

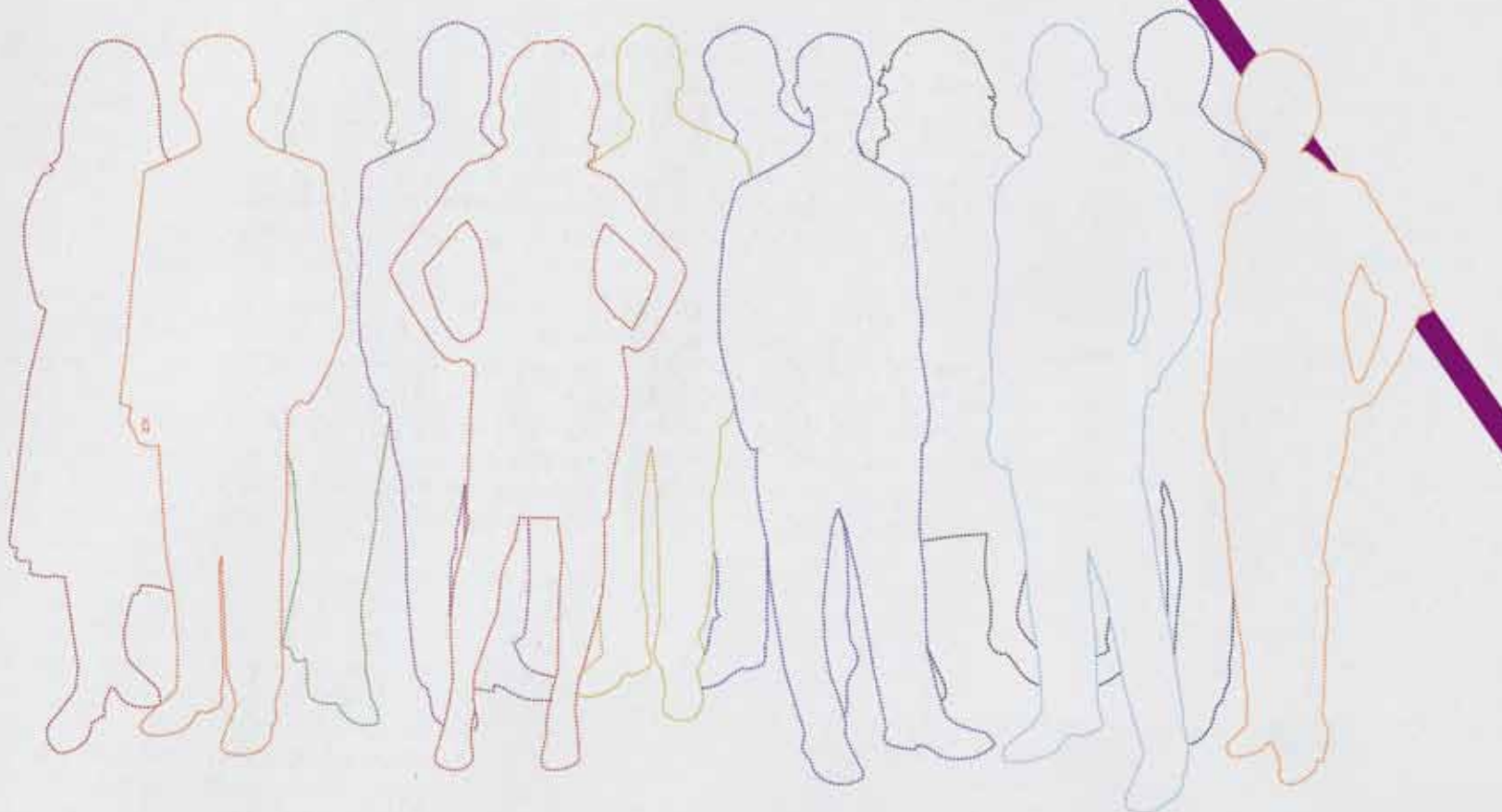
nexus

The University of Toronto Faculty of Law Alumni Magazine
Fall/Winter 2010

The Decade Dozen

WHO ARE THE TOP 12 ALUMNI TO WATCH?

see page 15



University of Toronto Faculty of Law 84 Queen's Park, Toronto, ON M5S 2C5
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Dean Mayo Moran has been reappointed for a second term, beginning July 1, 2011. *Nexus* sat down with her to talk about her whirlwind first term and what lies ahead for the Faculty of Law.

Nexus: Congratulations on your reappointment! What made you want to serve another term?

Mayo Moran: The most obvious reason is that I love the law school. It's a fantastic place to be, and my whole reason for becoming dean four years ago was that I thought I could make it even better. I think we've succeeded in doing that in a number of important ways, but I wanted to continue as Dean because there are still projects that we need to finish. We've worked hard to raise our research profile internationally, so that we can play the leading role in the intellectual world of law that we should, but there is still more to be done. We are about to launch the Global Professional LLM program (GPLLM). And, of course, we are making progress on the building project, which is critical to future of the law school.

Nexus: What do you regard as the biggest achievements of your first term?

Mayo Moran: I'm very proud of the creation of innovative programs such as the Internationally Trained Lawyers' Program (ITLP) and the GPLLM, both because they respond to obvious needs in the community, but also because they will strengthen the resource base of the law school over time. I'm proud of the extensive outreach that we've done in the professional and alumni communities, and the number of people that have reconnected with their law school as a result of our efforts. And I'm proud of a whole range of initiatives that we've undertaken internally that have raised the quality of our student body, increased the impact and breadth of our faculty research, and allowed us to participate more actively in public policy projects.

Nexus: How do you think about the public role of the law school?

Mayo Moran: I think our public role is an intrinsic part of who we are. So many leaders have graduated from our law school—leaders not just in law but in politics, business and other fields (*Editor's note: see The Decade Dozen, p.15*). Our law school is uniquely placed to think about the intersection of public policy and legal issues and the obligations of leadership. As Dean, I try to create opportunities for our academic work to make a difference in the world. One thing that we are working on at the moment is an intensive research project addressing access to justice for middle income earners. In the past few years, we've done similar projects on gender and diversity in the workplace, and on aboriginal economic development.

Nexus: What are the biggest challenges the law school faces in the next five years?

Mayo Moran: The biggest challenge is the building. We just had an external review, which was incredibly complimentary in all respects except for the physical facility. So that's our first priority. But we also need to worry about our budgetary circumstances more generally, since we exist in a world where our competitors are significantly better resourced than we are. But I'm confident that some of our new programs, like the GPLLM and the ITLP, will help us establish a stronger financial base. And lastly, we need to keep increasing our academic strength. It's a constant challenge when we work in Canada to get international exposure for our research.

Nexus: Do you ever sleep?

Mayo Moran: From time to time [laughs]. I also try to write and publish at least one piece a year, and to present at a couple of conferences. And I supervise graduate students, and spend time with my son, and teach a large first-year Torts class. People always tell me to give up teaching, but I love it too much. The students are so smart and so much fun! ↩



Web Extra: Read the interview in its entirety at www.law.utoronto.ca/Nexus/DeanMoran2010.html.

“The general mood at U of T law when we were there was conservative, black-letter. But a few of us were the product of the 1960s. We believed.”

—Michael Mitchell, class of 1975

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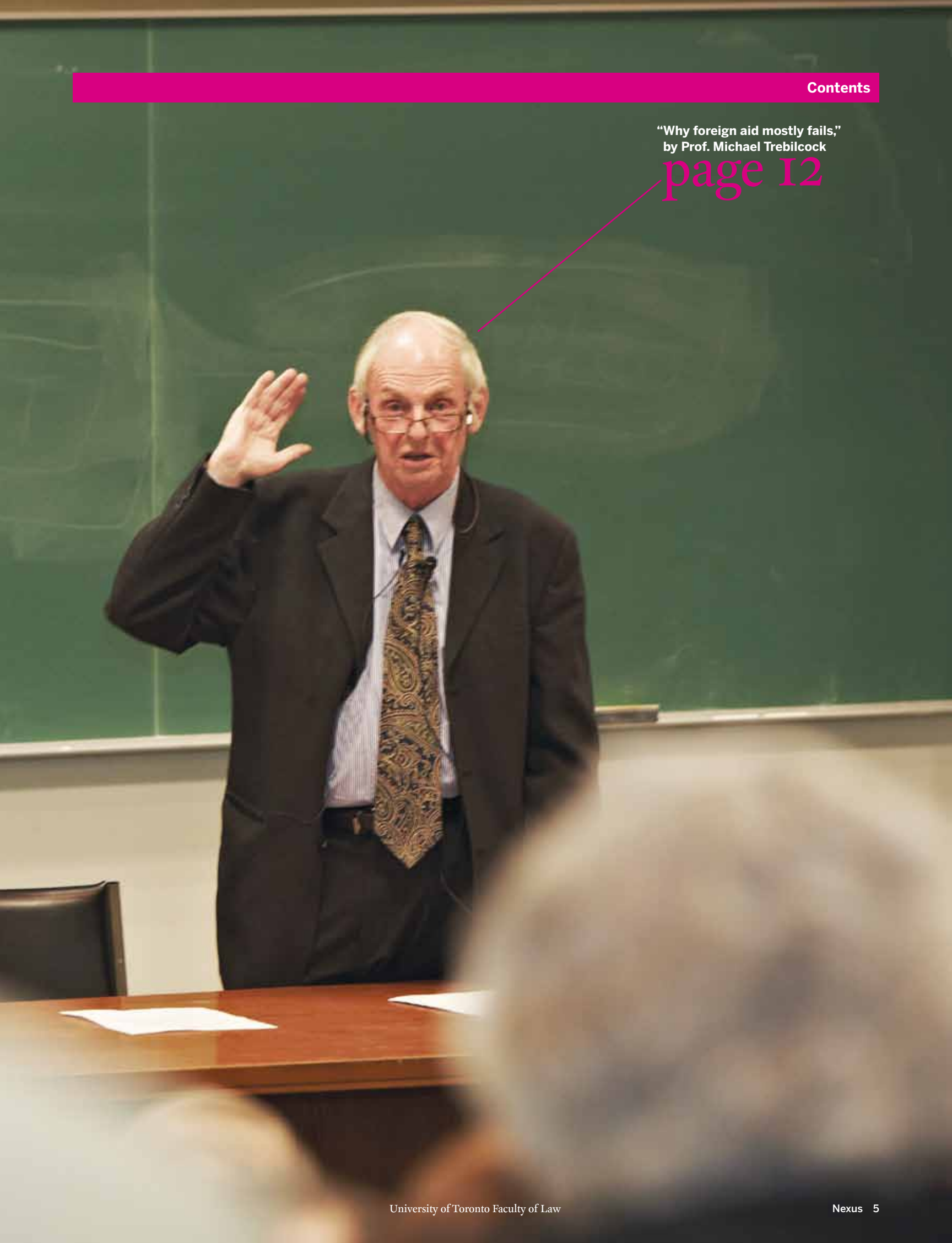
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“Why foreign aid mostly fails,”
by Prof. Michael Trebilcock

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Alec Scott

I'm a strong believer in: Eventually figuring things out. **My most treasured possession is:** A former foreign correspondent's battered Underwood typewriter. **My idea of perfect happiness is:** A bath, a book and a spare hour. **One of my favourite sayings is:** "In this world, there are only two tragedies: one is not getting what one wants, the other is getting it."—Oscar Wilde

Journalist Alec Scott, LLB 1994, writes for leading Canadian and American magazines and newspapers, and splits his time between San Francisco and Toronto. His work has won several Canadian National Magazine Awards and a North American Travel Journalists' Association Gold. Alec's travel pieces have taken him to Australia, Grenada, the Shetland Islands and Germany. Together with C.H.H. McNairn, he has co-authored several texts on privacy law in Canada. He wrote and directed a play at Toronto's Factory Theatre, *Cruel Summer: The Extended Play Remix*. Alec wrote "A constellation of careers" for *Nexus* on page 23.



Mariana Mota Prado

I'm a strong believer in: Questioning strong beliefs. **My most treasured possession is:** Quoting Pearl Jam, "I only own my mind." **My idea of perfect happiness is:** Toronto without the winter. **One of my favourite sayings is:** "Make sure you are in good health. All the rest can be worked out."

The opinion piece on page 30, "Like a coronary bypass, for governments," was written by Mariana Mota Prado, an assistant professor at the Faculty of Law (LLB 2000, University of Sao Paulo; LLM 2002, Yale; JSD 2008, Yale). Her scholarship focuses on law and development, infrastructure regulation and administrative law. She has worked for the Private Participation in Infrastructure Database Project at the World Bank, was a fellow of the Olin Center for Law, Economics and Public Policy at Yale Law School, and was a researcher for the Law and Democracy Project, Brazilian Center of Analysis and Planning (CEBRAP), in Brazil.



Matthew Filipowich

I'm a strong believer in: Cynicism. **My most treasured possession is:** In no particular order: family, friends, camera. **My idea of perfect happiness is:** Going on an adventure somewhere new and different. **One of my favourite sayings is:** "It's better to be pissed off than pissed on."

Matthew Filipowich wasn't always into photography but a mandatory photography course in university set a love affair with photography into full swing. Matthew is a University of Toronto graduate in photography and design, and started his career as the assistant photography editor of *The Medium*, UTM's campus newspaper. From there, he became photography editor, where he eventually helped to co-found UTM's first student-run magazine, *Medium Magazine*. Matthew now freelances for his new photography upstart, Oh Boy Photography Co. He shot the photo for our Nota Bene section, "A two-way street," on page 29.



Around the world in 365 days

The Faculty of Law launches a unique, executive-style master of laws focused on global business.

By Randi Chapnik Myers

These days, lawyers, as well as business and government leaders, need new skills to tackle the challenges of our modern global economy. Even if they work in companies operating solely within Canada or in law firms serving mainly domestic clients, no one is immune to the forces of globalization. To keep up with increasingly complex financial regulations, cross-border rules, and a highly mobile workforce Canadian lawyers have to adapt the way they practice law. ¶ To help them stay current, the University of Toronto Faculty of Law has developed a Global Professional Master of Laws (GPLLM), a unique graduate degree program for the working business practitioner. Participants in the new program, which kicks off next fall and runs for 12 months during evenings and weekends, will dig into the theory and mechanics of the business law transactions they spend their workdays conducting, on what's fast becoming an increasingly global scale.

“We consulted with various leading law firms and businesses, and they told us that the skills lawyers need today can’t be taught in the JD program because at that point, you haven’t been involved in a business deal yet.”

—Jane Kidner, JD 1992, assistant dean, professional legal education

“There are many LLM programs out there, but this one is different,” says Archana Sridhar, the law school’s assistant dean of the graduate program. She and Jane Kidner, JD 1992, assistant dean of professional legal education, recently presented the program at Harvard Law School’s *Future Ed 2: Making Global Lawyers for the 21st Century*, an invitational conference for groundbreaking ideas in legal education.

“We’re offering an executive-style part-time program customized for business professionals whose clients are subject to various jurisdictional laws and practices,” Sridhar says. These professionals need to be equipped with a solid understanding of the legal issues arising from our increasingly globalized business environment, she explains. And what better way to learn but through exploring comparative examples, case studies and real business deals?

“The idea for the GPLLM came from our alumni in private practice, government and corporate counsel roles,” Kidner says. “We consulted with various leading law firms and businesses, and they told us that the skills lawyers need today can’t be taught in the JD program because at that point, you haven’t been involved in a business deal yet.”

The program allows people who are working on those deals every day to analyze them from a global business perspective, so they’ll learn to ask the right legal questions when leading cross-border and domestic transactions, Sridhar says.

For instance, a corporate counsel for a Canadian mining company opening operations in Africa or Latin America would need to understand how all the laws, domestic and international, affect all aspects

of setting up shop, she explains. And in the banking industry, even if your client is a financial institution based in Toronto, it is still subject to global financial regulations, she says.

While lawyers will likely make up the majority of the class, the program will also appeal to senior level people in business or government whose jobs require legal knowledge, such as policymakers, bank compliance officers and risk managers in multi-national corporations, Sridhar says. To bring non-lawyers up to speed on legal basics, there will be a tailored orientation session before the program starts.

“It’s an innovative alternative to an executive MBA,” says Kidner. In an intimate class of only 25-30, students take six compulsory evening and weekend courses. They also choose three seminar courses, offered as weekend intensives. All topics are law-focused with a business globalization angle.

“In investment work, you face legal issues on a daily basis so you have to develop the skill set to deal with them,” says Alan Kadic, a senior principal at the Canada Pension Plan Investment Board (CPPIB) in Toronto. “Learning in a classroom with lawyers and other professionals would be ideal.”

For Carla Swansburg, senior counsel of the litigation team at RBC in Toronto, a course that merges law and business would give her practice a leg up. “As in-house counsel dealing with cross-border clients, you constantly run into issues of corporate social responsibility, ethics, and corporate governance that change in different business cultures.” The benefit of input from like-minded



businesspeople would be so valuable, she says.

According to Marc Little, a business law associate at Fraser Milner Casgrain LLP in Toronto, the real value of this course lies in its faculty. “Not only is the U of T law faculty second to none, but we have Bay Street right here, so the university can draw on the leaders in transactional business law,” he says.

The U of T law lineup so far includes GPLLM program adviser Professor Michael Trebilcock, as well as Professors Ben Alarie, Anita Anand and Ed Iacobucci. To add to that roster, the law school plans to take advantage of international experts in the legal and business worlds from across Canada, the US, Europe and Asia.

Priced at \$25,800, the tuition is quite reasonable, says Kidner, who points out that a part-time or executive MBA can cost up to \$100,000 in Canada, and that the GPLLM program is targeted towards those who have been on the job for a few years—people such as Swansburg. “Right now I have my hands full but I would love to consider applying to the program somewhere down the road,” she says.

“It’s a personal decision, but if you want a graduate degree, you make the time,” says Dorothy Quann, general counsel and vice-president at Xerox Canada in Toronto. She knows of many companies that support executive opportunities for their employees, either by assisting financially or allowing flexible hours. The company as a whole benefits, Quann says, because the employee gets practical legal experience that fits right into the work world.

“It’s an investment in the business,” she says. ↗

The Future of Transactional Legal Practice

This panel discussion at the Faculty of Law’s GPLLM launch on Nov. 16, 2010 explored issues affecting the legal profession today. Moderated by Prof. Michael Trebilcock, the panel can be viewed online at: <http://uoft.me/GPLLMlaunch>. Here are highlights of what the panelists had to say:

“‘International’ is here... with a vengeance.”

—**John Claydon**, director, professional development, Lex Mundi, an international association of 165 independent law firms, representing 21,000 lawyers

“Globalization is moving in two different directions at once. In many cases, law is still very local, but problems have to be interpreted through a global lens.”

—**Carole Silver**, professor, Maurer School of Law, Indiana University, whose research includes analyzing the global strategies of large law firms

“Law students need to learn law with a business focus. A legal solution is not very good unless there is a business case to take you there.”

—**Norman Letalik**, partner, Toronto office, and managing director, professional excellence, at Borden Ladner Gervais LLP

Equating health with human rights

A look back at the worldwide impact of the International Reproductive and Sexual Health Law program

Stories by Tracey Halford Gregoris
Illustrations by Stan Olthuis

It has been 10 years since the International Reproductive and Sexual Health Law Program was founded by Faculty of Law professors Rebecca Cook and Bernard Dickens, in response to a need to inform the growing legal discourses surrounding reproductive and sexual health rights worldwide.

“This is a highly stigmatized field that is in need of transparent, evidence-based legal reasoning,” says Cook. “Careful legal work is required to change the hearts and minds of many different people.”

As the program’s international reputation and network of alumni and fellows grows, other universities are starting to take a closer look at the IRSHP, says Cook, to begin building similar programs and legal clinics. Law schools in Argentina, Chile, India, Mexico, South Africa and the USA collaborate with the program, including its Health Equity and the Law legal clinic.

Some, however, have kept their distance because of the stigma attached to reproductive and sexual health, where confidentiality of treatment and non-discriminatory access to care and counseling are addressed as human rights issues, she explains.

Many graduates and fellows have returned to their countries to teach and research in these areas, and work towards changing policies, laws and values at home. Other graduates work on a more international level, such as with the World Health Organization or various non-governmental agencies, like the US-based Center for Reproductive Rights.

“Rights relating to reproductive and sexual health law are as important as many other human rights,” says Cook. “When we jeopardize them, we jeopardize everybody’s equal rights.”

Nexus checks in with three alumni, now living in India, Suriname and the USA, who have ignited these issues in their homelands.

SJD thesis helps to modernize India’s marriage laws

It is the day before Diwali in Pune, India and Professor Jaya Sagade, of the Indian Law Society (ILS) Law College, finally has a moment to talk before preparing for the five-day festival of lights.

Sagade, SJD 2002, reflects on how she entered the International Reproductive and Sexual Health Program. Little did she know that an invitation sent to Prof. Rebecca Cook to speak at a conference in India would result in a “major career break” for Sagade.

“Although Prof. Cook could not attend personally, we kept a correspondence, and she sent me the information about the program. As all my education to this point had been in India, I felt the profile of this program would allow me to expand my work.”

Says Sagade: “This degree has opened doors for me. I have a stronger understanding of a human rights approach to women’s and children’s rights.”

Sagade came to Toronto in 2001 with a clear thesis in mind: the issue of child marriage in India. This thesis would be the cornerstone on which new legislation would be drafted to change the outdated 1929 law governing marriage in India.

Child marriage, where the girl is younger than 18 and the boy is under 21, is rampant in some parts of India and primarily affects girls. Some as young as 10 are forced to marry to save the parents the cost of raising and educating the child, or spare the family possible shame as the girls approach adolescence and may become sexually active.

In 2005, Sagade’s thesis was published by Oxford University Press, garnering strong international sales and, more importantly to Sagade, government recognition. “I actively participated in consultations with the Indian government regarding the law. Previously an illegally performed marriage was not voidable.”

In 2007, the law was replaced, setting the wheels in motion for Sagade to argue that all child marriages are essentially forced. “There is still work to be done. But now an illegal marriage can be voided. People are starting to discuss this as a problem relating to domestic violence, infant mortality and early maternal death.”

Although Sagade plans to retire in two years, she intends to keep working on human rights issues and mental health advocacy.



Jaya Sagade, SJD 2002

Women's health and AIDS action in Suriname

As an upcoming lawyer in Suriname, Milton Andy Castelen, LLM 2009, responded to a call for young people to form a peer educators program on AIDS/HIV. "I had been very active in youth organizations, and this was a challenge because HIV was stigmatized. I thought it would be great to make a clear statement against stigmatization."

While working on a CIDA-funded project aimed at developing model AIDS/HIV legislation in the Caribbean, Castelen says a Canadian consultant pointed him in the direction of the International Reproductive and Sexual Health program at the Faculty of Law.

Castelen entered the program in 2008 to focus his research on women's reproductive health rights and the abortion laws in Suriname.

"I had also done work in this area and knew that my supervisor Rebecca Cook and others at the faculty had extensive experience in this area which could benefit Suriname."

Upon his return to Suriname, he delivered his position paper to the Ministry of Health, and gave two guest lectures at the Anton de Kom (ADEK) University. "One of the most important things I took back from the program was that my analytical skills have sharpened dramatically, aiding me significantly in this work."

Suriname currently recognizes a woman's right to an abortion but has not repealed its criminal laws. There are still significant legal barriers to women seeking safe abortions. "We analyze law differently in Suriname. That is one of the biggest gains from my time in Toronto, that I can now do a civil and common law analysis of an issue."

Although it is too early to assess the impact of his position paper and lectures, Castelen is encouraged by the local health ministry's active interest in addressing what he believes is the key issue: women in his country lack non-discriminatory access to reproductive health care.

Next year, he travels to the Netherlands to pursue a doctoral degree. But in the meantime, Castelen continues to work on HIV/AIDS-related issues with Unicef and PAHO, the Pan American Health Organization.

"Unfortunately, there is always work to be done in the area of human rights and people living with AIDS/HIV."



Milton Andy Castelen, LLM 2009

Maternal death issue awakened in Nigeria

According to a 2007 World Health Organization report, Nigeria has one of the world's highest rates of preventable maternal death, second only to India. And Onyema Afulukwe, LLM 2007, was determined to one day make an impact on this issue in her homeland.

After obtaining a law degree from the University of Nigeria, then a master's in public international law from the London School of Economics and Political Science, Afulukwe conducted research on academic institutions with a strong background in the field of women's rights.

"I came across the International Reproductive and Sexual Health program at the U of T, read publications by the faculty and was convinced that the U of T Faculty of Law had the best experts in my area." She arrived in 2006, awarded a full scholarship as the Women's Rights Scholar.

She was spurred by Prof. Rebecca Cook's complete commitment to the issues surrounding her thesis on women's rights and inheritance law in Nigeria. "She encouraged me to think beyond the policy of the issue and the grades, to consider the impact my work could make on the lives of others. This attitude has served me very well in my work."

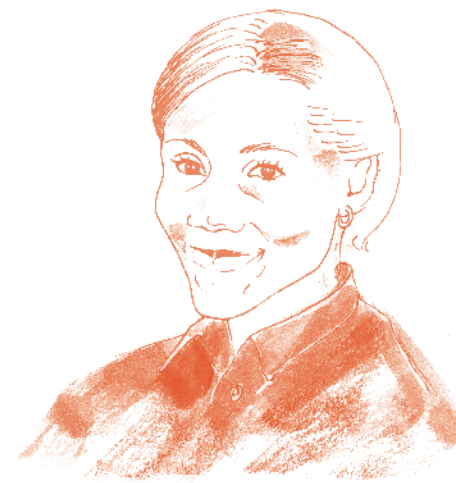
Now based in New York as the legal adviser for Africa in the International Legal Program at the Center for Reproductive Rights, Afulukwe says unfortunately there is still much work to be done in the area of preventable maternal death in Nigeria. This is the main focus of her current work and 2008 publication: *Broken Promises: Human Rights, Accountability, and Maternal Death in Nigeria*.

Her findings were validated in a 2010 article in the prestigious medical journal, *The Lancet*, which revisited the numbers of maternal death around the world, and found the numbers have declined between 1980-2008 in various part of the world, but not in Nigeria, explains Afulukwe.

The good news is her work has people talking back in Africa.

"Nigerians are beginning to call for accountability. Maternal death is now actively discussed whereas before it was 'no questions asked'. My time at the U of T has helped me to use the law as a tool to effect change."

Says Afulukwe: "I now fully appreciate the importance of a human rights approach to women's health issues." ↩



Onyema Afulukwe, LLM 2007

JACOB M. BENNE
LECTURE HALL



Why foreign aid mostly fails

Prof. Michael Trebilcock, chairholder in law and economics at the Faculty of Law, argues a critical incentive package is required to lead real institutional change in the developing world—or risk condemning the world’s poorest to ‘perpetual deprivation.’ Here’s an excerpt from his Oct. 22, 2010 talk.

Photography by Jeff Kirk

One view of the purposes of foreign aid (largely espoused by William Easterly) is that aid should be confined to serving basic humanitarian needs at the grassroots levels and attempt to relieve the most severe forms of destitution or deprivation. On another view (largely espoused by Jeffrey Sachs), aid should serve much more ambitious purposes and espouse an activist pro-development agenda that sets poor developing countries on a self-sustaining path to greater economic prosperity in the future.

These two views have important implications for how aid should be delivered. On the first view, much humanitarian aid might be most effectively delivered through local community organizations and NGOs and international NGOs, largely sidestepping governments, at least in failed or fragile states, although problems of coordination will remain a daunting challenge. On the second view, this much more ambitious pro-development agenda requires a capable, activist, and well-motivated state to coordinate major investments in infrastructure such as roads, ports, communications systems, education and health care systems, the administration of justice, etc. Incongruously, in our view, Peter Singer, who supports Sachs’ arguments for much larger volumes of foreign aid to underwrite a “big push” for development, seems to imagine that this objective can be achieved solely or primarily through local, decentralized initiatives of community organizations, charities, and NGOs (which resonates much more closely with Easterly’s more modest views of the ends of foreign aid).

A yet further view, espoused by R. Glenn Hubbard and William Duggan, is predicated on the premise that very few societies throughout history have become prosperous without a thriving private sector and that akin to the Marshall Plan, aid should single-mindedly be focused on promoting the growth of the private sector and providing complementary inputs in the form of physical and institutional infrastructure that are preconditions to its growth, on the assumption that greater revenues from growth can then finance various

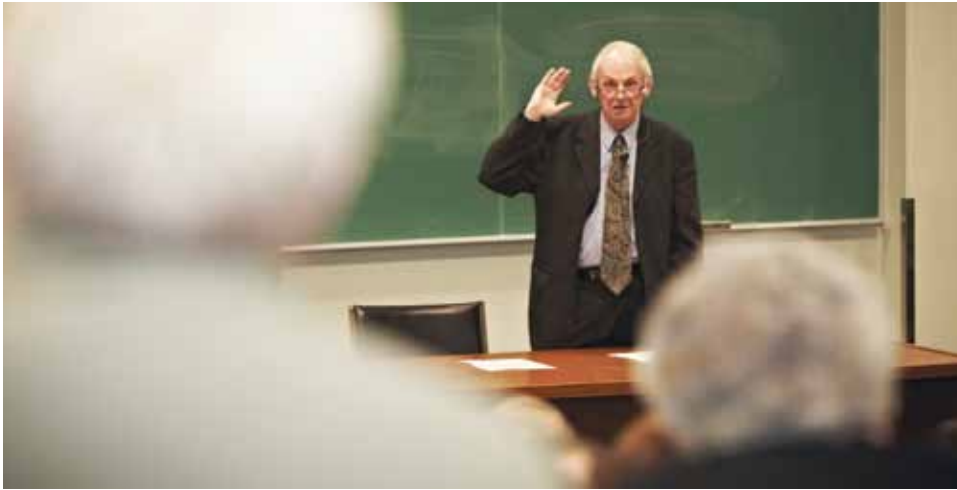
social investments in, e.g., health and education, although one might question whether some of these investments are not pre-conditions to the emergence of a thriving private sector.¹

It is useful to situate institutional capacity issues noted above primarily in the context of the Sachs-Easterly debate about foreign aid. Sachs, in arguing for a “big push” on foreign aid, largely ignores these institutional issues, rather casually pointing to the fact that there are several governments in sub-Saharan Africa that possess the institutional competence and integrity to use more aid effectively (leaving as an unanswered mystery what should happen in the many other cases). Easterly, on the other hand, in the face of these institutional dysfunctions, seems largely to throw up his hands in despair and resign himself to aid being deployed on the margins of the development enterprise in small, incremental, local initiatives (such as drilling wells for local villages, providing mosquito nets, vaccinating against various tropical diseases, etc.). Singer attempts to skirt issues of institutional capacity entirely by focusing on private, voluntary donations to NGOs and charities while failing to recognize that such decentralized giving and receiving is quite inconsistent with “big push” strategies of economic development (which he seems to favour). For Dambisa Moyo, aid has mostly pernicious effects, so the less aid the better, hence rendering irrelevant questions of how to reform aid policies.

The enormous challenge, largely unaddressed by these authors, is whether limitations on institutional capacity and legitimacy can be addressed effectively so that a much larger volume of aid can responsibly be provided to developing countries with some reasonable confidence in its likely efficacy.² Setting these institutional issues to one side or treating them as of second-order importance in debates over foreign aid is largely to condemn aid to ineffectiveness in precisely those environments where citizens are the victims of the most severe forms of deprivation. However, confronting these issues requires donors to forego the illusion that aid is a largely technocratic rather

1 R. Glenn Hubbard and William Duggan, *The Aid Trap: Hard Truths About Ending Poverty* (Columbia University Press, 2009); see also Kurt Hoffman, Placing Enterprise and Business Thinking at the Heart of the War on Poverty,’ in Easterly (ed.), *Reinventing Foreign Aid* (Cambridge, Mass.: MIT Press, 2008).

2 Roger C. Riddell, *Does Foreign Aid Really Work?* (Oxford University Press, 2007), pp. 373-377.



than political exercise and that tensions with traditional notions of state sovereignty can be avoided. We can no longer persist with the fallacy that poorly performing governments in developing countries simply lack information, technical expertise, and resources (which aid can provide) but are otherwise well-motivated towards their citizens.³

Our starting point is to acknowledge that aid agencies require as committed clients self-identified agents of institutional reform with self-identified agendas for reform supported by significant and broadly representative constituencies within developing countries. In some (rare) cases this may be the government itself, but much more commonly pockets of reformers within agencies of government or constituencies outside government committed to an institutional reform agenda. This agenda cannot be imposed from outside by pretending that “Djibouti is Denmark” or by “skipping straight to Weber,”⁴ but requires an authentic domestic political constituency with a reform agenda that is sensitive to the particularities of their country’s context, history, politics, and culture.

Given such a reform constituency, foreign aid donors can provide both financial and technical support to such constituencies to assist them in pressing their reform agenda and also exert leverage on government and its agencies by withholding or terminating government-to-government aid for failure to be responsive to this reform agenda against measurable milestones. Increasing the percentage of aid channeled through multilateral institutions is likely to increase this

leverage (although at the risk of larger systemic policy errors and less policy experimentation at the individual donor level). Reforming the governance structure of such institutions to make them more fairly representative of the developing and developed world is also likely to enhance the legitimacy of exerting such leverage. Invoking accession negotiations for membership of trade or broader economic cooperation regimes offering valuable long-term benefits (as the EU has done with some success with new member countries from central and eastern Europe) to extract, monitor, and enhance meaningful institutional reform commitments that enjoy support from substantial domestic constituencies is an analogous strategy that has some promise (but has been insufficiently exploited more generally).

At the end of the day if one believes that institutions matter to development, to give up on foreign aid as an important agent of institutional change is to condemn the citizens of many of the world’s poorest countries (with the world’s poorest governments) to a future of more or less perpetual deprivation. Rethinking the most effective bundle of “carrots and sticks” to drive institutional change is the central unmet challenge on the foreign aid agenda. Until this “aid-institutions” paradox is unlocked, foreign aid will mostly fail to advance long-term development objectives. ↩



Web Extra: Watch Prof. Michael Trebilcock’s lecture in full on our website at: <http://uoft.me/trebilcocklecture>.

³ See Ashok Chakravarti, *Aid, Institutions and Development* (London: Edward Elgar, 2005).

⁴ Lant Pritchett and Michael Woolcock, “Solutions Where the Solution is the Problem: Arraying the Disarray in Development,” in Easterly (ed.), *Reinventing Foreign Aid*, supra note 1.

The Decade Dozen

IF YOU HAVEN'T HEARD OF THESE PEOPLE, YOU SOON WILL.

Stories by Lucianna Ciccocioppo

Six months ago, as we watched a new class of smart, ambitious students graduate from the Faculty of Law, the *Nexus* editorial team started thinking about the future. How would these freshly minted alumni make their mark in the world? Who would we be featuring in *Nexus* in the next 10 years or so?

Turning the spotlight away from the newest grads, we decided to find out where the nascent superstar alumni are today (10-20 years post-graduation), those with distinctly promising careers who are set to shape and influence their professions this decade.

Our goal was to identify these young, talented alumni toiling quietly but confidently in their varied fields. We asked you for your input, and we sought your nominations for this notable group, which we named the Decade Dozen—the Top 12 inspiring and intriguing alumni to watch over the next 10 years.

You did not disappoint. As your nominations came in, *Nexus* realized it had some tough decisions to make. At long last, after months of planning, researching, writing and photographing, we present to you the Decade Dozen.



The Decade Dozen

1



Sachin Aggarwal: *Strategist with a smile*

It's pretty hard not to notice Sachin Aggarwal, JD/MBA 2004, in a room, says his former boss Michael Ignatieff. "He has an incredibly bright, amazing, light-up-the-sky kind of smile," says Ignatieff.

It's something Aggarwal put to good use when he was a campaign manager for underdog mayoralty candidate Rocco Rossi in Toronto, deputy chief of staff in 2008-2009 for Canada's leader of the opposition, and national operations director for Ignatieff's leadership campaign.

"In the political world, it's extremely important to be able to mobilize people," says Ian Davey, a well-known Toronto-based communications consultant. "Not just people who are paid, but volunteers. That's very difficult to do, and more difficult now in the political world than ever before. Sachin is extremely good at doing that."

Now a vice-president with Patient Order Sets, a national collaborative network of health-care institutions for best practices and evidence-based research, Aggarwal is a former Torys associate. He worked on mergers and acquisitions, securities law and public offerings, and represented clients such as Thomson Corporation in its Reuters deal, and Sherritt International in its \$1.6 billion acquisition of Dynatec Corporation.

But when Ignatieff returned home to Canada in 2006, Aggarwal made the leap into politics. "Sachin was part of the team that got me involved in politics and I was very impressed by this young, extremely talented lawyer," recalls Ignatieff. "He has a tremendous strategic sense of what matters over the long term."

His meticulous and thorough organizational skills behind the scenes could very well put Aggarwal out in front over the next 10 years, says Davey. "Without question, I think he is someone who is a leader, and someone to whom people look to for leadership. These people tend to break the mold and do different things."

Ignatieff agrees. "I hope he'll be doing something political, but you can never tell with Sachin. He's a moving target."

2



Rob Centa: *Litigator extraordinaire*

There's no doubt in Justice Steven Goudge's mind that Rob Centa, LLB 1999, should be on the Decade Dozen list. "He's a superbly talented young litigator who's going to be a superstar in his profession," says Goudge. Centa, a partner and executive committee member at Paliare Roland Barristers in Toronto, specializes in all areas of advocacy, with a focus on public law, commercial litigation, insolvency and arbitrations.

"I've had a lot of experience with him," says Goudge, LLB 1968. "He clerked for me. He worked as one of the key members of my legal team in the inquiry I did. And he and I have taught together at the Faculty of Law. He has very significant respect amongst those before whom he's appeared and amongst those against whom he's litigated."

Will McDowell, LLB 1986, a partner at Lenczner Slaght, agrees. "Rob's transcendent skill lies in his ability to define the issues in any proceeding in which he is involved. He does this in a disarming way, and you figure out somewhere down the road that he has framed the question for which—hey!—he has the answer."

Paliare Roland managing partner Linda Rothstein, LLB 1980, calls Centa "one of the most talented lawyers of his generation." That's because of his "absolutely superb analytical and stunningly good advocacy skills," she explains. "Rob is one of the best strategists for his level of the bar I've ever seen. He's on the path to becoming one of the great counsels of Ontario."

He's also a dedicated volunteer with the University of Toronto. "He has terrific people skills," says Goudge, "skills that will take him into leadership roles, whether it's in a team of lawyers working on a case, in a group running a program, in a firm helping to run the firm, or whether he runs a venture someday. Those kinds of skills are quite unique."

3



Steven Elliott: *The gold standard*

Tell Steven Elliott, JD 1995, that a case doesn't have a chance, and he'll only dig his heels in deeper—then win. While the London, UK-based barrister works in a cut-throat world, he is anything but.

"He is definitely competitive," says Gordon Haskins, LLB 1991, head of transaction execution at RBS bank, who first hired Elliott for his articles at Davies in Vancouver, "but I think in a very healthy, constructive fashion. He doesn't undercut people, but rather engages them in very interesting and challenging conversations."

Neil Kitchener, Elliott's former pupil master, refers to him as 'the gold standard.' "He combines a stunning intellect, with a fearsome capacity for work, and a winning personality. He's a thorough and ingenious lawyer on whom you can always depend to get you out of a hole, or present your case in the most attractive light."

Take the case of *Parabola Investments v. MF Global*. Elliott and his team (including Kitchener) won—and kept on appeal—a £20 million damages award in a stock-broker fraud case against an original capital loss of only £3 million.

"He presented an argument that, for the first time, recognized a victim of fraud, who had been deprived of his trading capital, could recover his damages, the profits that he would have made with that trading capital over the years," explains Kitchener. "It was a proposition that had never successfully been made in English legal history, or as far as we know, in Commonwealth legal history."

Oxford law professor James Edelman, who did his doctorate with Elliott at the British institution, says "Steven's been responsible for probably four or five of the biggest commercial cases in the last few years, cases that have had ramifications of tens of billions of pounds for the British economy."

Adds Edelman: "His work has restructured our understanding of the way commercial law works."

4



John Hannaford: *Arctic Circle diplomat*

An ambassadorship requires the ultimate in diplomacy, but after a year in Oslo, John Hannaford, LLB 1993, states unequivocally that when it comes to salmon, he still prefers the Canadian version. Looking after Canada's interests abroad, after all, is key to his diplomatic work.

He has much to contribute, says UBC law professor Douglas Harris, LLB 1993, (and Hannaford's roommate at law school), "in terms of Canada's foreign policy, to Canada's position in international law and to Canada's presence on an international stage. He was always interested in ideas, interested in people and interested in making a contribution—important qualities of an ambassador."

Alan Kessel, assistant deputy minister for legal affairs in the department of foreign affairs and international trade, calls Hannaford a renaissance man, and doesn't hesitate to explain why. "He is one of the shining examples of growing expertise in public international law."

Kessel points to Hannaford's expertise in trade law, "which is extremely important for Canada in terms of litigation with respect to NAFTA and the World Trade Organization," and dexterity at United Nations-related legal issues.

But it was Hannaford's Arctic knowledge that was key to his appointment to Norway in 2009, says Kessel, because of "the issues of Arctic sovereignty, the extension of the Canadian continental shelf, the growing interest in all that the Arctic represents—not only in our domestic world, but also our in foreign policy, where it's a high-priority issue on the Canadian agenda," explains Kessel. "He is also managing Canada's Arctic office in Oslo, which provides an eye on the Arctic from the Nordic countries."

There's more than legal talent required to navigate the "very complex matrix" that is Foreign Affairs, says Kessel. "We deal in five dimensions, not just two. So we need people who have the skills and capacities to adapt well—and John is one of them."

5



Rubsun Ho: *In-house entrepreneur*

The debate on what the future law firm looks like continues to, well, be debated (that's what lawyers are wont to do, after all). But Rubsun Ho, LLB 1995, decided he was going to sidestep the discussion, and start anew, after a career at Stikeman Elliott, then as VP of business development at a wireless start-up company that enjoyed success, but busted after the dot-com boom.

Equipped with experience and contacts, Ho co-launched Cognition LLP, a firm without the traditional firm structure and downtown Bay St. locale (read: no large overhead and accompanying high fees), which delivers largely mobile commercial and corporate legal services at a fraction of the usual price, and with a high degree of flexibility for its associates.

"Rubsun's always been more entrepreneurial than typical lawyers," says Nina Moritsugu, LLB 1994. She's one of 25 Cognition lawyers in Toronto, Ottawa and Waterloo who either work from home or go into a client's office periodically to provide senior-level 'outsourced' in-house services. "He's an excellent lawyer, so that attracts talent to the group as well. He's very serious about the quality of the work and the management of the firm, which includes being very respectful of everyone's time and other obligations."

"We refer them to our clients who need that kind of service and don't want to pay our big firm rates for a lot of day-to-day general matters," says Richard Sutin, senior partner at Ogilvy Renault. "When Cognition comes across something with clients that's out of their area of expertise, they call on us. It really is a very reciprocal relationship. And that creates strong bonds with our clients which, in the long term, would be to our advantage."

"I think the business is going to grow—considerably," says Sutin. "There's a real market for it." Moritsugu agrees. "Once clients choose us, they're amazed, and start to spread the word."

6



Sonia Lawrence: *Legal education reformer*

Sonia Lawrence, LLB/MSW 1999, is one busy academic. "It's actually hard for me to imagine something I've seen in the evolution of legal education that hasn't had Sonia's name attached to it in some way," says Kim Brooks, dean, Schulich School of Law at Dalhousie University.

"I still think of her as this incredibly promising bright light from U of T back in the late '90s," says Lorne Sossin, dean of Osgoode Law School, who taught Lawrence when she was a student at the Faculty of Law. "It's wonderful to see the connection now. She's really played a leading role in pedagogy and curricular reform at Osgoode and is deeply interested in what it means to put together a legal education. She's a real star."

Lawrence is a former assistant dean of the first-year program at Osgoode, chair of the academic policy committee, and current director of the Institute for Feminist Legal Studies. She shares her educational passions beyond York's law school to sit on the executive committee of the Canadian Association of Law Teachers and on the Women's Legal Education and Action Fund's law program committee. She researches issues of equality, the influence of feminism in Canadian law, diversity on the bench, and section 28 (gender equality) of the Charter (Sossin: "A really dry section—her research breathed new life into it"), among other areas.

"I expect we'll see her name more and more often on the list of people that governments and leaders go to for advice, especially when looking for people who can build bridges and consensus, and who can lead by example," explains Sossin.

"I think she has a vision for what makes university education important," says Brooks. "Ultimately, I'd love to see her in a position that would let her make a big difference for a very large number of people."

7



Marcia Moffat: *Banker on the rise*

Having a variety of career experiences is a good thing. Having the breadth and depth of career achievements that Marcia Moffat, JD/MBA 1996, does at Canada's largest bank is remarkable.

"Marcia is one of our highest potential people here at RBC because she has demonstrated that she can make transitions very easily," says Janice Fukakusa, RBC's chief administrative officer/chief financial officer and Moffat's former boss.

"When you look at what qualifies Marcia to be on your Decade Dozen list, I think you are looking at people who can work in an environment filled with change, and can deliver on initiatives and commitments. Marcia has demonstrated that in spades."

After leaving Shearman and Sterling in New York (she also worked in its Paris office), Moffat first started at RBC in investment banking in 2000, then led RBC's overall communications strategy with its shareholders, research analysts and rating agencies during the global financial crisis, as head of its investor relations team from 2006-2009. Currently she's busy working in the bank's largest business division, as vice-president of home equity financing products.

"She is the shining example of what you can do with a law degree," says former classmate Leslie McCallum, JD 1995, an associate in the capital markets group at Torys. "I think when an employer has someone moving around into senior positions like Marcia has experienced, it's a very powerful indicator of what they think of that person." Adds McCallum: "She has versatility, confidence and drive."

Fukakusa agrees, and doesn't hesitate when asked about Moffat's future potential. "In the next 10 years, I wouldn't be surprised if she was one of the senior leaders of the bank, on our group executive—the 10 executives that basically run the bank, including our CEO. I could see her easily being there, provided she keeps up with her excellent performance."

8



Benjamin Perrin: *Canada's unstoppable hero*

Ben Perrin, JD 2005, is hard at work driving home the message that human trafficking is anything but a Third World issue. The assistant professor at UBC's Faculty of Law has been called "a hero acting to end modern-day slavery" by the U.S. State Department. And his recently published book, *Invisible Chains: Canada's Underground World of Human Trafficking*, kicked off a national public awareness campaign and is already a best seller.

"I know the contents of that book and I can tell you it's going to blow this issue wide open here in Canada," says MP Joy Smith, who introduced Bill C268, a private members' bill which passed earlier this year and called for mandatory minimum sentences for child traffickers. Perrin helped draft the legislation. "He was a great resource person for it because he's so knowledgeable."

It all started 10 years ago when a friendly gathering at a cottage turned into a discussion on solving the world's problems. Cambodia's child sex trade came up in conversation, and Perrin took the lead in launching initiatives for long term projects, says Shuvaloy Majumdar, a visiting scholar at UBC, and chair of the non-profit Future Group, which Perrin founded to combat international human trafficking.

Perrin set up training projects in Cambodia to rescue girls—some as young as five—out of brothels, and teach them sewing or cooking skills for employment. Upon his return to Canada, he was determined to do more.

"That first report we produced, which was a couple of hundred pages long, really looked at the multi-dimensional aspects of human trafficking, starting with the victim and ending with the rule of law as an answer to these problems," explains Majumdar.

"He's brilliant, compassionate and unstoppable," says Mary Anne Bobinski, dean, UBC law school. "He's on track to becoming one of Canada's leading scholars in human rights and criminal justice."

9



Rachel Sklar: *CanAm media maven*

Anyone invited to speak under the title “Where media and *mentschlichkeit** meet” must have some pretty interesting stuff to say. And Rachel Sklar, JD 1998, certainly does.

The New York-based founding media editor of the *Huffington Post*, now an editor at large at Mediaite.com, writes, comments, blogs, opines and tweets about politics, pop culture, media and technology, women, youth and philanthropy (see Charitini.com).

“Rachel is one of the first people to fashion a journalistic career more or less entirely in new media,” says Jeffrey Toobin, legal analyst for CNN and *The New Yorker*. “She understands the media universe—where it is, and where it’s going.”

That’s something *HuffPo* co-founder Arianna Huffington also picked up on when she hired Sklar (“Arianna gave me my first big break!”). “Rachel has always had a great instinct for coming media trends,” says Huffington in an email to *Nexus*. “Her enthusiasm for the things she believes in is infectious, as is the upbeat spirit she brings to her passions.”

One of her passions is improving the visibility of women in new media and technology companies. In June, Sklar co-founded “Change the Ratio,” an initiative to promote women in these areas. The campaign set off a hot debate in the US, and landed her in the Silicon Alley 100—“New York’s Coolest Tech People for 2010” list.

“The way that she’s been able to communicate and connect with her generation and the next sets an example for everybody,” says Bob Rae, LLB 1977, a friend and mentor. “She’s forced people to look at the media in a new way. She’s feisty and friendly, has tremendous charm, a great deal of intelligence and wit, and is crafting a career for herself in one of the most challenging environments there is—New York City.”

**Menschlichkeit*: (German) the properties which make one a mensch (a person of integrity and honour).

10



Lara Tessaro: *Planet protector*

Lara Tessaro’s dedication to promoting sustainability has taken her from the pristine beauty of northern BC (she was born and raised in Terrace, a small forestry town) to the highest halls of justice in the country.

As a staff lawyer for Ecojustice Canada and representing Mining-Watch Canada, Tessaro, LLB 2002, landed a Supreme Court victory against the federal government in January 2010 in a case centred on the proposed Red Chris mine in BC.

“She brings her considerable creativity, knowledge and analytical abilities to battles to protect the planet,” says Joan Kuyek, the former national coordinator of MiningWatch Canada. “It wasn’t until we talked to Lara at Ecojustice that we found a way to challenge the government in the courts—and eventually win. She’s brilliant.”

The SCC held that the Canadian government acted unlawfully in excluding public input from its assessment of Imperial Metals’ intended and massive open-pit copper and gold mine, slated near the origins of northern BC’s three most important salmon rivers, the Stikine, Nass and Skeen Rivers.

Tessaro is now junior commission counsel on the Cohen Commission, the federal inquiry investigating the decline of sockeye salmon in the Fraser River.

“This may not mean a lot to people in Toronto,” says Brian Wallace, senior commission counsel, “but it is a pretty big deal here. It’s a very complex federal, judicial inquiry under Justice Bruce Cohen.”

That there’s more than enough salmon to go around this year should make the inquiry all the more fascinating, just the challenge this “hard-working, committed, and highly principled” advocate craves.

“She really does see the law as a tool for creating social change,” says former classmate, Gillian Hnatiw, LLB 2002, highlighting Tessaro was also junior commission counsel to the Arar Commission. “She always saw that as her purpose for going to law school. She truly epitomizes what is most noble about our profession.”

11



Maggie Wente: *Community champion*

Travelling to some of Canada’s most beautiful spots to meet people in their home communities helps Maggie Wente, LLB 2002, advance her clients’ goals of self-determination and self-government—and renew her Aboriginal ties.

She draws upon this first-hand understanding of Indigenous communities’ traditions to win battles—without litigation—for First Nation children denied access to local schools by boards of education (due to jurisdictional ‘limbos’ of some kind), to help clients sift through the daunting challenges of drafting treaty negotiations to set frameworks for Aboriginal governments of the future, and to shed more light at the Ontario Human Rights Commission, as a commissioner, on First Nations issues.

It helps if you’re a partner at the social justice firm of Olthuis Kleer Townshend in Toronto. “As part of that team, she has certainly moved First Nations’ issues forward, and made the legal system more accessible to them,” says Kim Murray, executive director of Indian residential schools inquiry, the Truth and Reconciliation Commission, and a lawyer from the Kahnatesake First Nation near Oka, Que.

Murray says she knew the first time she met Wente at Aboriginal Legal Services Toronto that she was an up-and-coming lawyer to watch. “She’s honourable, intelligent and wholeheartedly dedicated to the Aboriginal community.”

Not even juggling first-time motherhood could stop her from volunteering. “I remember thinking: ‘Oh, my gosh, what are we going to do when she returns to work from mat leave?’” says Murray with a laugh. “The amount of work, effort and time commitment that she gives completely pro bono is extraordinary.”

“She has made all the right choices,” says Sara Mainville, LLM 2007, lawyer and peer, and a member of Couchiching First Nation. “She’s found the right firm, found the right clients, and found a really good fit for her skills, intelligence and abilities. She’s definitely going to blaze her own trail.”

12



Cornell Wright: *C-suite adviser*

One of his biggest clients hopes Cornell Wright, JD/MBA 2000, continues to answer the phone at Torys LLP for a long, long time.

“On big transactions, when there are six pots on six burners, I trust Cornell to really get in there and think through issues, as if I had all the time and attention to dedicate to those problems,” says David Binet, executive vice-president of Woodbridge Co. Ltd., the Thomson’s family private investment company. “I can use him as my proxy. I think he’s exceptionally talented,” says Binet.

And wise beyond his years, says Les Viner, LLB 1981, Torys’ managing partner. Wright, a firm partner, inspires and draws out the best in his colleagues, adds Viner. “He runs great teams. A really important part of being a strong lawyer is the ability to identify the other resources you need, to communicate clear instructions, to delegate and supervise well, and to pull the team together.”

Wright worked on the Thomson-Reuters acquisition deal, “one of the most complex deals ever done in Canada because of the nature of the transaction” says Viner. Wright is also one of the key advisers to the Canada Pension Plan, to Brookfield Properties and to George Weston Ltd. “These are all very sophisticated and demanding clients who go back to him because they trust him.”

Calling him “hopeful,” Viner highlights Wright’s volunteerism too. “He’s well-known as a wonderful mentor, training and developing other people. He has a heart of gold and is generous with his time; he’s deeply involved with our outreach and diversity programs.”

“He has achieved all that foundational training that young lawyers need to get under their belt, all the technical, client-service stuff, and he’s now at a stage in his career where he can use all his talents to become an adviser,” says Binet. “He’s really developed the skill of understanding not only what the legal issues are but also what the client wants to achieve. This could be his decade.”

Business law gift targets innovative research

A generous donation to the Faculty of Law by James M. Tory, LLB 1952, chair emeritus and counsel at Torys LLP, will provide annual support for innovative business law research projects.

In his law career, Tory focused on general corporate law, acting for many of Canada's leading corporations, banks and investment dealers.

The James Tory Fund for Studies in Business Law will help faculty, research assistants and students shed new light on this growing area of study.

"This gift is fundamental to pushing our research," says Prof. Anita Anand. "Academic life in the business law area at the Faculty of Law will be greatly enhanced and we are very appreciative."

The James Tory Fund for Studies in Business Law will this year fund a range of research projects and conferences in the areas of consumer law, banking regulation, high-skill human capital formation and competition policy. It will also provide funds for summer research assistantships for promising law students with an interest in business law.

"It's difficult to obtain funding for law and economics research through traditional academic funding sources, such as SSHRC," says Prof. Ed Iacobucci, "and this generous and most welcome gift will allow us to take on projects that would not otherwise be feasible."

Access to Civil Justice Initiative update

Here's an update on the law school's Middle Income Access to Civil Justice Initiative, which was the cover story of the Spring/Summer 2010 of *Nexus*. In recent months, the steering committee has conducted extensive interviews with members of the bar, judiciary, and academy in Canada and internationally, and has facilitated focus groups in three of the highest-needs areas of civil justice—family, employment and consumer debtor/creditor law.

The next stage of the project is the Middle Income Access to Civil Justice Colloquium, which will be held Feb. 10 and 11, 2011. The aim of the colloquium, which will bring together 90 recognized experts on access to justice from Canada, the US, the UK, and Australia, is to facilitate meaningful discussion and to generate concrete policy proposals on the relevant issues. The Chief Justice of Canada, the Right Honourable Beverley McLachlin, P.C., will address the colloquium as keynote speaker.

A literature review paper, policy option papers based upon the results of the recent focus group meetings, and the academic papers presented at the colloquium, will all be published following the event by a leading academic press.

View our website at www.law.utoronto.ca for further updates on the initiative.

SERIOUSLY, HOW CAN THIS GUY BE AN ALUMNUS TO WATCH?

Just goes to show you where a little innovation in the legal industry can take you. By rethinking the way legal services are delivered and finally offering a cost effective alternative for general counsel and entrepreneurs to manage their legal needs, COGNITION LLP continues to turn heads among business people and lawyers alike. As we continue to reform the market with upcoming contract management, legal project management and alternative fee arrangement initiatives, we're hoping that the next decade will truly make this guy someone to watch.



Rubsun Ho, Law School Formal, Circa 1992

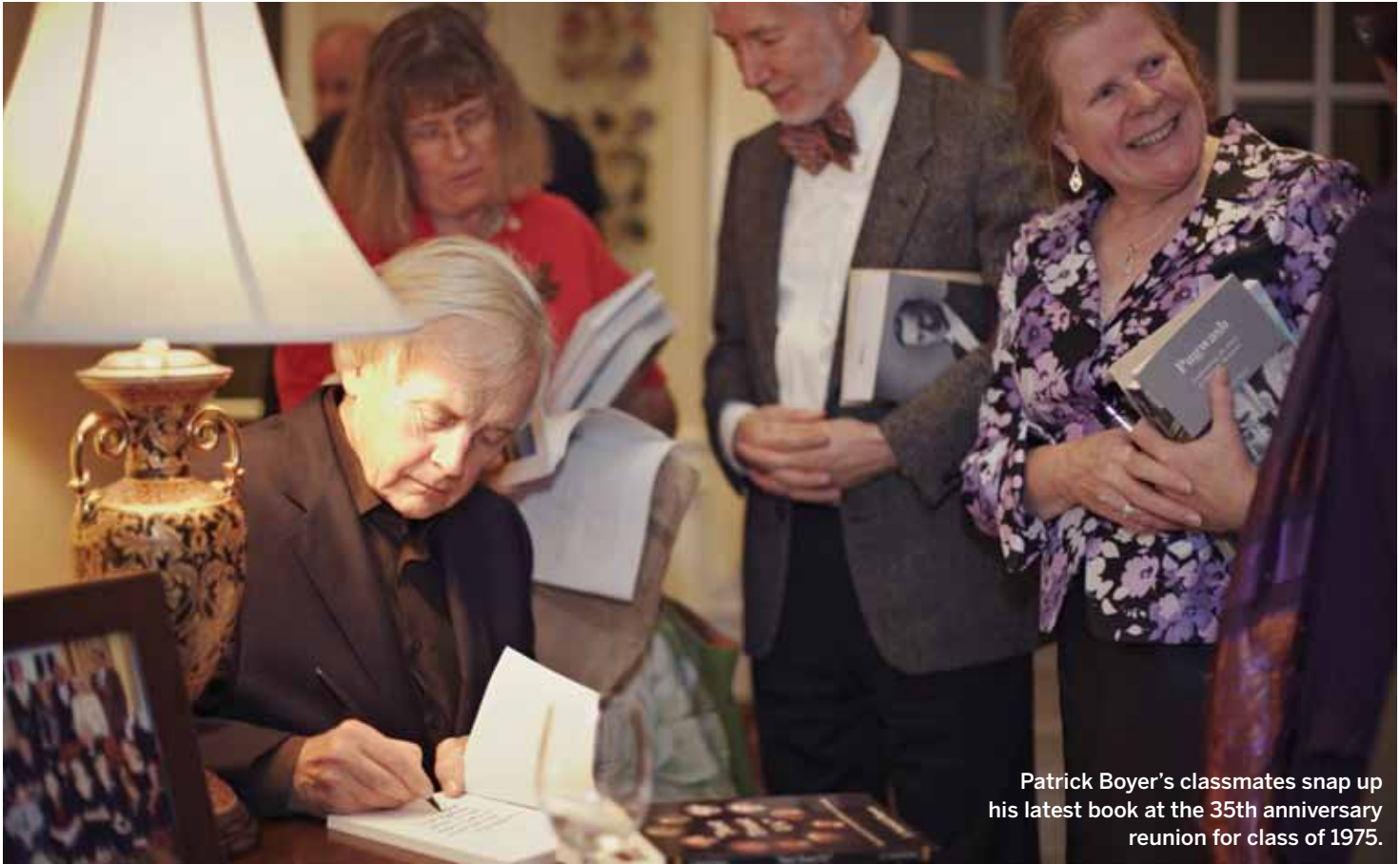
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A
CONSTELLATION
OF CAREERS

Alumnus picks up where Jack Batten's iconic 1992
book on the class of '75 ends off

By Alec Scott, LLB 1994
Photography by Jeff Kirk





Patrick Boyer's classmates snap up his latest book at the 35th anniversary reunion for class of 1975.

Jack Batten's book, *The Class of '75: Life After Law School*, caused a stir at the Faculty of Law when it came out in 1992. The keenest keeper in my small group on contracts—there was some serious competition on this front—brought it in and read aloud portions of it. Within a week, we'd all taken a break from the casebooks and gobbled it up. A graduate of U of T Law who practiced for a few years before becoming a writer, Batten tracked the first 15, post-grad years of assorted members of that class, among them: a university president, a benchler, a judge, a frequent career-shifter, an MP, the heir to a (troubled) financial services empire, a champion of the handicapped, some counsel who represented corporate interests downtown and some who'd started their own firms, went in-house, to the suburbs or to small towns.

If there was a lesson in the book, it was one few of us first-years were ready to hear: a whole constellation of careers (within and outside the law) were possible post-LL.B. Many of us had come to the school with the idea that this course of study was a necessary prelude to succeeding in the practice downtown. We had blinkers on, and neither the book nor the well-meaning professors who counseled us to cast our eyes over the whole landscape of post-grad career possibilities could get through. The burning question for us was how to get there, not where to go.

I, particularly, should have read the book more carefully. Like Batten in his day, I was a reluctant law student. And three years into my somewhat perfunctory practice at a downtown litigation boutique, I was let go. I hadn't been happy anyway and decided not to look for another job in the field, but to go into journalism, my first career love. For me, it has proven to be the right choice. But like Batten, through my magazine writing, I've periodically turned my eyes backward, retaining a fascination with, and, largely, a respect for, those who have made their way in the hurly-burly world of law. On the occasion of their 35th law-school reunion, I decided to revisit

the folks featured in Batten's book to see how they are doing now, some on the cusp of retirement, others decidedly not.

Out the window of this corner office at Oslers, high up in First Canadian Place, there's a panoramic view of the moody lake; on the window ledge, a stuffed toy panda sits happily among the tombstones marking major deals. Behind the usual broad desk is one of the firm's top corporate lawyers and a former managing partner. Jean Fraser bucks the stereotypes out there about the first generation of women to make it in a man's world. She's modest (to a fault), courteous (there can be no fault in this), doesn't take herself too, too seriously (as witness the panda and her frequent, gentle laughs).

The way she tells it, corporate law was something she found through a series of semi-accidents. She'd initially intended to go to medical school, but partied too hard in her science undergrad, and didn't have the marks to get in. Her admission to law school came at the last minute, just as she and her husband-to-be planned a year-long trip around the world. She matriculated (with a why-not shrug) and through hard work made her way at the school and after. She's been on the Magna roller-coaster ride as its longtime external counsel ("What a story"); helped privatize CN; worked (successfully) to undo Women's College Hospital's controversial merger with Sunnybrook Health Science Centre in Toronto.

But some rain falls even into such an apparently sunny, successful professional life. She relives her tough decision in the '90s to jump (with two others) laterally as a partner from Blakes to Oslers, a shocking move at the time. "It wasn't done then like it is now. For me, it was that intangible thing, organizational culture." The risky move worked out, and she says the 12-hour days she still puts in as a matter of course pass "just like that." Her own joy in the practice is obvious, but she understands the many women and men in the generation after her, and



Paul Morrison, Larry Banack and Jean Fraser



John Judge



Patrick Boyer



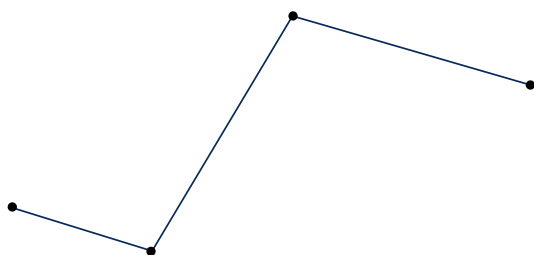
Class of 1975 reunion in full swing



Barb Levasseur and friend

“When I think back to what was available for women when we started, as opposed to today, I think that we were true pioneers—not just the women in our class, but those in the classes surrounding it. We must have done something right.”

—Harriet Lewis,
secretary and general counsel,
York University



her own two law-school educated children, who have so far decided not to practice. “I still don’t think the legal education is a waste. It helps you understand how the world works.”

David Baker never wanted to go the Bay Street route. Inspired by a stint working for his idol Ralph Nader, Baker built from scratch the Advocacy Resource Centre for the Handicapped, fundraising and working as its longtime counsel. It has played a key part in launching (and often winning) cases of interest to the disabled. “When I travel, I often find Canadian disability jurisprudence is held up as a model,” he says, from the simple mid-town offices of the now five-person firm, Bakerlaw, which he set up a decade ago after leaving ARCH. On the day of the interview, he’s busy finalizing a Supreme Court factum on whether successful claimants under federal human rights legislation should get their legal costs compensated. “Virtually every case before the federal tribunal is against the government, the banks, major telecommunications organizations—none of them are exactly impoverished,” he says, with a knowing chuckle. He is indefatigable.

I think of a comment made by a classmate who was in Baker’s study group, Michael Mitchell—the Mitchell of Sack Goldblatt Mitchell—who has worked since graduation to help build what was initially a four-person labour boutique into a 47-lawyer public-interest-law powerhouse. “The general mood at U of T law when we were there was conservative, black-letter. But a few of us were the product of the 1960s. We believed.”

While some believed—and were inexorably driven by those beliefs—others drifted after graduation, uncertain of what was particularly true for them, learning first (as one often does) what was not true. One of the members of the class of ’75—a woman who requested anonymity—recalls leaving the practice downtown partly as a result of some colleagues’ responses to her pregnancies. Her experience provides an important counterpoint to the largely good-news-for-women experience that Fraser had in Big Law. As an associate,



Brent Belzberg



Rob Prichard

she remembers having some pregnancy-related pains in the office towards the end of her third trimester, and a partner screaming, “Get her out of here.” Now, at least, she is philosophical: “You move on,” she says. And she did, to various high-powered non-legal or quasi-legal positions.

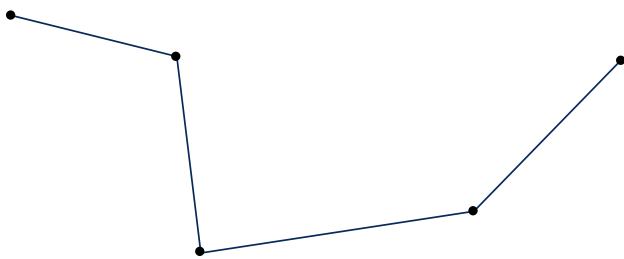
The title of seeker-in-chief in the class must go to Joel Saltsman, who lived all over Canada and Europe in his first 15 post-U of T years, taking advanced degrees and working, as Batten recounts, at different times as a “teacher, salesman, lawyer, editor, consultant.” (“Whenever I feel at a dead end,” he told Batten, “I go back to school. And I’ve never regretted it.”) Saltsman has now settled into a professional groove, his life given ballast in part, he says, by fatherhood. His only son, with a French wife, had just been born when the Batten book came out.

Reached in a suburb of Paris, he speaks with an almost Jean-Fraser level passion about his steady work over almost the last two decades as an increasingly senior telecom lawyer. “It was a great stroke of luck to stumble upon this company that itself was stumbling upon the telecoms revolution,” he says. “I joined as its regulatory and licensing expert, even though I knew nothing about that, learning on the job.” The start-up grew and was taken over by France Telecom. Saltsman remains there.

While some class members’ lives have gone from improvisational to scripted, from somewhat Bohemian to blue chip, a few have gone in the other direction. Patrick Boyer gave up a partnership at what was then Fraser Beatty to go into parliament in the 1980s, as a Conservative under Mulroney. “I was present when Ukraine came into being, handing its new president the news that Canada was the first Western country to recognize its nationhood.” After serving two terms, then getting bounced from office in the Kim Campbell election, he went into teaching, publishing and writing. His texts on election law are standard, and he recently authored a history of the Carnegie-funded libraries. He’s also carried on his beloved deceased wife Corinne’s groundbreaking work raising awareness and funds for women’s health

“One thing that law school and the people in my study group tended to do was to work from the big picture down to solving the concrete problem before you. I still try to do that as a judge.”

—Justice W. James Blacklock,
Ontario Court (Central West Region)



Jean Fraser

research, such as for ovarian cancer (of which she died).

Brent Belzberg’s post-law school career also doesn’t fit the standard mold. Many of his classmates never knew during his time at the school that the genial, low-key guy was the scion of a major financial-services fortune. His Calgary-based family built First City Financial Corporation into an international player, but it lost its way in the junk bond market in the late ‘80s. After working at Torys, Belzberg was asked by his clan to manage the ailing family firm, and wound it up in as orderly a fashion as possible. Having fulfilled this unpleasant familial duty, he then struck out on his own and founded two investment firms, Harrowston Inc. in the ‘90s (which he later sold to TD Capital Partners), and private equity firm TorQuest after the turn of the millennium. His focus has been on building companies with judicious investments, having had his fill of dismantling one. “I won’t pretend to practice law,” he says, “and you wouldn’t want me practicing today, but I absolutely use the way of the thinking to analyze what’s what about a company.”

Certainly, the most remarkable ongoing act of reinvention among the class of ‘75 has been that put on by Rob Prichard. Our first interview is set up at Metrolinx, the regional transit agency of which he was then executive head, but Prichard has to cancel, and his secretary gives me a new time and place at a law firm. Curious. The next day’s papers are filled with the reason behind the shifted location. The former gold medalist at U of T law, then its dean, the former president of U of T, the former head of Torstar, would now become the chief at Torys.

It’s his first day in his new office and he’s struggling, like some incoming articling student, to master the phones. “I always wanted to be a lawyer,” he jokes. “Torys offered me a position back in 1974. I would guess that accepting 36 years after the offer is probably near a record.” He’ll continue to sit on the boards of Onex, Metrolinx, the Bank of Montreal, the Hospital for Sick Children, George Weston Limited, and, it is announced a few days later, will take over as the chair of Penguin Canada’s board. Like his study-group mate, Jean Fraser, Prichard is a good-news kind of person. “I think of myself as an

optimist, and most of what I’ve experienced in life vindicates that optimism.” He’s glad to have witnessed and played his part, from various privileged vantage points, in his city’s transformation from “provincial town to global city.”

Prichard’s latest move—into law practice, which fills a rare gap on his resume—makes me think of a final discussion Batten and I have in the library on the second floor of the writer’s Annex home. Among the books on the packed shelves were most of the novels written by Louis Auchincloss, who somehow found time to practice estate law at a white-shoe New York firm and churn out a slew of always readable, sometimes distinguished novels.

Neither Batten nor I can imagine doing both, practicing and writing, let alone doing either at Auchincloss’s level. Most of those interviewed from the class of ‘75 for Nexus made their choices and worked their particular corner, everyone comparing themselves inwardly to this other person who “has it all.” The conventional take is that no one has it all. But it seems worth remembering from time to time that some people (*viz* Auchincloss and Prichard) get awfully close, and that there can be something intrinsically valuable in the striving—even in the wrong cause, even, perhaps especially, against long odds. ↩

Drive for ‘75

In celebration of its 35th anniversary reunion, the class of 1975 is raising money for a Faculty of Law student award. The goal is to raise \$75,000 in a Drive for ‘75, and at time of printing, the group has raised more than \$26,000. Spearheaded by Howard Feldman, Bill Carter and Jim Hilton, other classmates are on board to assist the Drive for ‘75, and they are: Deborah Alexander, Jean Fraser, Murray Rankin and Anne Wilson. Anyone interested in donating should contact Sean Ingram at sean.ingram@utoronto.ca.

Coming up in the Spring/Summer 2011 issue of *Nexus*

I am Canadian

Gurpreet is from India, Keisha-Ann is from Jamaica and Jose is from the Philippines. They're part of the first cohort to graduate next year from the law school's Internationally Trained Lawyers Program, assisting those seeking accreditation to practice in Canada. Did the program work?

Human rights behind bars

Advocating for mental health rights, our law students are working on a report (together with the Canadian Association for Elizabeth Fry Societies) looking at prisoners' mental health issues to draft strategies to hold the federal government accountable.

Plus

What do you get when you invite the top legal experts, scholars, justices and access-to-justice advocates from across Canada to the Faculty of Law in 2011? Solutions for the growing middle income access-to-civil-justice dilemma.



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A two-way street

Mentoring opportunity turns into a learning one, says alumnus—for both of them.

By Tracey Halford Gregoris
Photography by Matthew Filipowich

A busy law career and family life weren't enough to keep Eric Spindler, LLB 1975, occupied. He wanted to do more.

"I had been looking for an opportunity to help younger people who didn't have all the career options open to them as I had. When this came along, it was just perfect," he says.

"This" was an opportunity in 2006 to mentor Central Tech high school student, Harris Quach, as part of the Law in Action Within Schools program. LAWS is a collaboration between the Faculty of Law and the Toronto Board of Education and incorporates law-focused courses and activities such as field trips, mock trials and mentorship opportunities to inner-city students who may not have considered a post-secondary education nor a legal career.

The relationship started typically. The two met monthly to discuss business. Spindler offered advice about school in general and advised Quach on university and bursary applications.

"Eric had an open-door policy and I took advantage of it," says Quach. Over lunch or coffee breaks, their discussions gradually extended beyond the academic realm.

"At first I had the knowledge," says Spindler, "and Quach was on the receiving end. But over the course of time, I began to take

a fresh look at some of our discussions and think more profoundly than I otherwise might." At the end of their first year, the one-way flow of information become more an exchange of ideas, he says.

And as it turned out, Spindler, a partner in the business group at Blakes, was the perfect mentor for the Grade 11 student, who says he was already leaning toward a career in law, albeit in criminal law. But when Quach opted to take on a mentor, he discovered that corporate law was his perfect fit.

"Normally I would not have access to someone like Eric Spindler, and before LAWS," says Quach, "I hadn't even heard of corporate law."

Today, Quach is a second-year student of economics and ethics, society and law at the University of Toronto's Trinity College. He remains in touch with his former mentor, whom he now considers a friend, and his positive experiences with the mentorship program and Spindler have inspired him to become a mentor some day.

"Harris has become more sophisticated in his approach to issues and I understand he's doing very well at University of Toronto, and is on-track to meet his goals," says Spindler. "You cannot help but love the feel-good aspect of being a mentor." ↩

Law in Action Within Schools includes law firm mentorship programs matching diverse inner-city youth in Toronto with practicing lawyers from Blakes and Torys. Law-themed education and real-world experiences provide students with the skills, knowledge and confidence to succeed in school and meaningfully consider post-secondary education. In 2010, LAWS celebrated five years of successfully improving the school attendance, grades, engagement and future outlook of its participants.



Like a coronary bypass, for governments

“Institutional bypass” is a possible alternative for development reforms.

By Mariana Mota Prado, assistant professor, Faculty of Law
Photography by Gracia Lam

The problems faced by developing countries have puzzled academics for decades now. Since the end of WWII, many brains have been searching for the causes of and solutions to poverty around the world. The systemic and widespread problems associated with poverty in developing countries have been of special concern. After many decades of debates, development scholars have been recently converging towards what seems to be a new consensus in the development field: institutions matter for development. Based on this assumption, there has been a massive surge in development assistance for institutional reform projects in developing and transition economies. The World Bank reports that it has supported 303 rule-of-law projects and spent US \$2.9 billion on this sector since 1990.

However, these reforms have had mixed to disappointing results thus far. In their most recent book, *Rule of Law Reform and Development: Charting the Fragile Path of Progress*, Michael Trebilcock and Ron Daniels discuss numerous cases of failed reforms in Africa, Asia, Latin America and Eastern Europe. And they are not alone: others have called attention to the fact that significant resources have been employed to promote good governance in developing countries, but there are no significant signs of improvement. Thus, we have a significant amount of academic research suggesting that institutions do in fact matter, but efforts to reform them are plagued with difficulties. As Douglass North, the founder of institutional economics, says: “To put it bluntly, we may know a lot about politics, but not how to fix them.”

The inability to promote successful institutional reforms is therefore the main problem now confronting the development agenda. This is the challenge I am facing in my current research. To address this challenge, I am looking at successful institutional reforms and asking if we could learn anything useful from them. I hope to show with this research that many of these successful reforms have one common feature that could be potentially replicated in future reforms: instead of trying to fix dysfunctional institutions, as most failed reforms do, they simply bypass them. For this reason, they will be called “institutional bypasses.”

What is an institutional bypass? Like coronary bypass surgery, in which transplanted blood vessels are used to create a new circulatory pathway around clogged or blocked vessels, an institutional bypass creates new pathways around clogged or blocked institutions. Unlike other procedures that try to unblock clogged arteries, or expand narrow ones, the coronary bypass simply ignores the existence of the unhealthy artery and creates a new pathway for blood flow. An institutional bypass uses the same strategy: it does not try to modify, change or reform existing institutions. Instead, it tries to create a new pathway in which efficiency and functionality will be the norm.

As I have shown in a recent paper, co-authored with Ana Carolina Chasin, one example of an institutional bypass is a bureaucratic reform in Brazil called *Poupatempo* (Saving Time). In 1997, the government of the state of São Paulo created a one-stop shop for



bureaucratic services. In contrast to the pre-existing system, in which government services were accessed by the public at multiple service points, offices of the federal, state and, in some cases, local administration were placed in one location in order to provide easy access to a variety of services. Services were provided more quickly than within the pre-existing bureaucracy, and largely because of that *Poupatempo* became the main provider of governmental services within the state shortly after its creation. In 2007, it provided services to an average of 50,000 people a day in the state of São Paulo. In that year, 18 units together serviced 23 million people. *Poupatempo* is an example of an institutional bypass because it created a new pathway for the provision of the same services that were being provided by the existing bureaucracy; as well, services were provided in a more efficient fashion. This could explain why it was able to successfully overcome obstacles to institutional reforms.

More specifically, institutional bypasses seem to be a promising alternative for development reform because they can overcome, or avoid, three common obstacles to institutional reforms: social-cultural-historical factors, lack of resources and political economy problems. An institutional bypass avoids social-cultural-historical factors by creating a new pathway with no strings attached to the old one. By not changing the existing institution, the bypass helps to avoid resistance to reforms that are associated with institutional culture and stable equilibriums where certain social values and historical practices prevail and govern people's behaviour. The bypass

also mitigates constraints imposed by limited resources because the smaller ones, like *Poupatempo*, can start with pilot projects, in a highly experimental mode, without disrupting the functioning of the entire system. This is possible because the traditional institutions are kept in place, and disruptions to society are kept to a minimum. Finally, the bypass reduces political economy problems because it does change the pre-existing institution.

In other words, institutional bypasses seem to be an effective way of dealing with the fact that reformers are not writing on a blank slate. As Michael Trebilcock and I have suggested in a recent paper in the *University of Toronto Law Journal*, path dependence helps us to better understand why it is so hard to eliminate these obstacles and successfully promote institutional reforms. In this context, a bypass would be as close as a reformer can get to writing on a blank slate. I also acknowledge that there may be many reasons not to consider it a panacea for development problems. But it seems to be a good place to start. ↩

Mariana Mota Prado, LLB (University of Sao Paulo) 2000, LLM (Yale) 2002, JSD (Yale) 2008, researches law and development, infrastructure regulation and administrative law. She has worked for the Private Participation in Infrastructure Database Project at the World Bank, was a fellow of the Olin Center for Law, Economics and Public Policy at Yale Law School, and was a researcher for the Law and Democracy Project, Brazilian Center of Analysis and Planning (CEBRAP) in Brazil.



Q

A

with
Guy Pratte, LLB 1982

Nexus: What does the law firm of the future look like?

GP: I'm wary of predictions because when I started to practice law more than 25 years ago, everyone said there would be no mid-sized law firms left since these firms wouldn't survive because big clients wouldn't go to them, and the hourly rate would disappear. The only thing that I would say is that it's difficult to believe that there won't be more "consolidation" involving international firms.

Nexus: Many firms have a China strategy given its importance in the global economy, but is there another global frontier your firm is looking at?

GP: We're looking everywhere. Initially, a lot of firms opened offices in Asia and even in Europe. There has been a bit of a retrenchment, and some will argue that you don't need to have offices necessarily in China or the Middle East, for example, because you can go there on a regular basis and make the connections you need to make, and have the presence that you need to have. We are looking at that at the moment.

Nexus: What do you think of our new Global Professional LLM—is this the right direction the law school should be going?

GP: Definitely. I'm totally in tune and supportive of those kinds of initiatives because I think that many, many lawyers maintain a strong academic interest. These are people who have been practicing a long, long time but they are very much stimulated by the academy. It's a rejuvenation of sorts for them. I think it's fantastic.

Nexus: You've been quoted in media that you hate public enquiries and parliamentary committees. You called them very crude instruments. What would your ideal system be then?

GP: I do believe there have to be instruments for genuine issues of proper policy concerns. For example, pick parliamentary committees.

The real problem there is that MPs, the politicians, have an absolute immunity in what they say, and I think that these committees are clearly exploited for purely political purposes. And there is absolutely no protection whatsoever for the witnesses. I think we need to review the absoluteness of the parliamentary privilege because people show up there with lawyers who can't do anything, they have no rights in the proceedings, and some MPs will abuse them or call them liars—with total impunity.

Nexus: What books first influenced you?

GP: That's an interesting question. I would say that the first philosophical influence that probably stayed with me since I was 18 years old was Cardinal Newman. In Montreal, there was a course called "Newman and Atheism," (only the Jesuits would do a piece about atheism), but it turned me, I guess, into a bit of a skeptic. Later on, David Hume was an influence, because I did a master's in philosophy and David Hume was a great Scottish skeptic of the 18th century and great writer. So I approach all intellectual pursuits, politics and law, really, with a healthy dose of skepticism, and I hope some modesty and humility. We had a lot of intellectual debates in our household when I was growing up, and we were never discouraged from disagreeing with the mainstream view or the view of our parents—unless it was something that they really cared about, like what you were having for dinner. ↩

*Guy Pratte is a BLG litigation partner who divides his time between Montreal, Ottawa and Toronto. Fluently bilingual in French and English, he practices regularly before the Superior Courts and Courts of Appeal of Quebec and Ontario, the Federal Court and Federal Court of Appeal of Canada, and the SCC. He was the lead counsel for Brian Mulroney in hearings before the Standing Committee on Access to Information, Privacy and Ethics and the Oliphant Commission, and represented "Lola" in the groundbreaking common law case *Éric v. Lola in Quebec*.*



Web Extra: Read the Q & A in its entirety at www.law.utoronto.ca/Nexus/Pratte.html.

Reunion 2010

Reunion Weekend kicked off October 22, 2010 and many alumni enjoyed reconnecting with classmates during a cocktail reception in the Rowell Room, followed by dinner events Friday and Saturday around the city. In total, more than 300 alumni participated in Reunion this fall. And planning begins soon for Reunion 2011! If you graduated in years ending in '1' or '6', and are interested in participating in your class reunion committee, please contact Corey Besso in the Alumni Office at corey.besso@utoronto.ca or 416-946-0888.



Annual Workshop on Commercial and Consumer Law marks 40th anniversary

By Prof. Jacob Ziegel, Workshop Convenor

October 15 and 16, 2010 marked an important anniversary in the history of the Annual Workshop on Commercial and Consumer Law and brought together more than 100 participants, from across Canada and the US along with strong contingents from the United Kingdom, Australia and New Zealand, for two days of intensive presentations of developments in many areas of corporate, commercial and consumer law. The Faculty of Law acted as host and lead sponsor of this year's events, which were held in the conference facility of the Munk Centre. Ten other Canadian law schools and the *Chaire en gouvernance et droit des affaires* of the University of Montreal also co-sponsored the 40th Workshop, as did the Hon. Hal Jackman, a long standing benefactor of University of Toronto law school activities.

Many downtown law firms were also very generous in financing

the gala dinner held in the Great Hall of Hart House on the Friday evening. The dinner was organized by an immensely industrious committee chaired by Jeremy Fraiberg, LLB 1998. The Hon. Frank Iacobucci chaired the dinner and was in fine rhetorical form as he spoke in glowing terms of the next 40 years of the Workshop!

The *Canadian Business Law Journal* is also playing an active role in marking the 40th anniversary. A celebratory collection of 21 papers will appear as Volume 50 of the journal and is expected to be published in February 2011. Chief Justice Beverley McLachlin has kindly written a foreword to the volume. Many of the papers were discussed in condensed form at the Workshop itself and should help future legal historians track the evolution of Canada's commercial, corporate and consumer law in the last 40 years of the 20th century.

Report of the Faculty of Law External Review now online

The report from the recent Faculty of Law External Review is now online. As part of the University of Toronto's regular cycle of quality assurance, an external review team visited the law school Sept. 30 and Oct. 1, 2010. Its members were: Prof. Mary Anne Bobinski, dean of the Faculty of Law, University of British Columbia; Prof. Timothy Endicott, dean of the Faculty of Law, University of Oxford; Prof. Robert K. Rasmussen, dean of the Gould School of Law, University of Southern California. The regular review commissioned by University of Toronto provides guidance for quality improvement and academic planning. The final report of the reviewers and the response of the dean to the review are presented to University governance and are made broadly available to faculty, staff, students, alumni and community partners. You can download the review here: <http://uoft.me/76>

Ontario's first Indigenous Commercial Code and Tribunal project launched

A workshop on Nov. 5, 2010 drew a stellar panel of stakeholders, such as chiefs and economic development officers from five prominent First Nation communities within Ontario, business persons, representatives of law firms and industry, as well as U.S. experts on tribal commercial codes, to officially launch the Faculty of Law's Indigenous Commercial Code and Tribunal project, working in partnership with First Nations communities. The long term goal is to develop a tribunal that will arbitrate disputes arising under the Indigenous Code, says Prof. Douglas Sanderson, project lead and organizer of the launch event. The Ontario Arbitrations Act permits contracting parties to agree to arbitrate their contractual disputes under a forum of their own choosing. When entering into contractual relations, First Nation communities, business, and persons will ask that such contracts be governed by the Indigenous Commercial Code, and that disputes be adjudicated under their tribunal.

Michael Trebilcock nominated for *Globe and Mail's* "Transformational Canadians" program

Prof. Michael Trebilcock is one of the nominees for national newspaper *The Globe and Mail's* "25 Transformational Canadians" program. The *Globe* will select 25 finalists from the nominee list over the course of November and December, and will announce them in early 2011. Read Trebilcock's nomination in the *Globe*: <http://bit.ly/9cHzPS>

Sujit Choudhry lands coveted Trudeau Fellowship prize

Prof. Sujit Choudhry, LLB 1996, was awarded a coveted \$225,000 Trudeau Foundation Fellowship prize Sept. 28, 2010 in recognition of his outstanding scholarly contributions and wide-ranging involvement in Canadian and international public policy. Trudeau Fellowships are awarded annually to prominent researchers, artists and community leaders who make meaningful contributions to the world's social issues. Choudhry says he will use his award to transform Canada into an innovative and leading international centre for the study and practice of post-conflict constitution-making. Choudhry wants to develop a new program on drafting constitutions in post-conflict contexts with research, policy advocacy, and educational programs for law and graduate students, to bridge the worlds of public policy and the academy by bringing together leading practitioners and academic experts from Canada and around the world.

Anita Anand is the new head of the Centre for the Legal Profession

Prof. Anita Anand, LL.M. 1996, has been appointed academic director of the Centre for the Legal Profession (CLP). Anand has conducted research for the Province of Ontario's Five Year Review Committee, the federal Wise Person's Committee, and the IDA Task Force to Modernize Securities Legislation in Canada. She is chair of the Ontario Securities Commission's Investor Advisory Panel, editor of *Canadian Law eJournal*, published by the Legal Scholarship Network, and president of the Canadian Law and Economics Association. ↵

1960

John Macdonald: I still have the same basic business law practice with the addition of my appointment last year to become a member of the Ontario Racing Commission, the largest jurisdiction of its kind in North America with the involvement of 17 racetracks. This makes me a part-time civil servant but not competition for the one daughter (out of five) who is a civil servant.

1970

Lee Bridle: I retired in 2007 (should have done it sooner!). What am I doing now? More of what I used to do on weekends and holidays, and babysitting grandchildren, ages five months to seven years, from time to time when not golfing or watching the sun set over the Gulf of Mexico.

David Farb: I retired from active practice five years ago. Still busy managing personal and financial assets on a daily basis. Just celebrated my 40th wedding anniversary with my wife Rosalie. Older son lives in Boston, and has four kids under five—we are there frequently. I still play tennis and competitive baseball, although I had bypass surgery in August 2009. I own part of a thoroughbred race horse and travel with my wife as often as we can. E-mail: bogartfarb@yahoo.com.

George C. Glover, Jr.: I am still loving “retirement” on gorgeous Vancouver Island. I am having fun as director of the business law clinic at the University of Victoria law school (Al Purser is a guest speaker and student mentor). I am on several boards, both for and not for profit. Penny and I are enjoying being part of the classic “sandwich generation”—one or more parents or children live here much of the time. I am living proof that playing more golf will not improve your game.

Robert Vernon: Mary and I still live in Toronto, although we recently downsized from a house to an apartment. Since the 35th reunion, our flock of grandchildren has grown to eight, ranging in age from 1½ to 12 years. Mary has retired from her consulting practice in the health and social services fields, but is working diligently on a book about Cedar Croft, her family’s summer resort in Northern Ontario, and Aboriginal people in that area. I continue my own law practice at 400 Summerhill Avenue (east of Mt. Pleasant Road, in North Rosedale) in the areas of real estate law (certified specialist) and estate trusteeship. We are avid travelers and our recent trips have included such places as Italy, South America (Chile and Argentina) East Africa (Kenya, Uganda, Tanzania and Zanzibar), England and Northern Ireland. When not traveling, we still spend as much time as possible at our family cottage on Ahmic Lake, near Magnetawan.

1980

Barbara Landau: The many years since graduation have been eventful. As a psychologist-lawyer-mediator, I have been heavily involved in the growth of the mediation movement, especially family mediation, as well as family arbitration. I have co-authored five editions of the *Family Mediation, Arbitration and Collaborative Practice Handbook*, organized conferences on family process reform (most recently the Home Court Advantage Conference), and served on two of the AG’s Committees on Family Law Reform. With irrepressible enthusiasm, I am trying to encourage the creation of Unified Family Courts across Canada. I am very involved in Jewish-Muslim and Jewish-Palestinian dialogue groups. Most fun of all, I am now a grandmother of an adorable and far too clever three-year-old granddaughter, Clara Simone. She is my joy, along with my husband and two children—all of whom are mediators, in addition to their many other diverse talents. Life is good and full!

Frank de Walle: I continue to practise this wonderful profession in the sunny south part of Alberta, in Lethbridge, far away from the tar sands. My greetings to all of you. I had wanted to attend Reunion 2010, in order to see: if George Burger still has more hair than me; if Al Pratt still thinks he can play foosball; if Marty Friedland still plays squash; if Mark Wayne practised one year or two before leaving the profession; if Stu Bollefer actually knows tax better than basketball; and if Bumstead can still run like the wind to catch the long bombs. Hope you all had a good party.

1985

Catherine Francis: It’s hard to believe but I’m still at the same firm (Minden Gross LLP) doing the same thing (commercial and insolvency litigation) as I was 23 years ago. The children are a little older, though (aged 10 and 15).

Michael Kuegle: Now that the kids are grown and off to university, Bev and I are kicking back a little. I find I can increasingly pursue my passion for art and painting.

John Moffet: I live in Ottawa with my family, and have worked on environmental law and policy issues for the past 20 years. I joined Environment Canada five years ago, and was in Copenhagen (with Rob Prichard and thousands of others) last December at the climate change negotiations.

1988

Lee Akazaki: Lee Akazaki took the helm at the Ontario Bar Association as president on Aug. 17, 2010, the first visible minority lawyer to serve as president of the OBA. Akazaki is a bilingual civil litigator (certified specialist) practicing in Toronto with Gilbertson Davis Emerson LLP, in commercial civil litigation, insurance law, personal injury, property damage, coverage disputes, professional responsibility, and property title defence.

1990

Michael Donsky: I'm a dad of three: Zach 16; Dylan 13; and Sasha 10. Husband of one: Lara and I just hit the 20-year milestone this year. Also coming up on 19 years (!!!) at Fogler Rubinoff LLP in January 2011. My litigation practice is centered on employment law and broker-dealer litigation and regulatory work.

1995

Neil Guthrie: Neil Guthrie is national director of research at Borden Ladner Gervais LLP.

Paul Horwitz: I am the Gordon Rosen Professor of Law at the University of Alabama School of Law, specializing in constitutional law and the First Amendment. My first book, *The Agnostic Age: Law, Religion, and the Constitution*, is due out from Oxford University Press in early 2011. I'm working on a second book, tentatively titled *First Amendment Institutions*, for Harvard University Press. I also write on the legal blog *Praxefsblog*. My wife Kelly Riordan Horwitz and I have two children, Samantha and Isaac, both of whom already display disturbingly lawyerly tendencies.

Andrew Pyper: After running away to join the circus immediately following graduation, I've since written four internationally best-selling novels. *Lost Girls* was selected as a *New York Times* Notable Book of the Year, and appeared on the *New York Times* and *Times* (UK) bestseller lists. *The Trade Mission* (2002) was chosen by the *Toronto Star* as one of the Ten Best Books of the Year, and *The Wildfire Season* (2005) was a *Globe and Mail* Best Book. Most recently, *The Killing Circle* (2009) was a *New York Times* Best Crime Novel of the Year. My forthcoming book, *The Guardians*, will be published worldwide in the spring of 2011. Of the five completed novels, four are in active development for feature films, including *The Killing Circle*, which is set to go into pre-production for producer Charles Steel (Oscar-winning *The Last King of Scotland*) with Justin Chadwick (*The Other Boleyn Girl*) attached to direct, and *Lost Girls*, to be directed by Erik Canuel (*Bon Cop, Bad Cop*).

1997

Kumail Karimjee and Allison Greene: We've shifted from being classmates to partners. We're now practicing together as Karimjee Greene LLP, an employment law firm in Toronto.

1999

Jason Leung: I have recently moved to the firm of Ridout and Maybee LLP in Toronto, where I will continue to practice in the area of intellectual property law, including patents, trademarks, copyright and designs. I am also the firm's director of knowledge management, where my duties include overseeing the firm's CLE programs, precedents library, and workflow procedures. Our second daughter was born in September 2010!

2000

Abbey-Jane McGrath: I am working at mining company Breakwater Resources Ltd. with base metal (zinc) mines in Latin America and Canada. I am in Toronto at head office doing mainly tax work. I have a 12-year-old boy and that keeps me busy too. Hope you are all well.

Dina Papis: I moved to Ottawa after graduation and I am still here—hard to believe! I recently returned to the Department of Justice, where I have been working since 2003 as counsel for the Legislation Section, drafting government bills. I took some time off to be a stay-at-home mom with my twin girls, Anastasia and Sofia, who are now two years and eight months old, but once they figured out how to out-argue me about everything, they decided to send mommy back to work to start saving up for their law school tuition.

Malcolm Thorburn: My wife Larissa Katz, son Julian and I welcomed daughter Clara into the world on Nov. 9, 2010. I was promoted to associate professor at Queen's Faculty of Law in July 2010. Most recently, I was named the Canada Research Chair in Crime, Security and Constitutionalism at Queen's.

Moira Gracey: Still watching my kids grow into lovely human beings; still practicing plaintiff personal injury with Carranza; still representing the Maya people of Belize in their land rights struggle ... now also teaching at the law school and getting involved with the struggles of live-in caregivers. Still tired!

2005

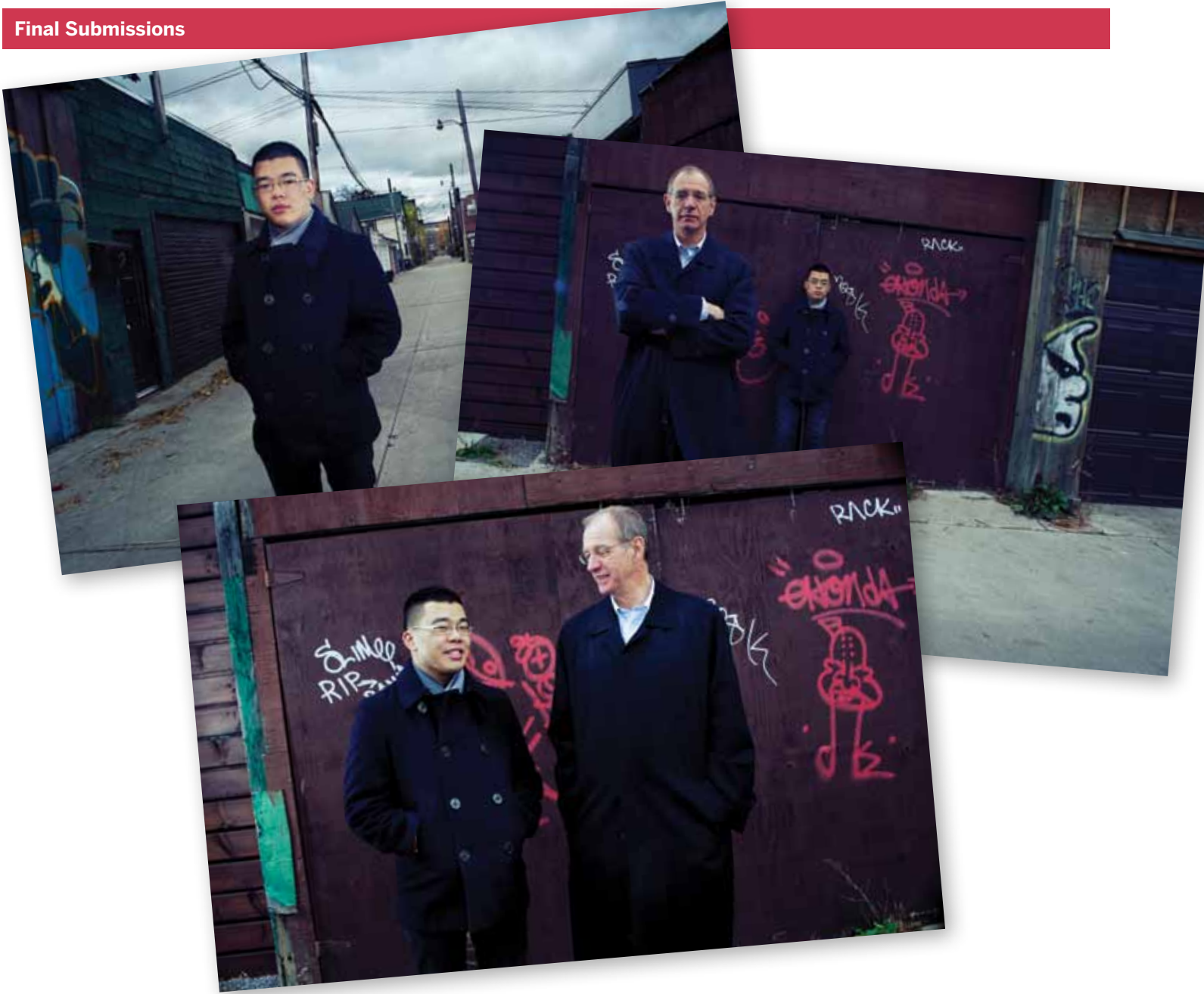
Michael J. Cohen: I recently started a (US) corporate law boutique in Cambridge, Mass. for seed and later-stage tech companies. We also provide cross-border financing corporate and securities law advice to Canadian tech companies seeking US angel or venture capital investment and US investors looking to make northbound investments. See www.vcreadylaw.com for more info. ↗

Class notes

What have you been up to? Update your classmates on your personal and professional achievements. Please send a short email to: nexus.magazine@utoronto.ca. Include your degree and graduation year, and let us know if we can publish your email address.

Reunion 2011

If you graduated in years ending in '1' or '6', and are interested in participating in your class reunion committee, please contact Corey Besso in the Alumni Office at corey.besso@utoronto.ca or 416-946-0888.



‘A two-way street’ deconstructed

By Matthew Filipowich, photographer

When I was contacted for the assignment, **my first reaction** was that it would be a fun shoot, but everything would be dependent on the location.

I determined the location by fluke—I had stumbled upon the alley way while in Toronto previously and knew I wanted to do a photo shoot there one day.

The story helps me to create a narrative and to establish a relationship with the subjects that I can then use conceptually when I am planning my shoot.

I know I have captured **‘the’ shot** when I feel comfortable enough to know that if I were to stop shooting, I wouldn’t have any regrets.

If a shoot is successful, I can look back at the edited photos over and over again without being able to nitpick much. If I can’t nitpick, then it’s a good one.

This was a **good one**. ↩

PBSC celebrates 15 years of law students serving the public good!

Pro Bono Students Canada, a multiple award-winning program that operates in all 21 law schools in Canada, is celebrating 15 years of service to the legal profession by hosting a special anniversary dinner on June 2, 2011.

The highlight of the evening will be a keynote address by Justice Rosalie Silberman Abella of the Supreme Court of Canada.

PBSC is also honoured to be presenting our inaugural PBSC Supporter Award to Ronald J. Daniels, President, Johns Hopkins University, who founded PBSC in 1996 as Dean of the University of Toronto Faculty of Law.

PBSC's mandate is to provide legal services without charge to organizations and individuals in need. Through PBSC placements, law students from coast to coast receive early practical experiences in the profession, increase access to justice in their local communities, and enter the profession with a commitment to pro bono service.

The anniversary dinner event is by invitation only, with a limited number of seats available to the public. Watch for registration details in early 2011 at www.probonostudents.ca.

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