expects to encounter in Nunavut. The 20-month clerkship in Nunavut will be slightly different, but will still primarily deal with legal issues in areas most relevant to access to justice for Indigenous peoples in Canada — family law and criminal law. The majority of accused persons in the Nunavut criminal courts are Indigenous, and judges in Nunavut must frequently apply laws that were not written with Northern Indigenous peoples in mind. Given Matychuk’s interest in Indigenous legal issues, this clerkship is a perfect fit.

Students awarded for research excellence

Two UCalgary Law students received recognition for their outstanding research at the 2018 Students’ union Undergraduate Research Symposium.

Jeff Westman was awarded $1,000 for his research on the ways in which a child’s role as a witness in a criminal trial has evolved over time as a result of statute and case law. It was based on an article he wrote for the University of Victoria Law Journal titled “No Matter How Small: Child Witnesses in Canadian Criminal Trials.” Jeff’s research was supervised by Professor Lisa Silver.

Kayla Ueland was one of two winners of the $1,000 Office of Diversity, Equity and Protected Disclosure Award for DEI Excellence for her directed research project on gender, geoengineering and international law, supervised by Professor Anna-Maria Hubert.
Shaping the face of future legal practice

In 2018, UCalgary Law became the second law school in Canada to join the Institute for the Future of Law Practice (IFLP), a non-profit organization that brings together all members of the legal ecosystem to expand legal training and improve the quality and accessibility of legal solutions. Through a variety of bootcamps, internships and mentorship, IFLP creates and delivers curriculum that complements traditional law school offerings. Students learn from industry experts about emerging technologies and best practices, emphasizing real-world problem solving.

“The IFLP program is a unique opportunity that allows you to discover a different face of the legal market,” says second-year student Daniel Frederiks. “By learning about how technology is being leveraged across the industry, the bootcamp and subsequent internship helped me understand how to deliver high-value and cost-effective solutions in a competitive environment.”

To find out more, visit futurelawpractice.org

“The IFLP program is a unique opportunity that allows you to discover a different face of the legal market.”

Daniel Frederiks
second-year student
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