





Geoffrey Kenneth Taber, LLB 1985, his wife Jacquie, and sons Scott and Andrew perished tragically in a cottage fire on December 24, 2016. Geoff was a generous, vibrant and wonderful person, a talented lawyer and, a great friend.

A beloved member of his class, Geoff graduated from the Faculty of Law in 1985 and went on to article at Osler, Hoskin & Harcourt LLP, where he practised law in a career spanning 30 years. He was at the forefront of the Canadian technology sector, and the founder of the firm's Emerging Companies Group.

Geoff was also very involved at the Rotman School of Management. His engagement with the School and particularly as co-founder of the Creative Destruction Lab (CDL) exemplifies the spirit we value and try to cultivate.

The Faculty of Law and the Rotman School of Management would like to honour his legacy with the Geoff Taber Memorial Scholarship. The scholarship will be awarded to JD/MBA students based on various factors including academic excellence, leadership and financial need. This will be an endowed fund and will help continue Geoff's legacy by facilitating the next generation of individuals interested in entrepreneurship, innovation and law.

The memorial scholarship will be a fitting tribute to a man who was a leader in the field of law and entrepreneurship and a valued mentor to countless students and ventures. Please consider joining us in contributing to the Geoff Taber Memorial Scholarship.

A force of nature, Geoff will be remembered for his sense of humour, and his passions in life. He will be sorely missed by all who knew him.

Read the Taber Family obituary here: http://bit.ly/2lwShwW

The University of Toronto is committed to honouring Geoff's legacy and will match, through its Boundless Promise Matching and Rotman's Matching Programs, income generated by your gift in perpetuity. To donate online: https://donate.utoronto.ca/taber

For more information on the Geoff Taber Memorial Scholarship, contact Wasila Baset, Associate Director, Alumni Programs at 416-946-8227 or wasila.baset@utoronto.ca.

nexus

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Do we have your correct address and contact details? Please let us know of any corrections: 416 978 1355 or email alumni.law@utoronto.ca.

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Another exciting year!

It's spring and the Jackman Law Building has now seen its first four seasons. Throughout these hallways, your law school has enjoyed an energetic conference, workshop, club and lecture calendar that hummed along brilliantly in our new home—and raised so many important topical legal issues of the day.

Many of our events happened in front of a full house of faculty, students, staff and alumni. Law in the Age of Trump unpacked the key legal questions arising from the Trump presidency, such as the travel ban, climate treaties and conflict of interest. You can watch the video on our YouTube channel. We also canvassed our scholars, and produced a series of 'micro' op-eds on what this presidency down south could look like, p. 30.

Our remarkable law students were so busy as well, with a spectacular Grand Moot, featuring all three of our alumni on the Supreme Court of Canada, a fantastic mooting season once again this academic year, and a resounding participation in a Canada-wide 'research-a-thon' on the Safe Third Country Agreement with the US, just to name a few activities.

Our alumni are such a source of strength not only for our Faculty, but for our country and the world at large. Take a look at our photo gallery on p. 34 of Reunion, where we celebrated with more than 425 alumni enjoying events over the weekend last fall. Read more about our outstanding alumni, such as Melinda Park, first woman chair of the BLG partnership board, p. 29, Frederick Kan, a leading Hong Kong lawyer and the first Chinese-Canadian to graduate from this law school, p. 32, and Paul Schabas, the treasurer of the Law Society of Upper Canada, p. 24. And we're excited to celebrate our Distinguished Alumni Award winners, Melissa Kennedy and Herb Solway, on April 26th. Perhaps I'll see you there. Melissa, as well as Paul and Janet Morrison, explain their motivation for supporting student financial aid at pp. 26-7.

We are also saddened at the passing of two of our wonderful alumni, Geoff Taber, p. 2, and Stanley Wong, p. 28, whose lives and careers exemplified the best of our community.

Closer to home, we looked to the future of *Charter* litigation with our David Asper Centre for constitutional rights, in a (literal!) fireside chat, p. 12, and moved federal policy with another ground-breaking International Human Rights Report on ending the immigration detention of children, p. 16. And we started off 2017 with a Reconciliation Resolution Challenge, launched by our Indigenous Initiatives Office, p. 14.

I'm pleased to feature in this issue our many initiatives on student mental health. As postsecondary institutions across North America address this issue, you can read about our stress-busting initiatives here at the Faculty of Law on p. 20.

Enjoy this latest edition of Nexus!

Edward Secobeur

ED IACOBUCCI DEAN OF THE FACULTY OF LAW



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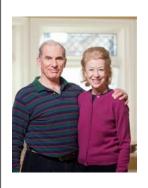
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Q & A with Frederick Kan, LLB 1967

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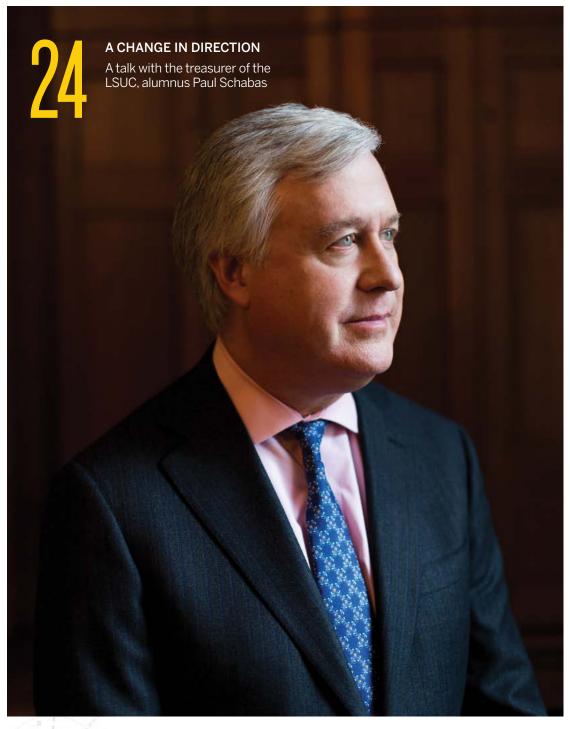
REUNION 2016



CLASS NOTES



FINAL SUBMISSIONS









contributors



KAREN GROSS WRITER, "NO LIFE FOR A CHILD," P. 16

Karen Gross worked for many years as a national CBC broadcast reporter. She was also co-host of CBC radio's "The World at Six," before moving to San Diego in 1998. Since then, she has worked at the local NPR station, and has written for several university publications. When she's not writing or chauffeuring her three rapidly growing children, she can often be found volunteering at the local SPCA. She's a regular contributor to *Nexus* magazine.



CYNTHIA MACDONALD
WRITER, "THE ROAD TO MENTAL
HEALTH," P. 20

Cynthia Macdonald is a frequent contributor to many university publications, including the *University of Toronto Magazine* and *Trinity Magazine*. She has worked as a broadcaster, critic and policy analyst, and has recently written a series of articles examining mental health strategies at colleges and departments within U of T.



JIM RYCE PHOTOGRAPHER, "A CHANGE IN DIRECTION," P. 24

Jim Ryce is a Toronto-based freelance portrait and travel photographer. Having spent most of his career as a graphic designer he tries to bring that same design sensibility to his photos. His series on Slab City was recently published in *Wayward Arts Magazine*; the work explores the counterculture lifestyle of this California desert community.

SAVE THE DATE! 2017 DISTINGUISHED ALUMNUS AWARD DINNER

WEDNESDAY, APRIL 26, 2017 6:00 PM JACKMAN LAW BUILDING, FACULTY OF LAW 78 QUEEN'S PARK CRESCENT, TORONTO, ON

Please join us to celebrate the outstanding contributions and accomplishments of these remarkable alumni:



MELISSA KENNEDY, LLB 1987

Melissa Kennedy is Executive Vice-President, Chief Legal Officer and Public Affairs, Sun Life Financial Inc. Previously, she was Senior Vice-President, General Counsel and Corporate Affairs at the Ontario Teachers' Pension Plan. She has been practicing law for more than 25 years, specializing in securities and commercial litigation. In 2016, Melissa was recognized as one of Canada's Most Powerful Women: Top 100 by the Women's Executive Network, and in 2013 she received the Zenith Award as one of Canada's leading female lawyers. She's been named a Women of Influence Canadian Diversity Champion, and Canadian General Counsel of the Year and Deal Maker Finalist by the Canadian General Counsel Awards. A longtime U of T volunteer, she has received the University's highest honour, the Arbor Award. A passionate advocate for diversity, she is a member of the steering committee at Legal Leaders of Diversity.



HERB SOLWAY, JD 1955, QC

A founding member, and to many the 'DNA' of Goodmans LLP, Herb Solway has played an invaluable role in building the firm, including serving as Chair from 1982 to 1994 and (perhaps most importantly to him) hiring the "best and brightest" law students for over 50 years. Lawyer, firm leader, mentor, raconteur, philanthropist and business executive, Herb Solway has held directorships with Sun Media (as a founding Director), John Labatt Ltd. and Union Enterprises Ltd. He was a driving force in bringing the Toronto Blue Jays to this city, has been involved with the Major League Baseball team since its beginnings, and is a former Chair of the club. An early leader in making mental health and wellness an open and urgent priority, Herb served as a founding Director of the Centre for Addiction and Mental Health and was a Director with its precursor, The Clarke Foundation, for more than 20 years. Herb was appointed Queen's Counsel in 1968.

We will also be celebrating the 2017 Wilson-Prichard award winners Michelle S. Henry (JD 2002) and Claire E. Hunter (JD 2003).

Further details and ticket information can be found here: alumni.utoronto.ca/DAAD2017, or by contacting Wasila Baset, Associate Director, Alumni Programs, at wasila.baset@utoronto.ca or 416-946-8227.



HERE'S WHAT MADE YOU CLICK:

CONVERSATIONS ABOUT @UTLAW

@LawNeedsFem: So excited to see the portraits from **@UTLaw** - here is a little teaser in the meantime (thanks **@elliemarshall**)!



@alvinkaywhy: Eight weeks of bankruptcy
law summed up in four boards. #exams
#WeCanDoThis @UTLaw



@ArchivesOntario: This photo is for all the law school students who have spent Sundays in the library. [@UTLaw students studying in 1962]



@LwamG: Proud of my alma mater **@UTLaw** and Dean Ed lacobucci for taking a stand for justice. #cdnpoli

Kudos to our @UTLaw students and supervising faculty and librarians, who took part in Saturday's 'research-a-thon' across Canada with 21 other law schools, and logging 3,000 hours of work, challenging US travel ban. WATCH the story on CTV News: ctv.news/WVhwybP



The 2016 Grand Moot delivered a rare unanimous verdict. Three Supreme Court of Canada justices, and a packed room of faculty, students and dignitaries, agreed they'd never witnessed an event quite like it at the University of Toronto's storied law school. www.law. utoronto.ca/news/grand-moot-no-other



Toronto Life features the "stunning" new Jackman Law Building in this tour of its interior and exterior, highlighting "the bright natural light, spectacular views of the surrounding green spaces and cozy meeting spots." https://lnkd.in/eZ8c9n4

in

You love reading about our students!

Meet incoming first-year law students

And

LLM student Catherine Dunmore is the first recipient of the Newton Rowell Fellowship

And

Announcing recipients of the inaugural Dean's Leadership Awards



TOP ONLINE NEWS @UTLAW

Message from Dean Ed Iacobucci on recent events in the United States and Quebec A Grand Moot like no other

Seven alumni, including Prof. Kent Roach, named to the 2016 Top 25 Most Influential Lawyers list

Eight Faculty of Law alumni have been named to "GC PowerList: Canada"

Law in the Age of Trump: Watch the video of the panel discussion

Reunion 2016

Indigenous fall feast and blanket exercise [Look for the full feature in the next edition of Nexus!]



Read the full stories online here: http://uoft.me/TopNews

WELCOME HOME:

Alumni thank you event officially opens the Jackman Law Building

On a day replete with history, symbolism and renewed aspirations, nothing eclipsed the image of the man standing at the podium at the official opening of the University of Toronto's Jackman Law Building last fall.



"It makes me very proud and somewhat humble that this is the place where the young people who will lead the practice of law and justice in our country will come," the Hon. Hal Jackman, namesake and chief benefactor of the university's new home for the Faculty of Law, told the audience who gathered for the Sept. 29 ceremonies.

He reminded them that he graduated from U of T Law in 1956, less than a decade after the school opened.

"That was 60 years ago, which makes me a bit of a relic," quipped Jackman, an icon of public service and philanthropy, who served as Lieutenant Governor of Ontario from 1991 to 1997, and has donated millions of dollars to the university.

Looking around the Osler, Hoskin & Harcourt LLP Atrium, Jackman, a former university chancellor, reminisced about the past as he looked toward the future, noting how well the new building ties together the main elements of the old law school—including the historic Flavelle House and the Bora Laskin Law Library, both of which have also undergone major refurbishments as part of the construction project.

"What I really appreciate is the preservation of Flavelle," agreed law school alumnus Justice Russell Brown, of the Supreme Court of Canada. "It's new without compromising the old."

That nod to the past is important, said Brown's Supreme Court colleague and fellow alumnus Justice Michael Moldaver.

"The new building is absolutely magnificent, but I still recognize a place that has wonderful memories of a great university and school I was lucky to have been a part of," Moldaver said.

Those themes were echoed as students, faculty and alumni celebrated what U of T President Meric Gertler has described as an essential new piece of the university "powerhouse" for driving a "just, inclusive and prosperous society."

"For too long, our Faculty of Law has operated in a physical environment that did not fully reflect its excellence and stature as one of the world's best law schools," Gertler told the crowd.

"The Jackman Law Building provides a cutting-edge environment designed to support the excellence of the faculty, staff and students who work and study here."

Gertler noted the building will enable the school to "keep building on its accomplishments and realize its ambitions," even as it stands as a testament to the alumni and friends who made it possible.

Faculty of Law Dean Ed Iacobucci noted the room was full of those benefactors. With Jackman as the catalyst, more than 600 alumni contributed more than three-quarters of the \$34.5 million raised for the project.

lacobucci underscored the importance of having a modern facility to attract the next generation of faculty and students.

"The Jackman Law Building is four stories of beautiful spaces that will change our community for the better for generations," said lacobucci, "and we're eager to see what the future brings."

Watching from the audience, second-year law student Aaron Haight recalled that a short time ago, as he pondered his choice of



universities, he was debating with peers who dismissed U of T's law school because of its lack of new facilities.

"I think the way they designed this building, the way it catches your eye as you're driving along Queen's Park, and having classrooms and meeting spaces where you can collaborate, really brings the school together and gives us a sense of cohesiveness."

Haight joked that he'd already spent a lot of time in the spectacularly bright, glass-walled Torys Hall reading room, another touchstone of the past intersecting with the future.

Others marvelled at how quickly the building had gone from the drawing board to reality.

"I can remember being on the alumni committee when this building was really just a pipe dream," said Arif Virani, Liberal MP for Parkdale-High Park. "It's amazing to see it come to fruition."

International Trade Minister Chrystia Freeland told the audience Prime Minister Justin Trudeau had planned to attend the ceremonies before being called away for the funeral of former Israeli prime minister and president Shimon Peres.

Trudeau wanted to honour "how important this law school was to his father," former Canadian prime minister Pierre Elliott Trudeau, who spoke at the opening of the library in the early 1990s, Freeland noted. It was the elder Trudeau who appointed alumnus Bora Laskin, after whom the library is named, to the Supreme Court.

Freeland later tweeted how impressed she was with a presentation she heard prior to the ceremonies from Benjamin Alarie, the Osler Chair in Business Law and CEO of Blue J Legal, a company that uses artificial intelligence technology to help lawyers predict how their cases will be addressed by the courts. Faculty co-founders include Prof. Anthony Niblett and Prof. Albert Yoon.

The leading-edge company is already one of the largest employers of U of T law students on campus, said Alarie.

The modern facilities at the new law school are a perfect setting for that work, he said. "We are inventing the future here, and it's pretty exciting."

Former faculty member and alumnus John Laskin said the new multipurpose building and its access to technology are exactly what modern law students need. "I'm envious of the first-year students who will be going here," he laughed.

Those sentiments were shared by law school alumnus and former Ontario premier Bob Rae.

"You've got to have great teachers and great students who are eager to learn, but if you have wonderful facilities, that makes it all the better."



On the future of Charter litigation in Canada:

an Asper Centre fireside chat

Should a government pay for its citizens to challenge the constitutionality of that government's laws? How reliable is a government's commitment to provide this kind of funding? More generally, is constitutional litigation the best way to protect Canadians' constitutional rights?

ast fall, on a cold November
evening, the David Asper Centre for
Constitutional Rights convened a
fireside discussion in the Jackman
Law Building about these questions. The
discussion featured alumni Raj Anand, LLB
1978, a prominent constitutional litigator
and bencher of the Law Society of Upper
Canada, and David Asper, LLM 2007, the
Centre's founder and a successful criminal/
constitutional litigator. (Most notably,
Asper represented David Milgaard in
overturning Milgaard's wrongful conviction.)

Cheryl Milne, executive director of the Asper Centre, chaired the discussion, the focus of which was the Court Challenges Program (CCP). Created in 1978, the CCP funded legal challenges to laws offending equality and official language minority rights guaranteed under the Canadian constitution, including the Charter of Rights and Freedom. The program has funded more than 1,200 cases, but has also been cancelled, twice, by governments averse to funding challenges to their own laws. The current Liberal government plans to revive the CCP, and is undertaking consultations to this end.

The discussion was a study in contrasting viewpoints: Anand's more conservative (reflecting his long experience as a member of the CCP's Equality Rights Panel), and Asper's more radical. Asper was adamant, for example, that the CCP's strength comes from its independence. "It's irresistible, in my view, that when you have an organization whose objective is to challenge the government, sooner or later the government will defund you—whatever the stripe." Anand replied that perfect independence is impossible: "Ultimately, public money has to be

carefully safeguarded and spent pursuant to government policies. So, like it or not, there are always public servants that have a direct and indirect impact on the program."

Asper was unmoved, suggesting at one point that the CCP will always be "a sitting duck for government."

While both lamented the CCP's suspension by the Conservative government in 2006, they fastened upon different effects as being most significant. Anand noted the deleterious effect on s. 15 of the Charter (equality rights) jurisprudence because of fewer, and more poorly supported, cases being brought to trial. ("The kinds of arguments that were brought ... became very weak.") Asper characterized the CCP's suspension as anti-constitutional: "It sent a signal to Canadians that we were somehow less willing to get into the risk of rights litigation. It was totally contrary to the spirit of the Charter."

Milne then asked whether, given the CCP's inherent limitations (in addition to independence issues, the CCP's funding mandate—limited to equality and official language minority rights cases—has long been criticized as far too narrow), the CCP was the best way to support Charter litigation in Canada.

Asper dismissed this as a red herring. "Something is better than nothing," he said, "but the discussion of CCP is a Band-Aid to a much more significant problem in the Canadian justice system." Specifically addressing those in the audience watching live via webcast from Ottawa, he continued, "I believe that the courts, and the things that radiate inward from courts—judges, lawyers, systems, processes—are failing us. The court system itself is the biggest barrier to the adjudication of Charter rights."

Anand was much more circumspect. "I think it's a bit of a distraction to say that we have a bigger problem [i.e., access to justice] and therefore we shouldn't look at this little problem [the CCP] and try to fix it. We have a rare opportunity here, and the question should be how we put this program back in place more durably and more effectively than the previous program."

The ensuing discussion canvassed various alternatives to constitutional litigation, including less reliance on traditional adversarial processes (at the cost of establishing fewer binding precedents), a specialized constitutional court (diametrically opposed to the Supreme Court of Canada's view on which tribunals can adjudicate Charter claims), and reformed civil procedure rules. Several members of the audience wondered about the viability of privately funded litigation supplanting the CCP, such as US-style charitable organizations seeking public interest standing to bring constitutional challenges.

No consensus emerged, and the discussion concluded with Asper underlining the ongoing-soon to be imminent—need to re-engage Canadians on the importance of Charter litigation following the CCP's suspension in 2006: "We've probably come through an era of government where [the Charter] wasn't so popular," he said, "and that's no longer the case." Asper concluded by reminding the audience of what he sees as the broader context for the reformed CCP. Once again addressing the audience watching by webcast, he said, "Canadians are losing faith in our justice system as we continue to talk about doing all these things to fix it, and don't fix it." <

What is your Reconciliation Resolution?

The Indigenous Initiatives Office, managed by alumna Amanda Carling, JD 2012, has challenged the Faculty of Law community to think about—and act on—ways to improve Canada's relationship with Indigenous peoples. The Reconciliation Resolutions Challenge invites students, faculty, staff—and alumni—to commit to doing at least three things to help our country move towards a better relationship with Indigenous peoples. In addition to speakers such as former Assembly of First Nations national chief Phil Fontaine, who will be our honorary degree recipient at Convocation this year, and alumna and children's lawyer for Ontario Marian Jacko, here's a snapshot of some of the activities that have taken place throughout the academic year:

Read more on the Reconciliation Resolution here: http://uoft.me/resolution





Métis Nation of Ontario president and law alumna Margaret Froh, first row and second from left, with Indigenous students past, present and future.

"It's a beautiful time to be Métis"

By Peter Boisseau

Educating the country about who the Métis are—and dispelling the myths surrounding them—is one of the biggest challenges, said Margaret Froh to a law school audience that came to hear about the struggles of the Métis through history, their recent legal victories, and what the future holds.

That history includes being burned out of their homes, chased from their land and denied a place at the table during treaty negotiations with other Indigenous groups, as the provinces and federal government waffled over who had jurisdiction for the Métis.

At a meeting on Parliament Hill, sitting beneath a picture of the Fathers of Confederation, Métis leaders reminded the [federal] cabinet members that Jan. 30 was also the anniversary of the day in 1981 that Métis were included in the draft of what was to become Section 35 of the new Constitution.

Section 35 of the *Constitution Act of 1982* recognizes and affirms the rights of Canada's Indigenous peoples. But it wasn't until April 2016 that the Supreme Court of Canada ruled that Métis and nonstatus Indians are "Indians" under the definition of the Constitution, and fall under federal jurisdiction.

"We were able to discuss with cabinet what we have been through as Métis, and the relationship we want to have moving forward," Froh said about the meeting in Ottawa.

Following his meetings with Indigenous leaders last December, Trudeau said Ottawa wanted to establish government–to-government relationships with First Nations, Inuit and Métis.

Froh bristled at the misconception Métis are simply mixed race descendants of Europeans and First Nations peoples.

"There are some people who will tell you that nine months after the first European arrived on the shores of Canada, the first Métis came to be," Froh said. "That notion is false, and it's really quite insulting."

Read the full story here: http://uoft.me/mfroh



Outdoor classroom: Indigenous law course at Cape Croker Indian Reserve

By Noreen Ahmed-Ullah

A new U of T law course offered last September introduced law students to Indigenous law from a land-based perspective, meaning the classroom moved outdoors to Cape Croker Indian Reserve on Georgian Bay, where students learned from elders and chiefs about traditional laws.

Twenty students learned Anishinaabe law and legal tradition by on-site reference to treaties and stories about how to interact with the water, rocks, plants and animals.

"The idea behind the course is that in order to fully understand some of the concepts of Anishinaabe law and legal traditions, you must be on the land and interact with the land," said Alexis Archbold, assistant dean of the JD program at U of T Law.



"I think law schools have done a good job teaching how the Canadian law has been applied to First Nations, Inuit and Métis people but a fair critique is that these courses do not adequately include Indigenous perspectives. In Canada, we have civil law, the Common Law tradition and Indigenous law, which existed well before the civil code and Common Law came around. As Canadians, we need to keep all three traditions in mind when we're thinking about the laws of this country."

U of T Law considered starting the program after Professor John Borrows, who teaches similar courses on the topic at University of Victoria and Osgoode Law School, approached the university... to teach the class for credit. He worked with Associate Dean Kerry Rittich to make the course more academically rigorous.

It took place Sept. 8-11 in Borrows's own reserve, Neyaashiinigmiing, on the Bruce Peninsula in present-day southern Ontario. Borrows is Anishinaabe and many of his family still reside in the Cape Croker community.

Read the full story here: http://uoft.me/ccroker

Renewing story of partnership, peace stemming from treaties

By Peter Boisseau

Since sweeping to power in Winnipeg in 2014 to become the first Indigenous mayor of a major Canadian city, alumnus Brian Bowman, JD 1999, has been trying to bring his community together and heal a legacy of racism.



Mayor of Winnipeg Brian Bowman, third from right, with U of T Law Indigenous students past and present.

Much of that intolerance and hatred has been directed at the city's large Indigenous population—which includes Métis, First Nations, Inuit and Dene—who now represent approximately 11 per cent of its more than 700,000 residents.

The affable Bowman, who is sometimes chided for being "too nice," cut his teeth on student politics while studying law at U of T in the late 1990s before returning to Winnipeg, where he eventually started his own practice before running for mayor.

"What I learned at U of T was how to teach myself to learn," said Bowman, who is Métis. "I certainly felt that, when I left here, I had a strong footing to make a difference in the world."

Since being elected, Bowman has tackled Winnipeg's problems by bringing together a coalition of disparate groups and delving into areas not normally addressed by civic politicians.

He has used the report of the Truth and Reconciliation Commission of Canada as inspiration for his campaign to turn Winnipeg into a shining example of tolerance and inclusion, no small feat for a city *Maclean's* magazine labelled the most racist in Canada.

Bowman said the report should serve as a wake-up call about Canada's own dark history of racism and mistreatment of Indigenous peoples, and also as an opportunity to return to the optimistic vision that helped build the nation.

"We have some big problems affecting Canadians from coast to coast to coast, and we have a responsibility to turn the ship around, Indigenous and non-Indigenous alike."

Read the full story here: http://uoft.me/goodman17

No life for a life child



By Karen Gross Illustration by Owen Gent

International Human Rights
Program report prompts
policy changes—and
a plan to end immigration
detention of children

66

hen I first met her she was this bright, interested, curious girl who had impressive language skills," said Rachel Kronick, a psychiatrist whose intensive research involving asylum-seeking families and children began in 2011. "I watched her over the next few weeks deteriorate significantly. So much so that if she'd been a child in the community, we probably would have hospitalized her."

Kronick was describing her encounter with a girl whose family had fled religious persecution in their country of origin, hoping to find a safe haven in Canada. They'd survived war-like conditions and arrived after a harrowing period of detention in Central America. Yet instead of a haven, they found themselves in another detention centre—this time in Laval, outside of Montreal. After being there for about a month, Kronick says the girl's emotional and physical states declined dramatically. "She began to stop eating. She would sit on a couch all day dozing or crying," Kronick recalled. "She began to speak about being frightened and not understanding why her family was being held like they were terrorists."

Kronick's work formed a key component of the International Human Rights Program's landmark report, *No Life For a Child; A Roadmap to End Immigration Detention of Children and Family Separation*, released last September. Its findings jolted Canadians from coast to coast, including many in public health, policy and government, who seemed unaware that the country's immigration holding centres are not just holding migrants deemed dangers to society. And they are not just housing adults. In fact, the two largest centres, outside Montreal and Toronto, are also housing babies, children and teenagers. Between 2010 and 2014, an average of 242 children were detained annually—in addition to an undisclosed number of children who were either Canadian citizens or permanent residents, placed in detention along with their parents but officially listed as guests rather than detainees.

The vast majority of families pose no danger to society. "The main commonality among these cases is that they are really heartbreaking stories," said Hanna Gros, JD 2016, the report's coauthor and an IHRP senior fellow. "Many of these children are young. Some are infants. So they're very difficult cases."

Among those cases was that of a little boy who'd been born to a woman while in custody. He went on to spend nearly three years of

his life in detention with her, barely setting foot outside the confines of the Toronto holding centre. Before the two were ultimately deported, the mother spoke with Aria Laskin, JD 2014, an associate with the firm Torys in Toronto. "The little boy had never seen a dog. He'd never really played on grass. He hadn't had the opportunity to be socialized with other children his own age," said Laskin, whose work on the case was pro bono. "When he came back inside he would be patted down and searched. They would search inside of his diaper. And for him that was a totally routine thing."

Although the child in this case was a Canadian citizen, he became a de facto detainee by staying with his mother. Her only other option would have likely been to release him to Children's Aid, to be placed with strangers in foster care. "The catch-22 for most of these parents is that a Canadian child is there allegedly voluntarily," added Sheila Block, a partner at Torys who spearheaded the firm's pro bono work on immigration detention cases and advocated for the IHRP report recommendations with policymakers in Ottawa. "If you don't have someone close to you on the outside who can take your child, you may hand them over to government agencies. But it's very natural that people want to keep their children with them."

Keeping children in detention arguably violates Canada's international legal obligations, and the core principle enshrining children's best interests in the International Convention on the Rights of the Child. As currently written, the Immigration and Refugee Protection Act pays lip service to that principle, stating that children are only to be detained as a measure of last resort. But the law and its regulations give a lot of room for interpretation, leaving crucial detention determinations to individual officers with the Canada Border Services Agency, who first greet migrants when they arrive. When it looked at Canada's piecemeal approach, the United Nations Committee on the Rights of the Child determined that the best interests of the child were not being integrated or consistently applied, especially in decisions involving immigration detention.

And as Rachel Kronick and others discovered, the impact on children is jarring. Kronick and her team observed and interviewed 20 families as part of their research. In some cases—including those in which the children were detained for as little as two days, or just a parent was detained—the effects on the children were dramatic.

"On the one hand, it's important to have flexibility because cases can vary and be complicated. But on the other hand, we have to guard against such wide discretion that allows for human rights violations to creep into decisions."



"A mother and three children were detained for 48 hours. Their asylum claim was rejected and was being appealed," she recalled. "The children had been successfully attending school, but after the detention one developed a terrible fear of vans on the street and was unable to attend school for a month. Another child developed selective mutism and couldn't function in school. The third became violent with peers."

Evidence like this, uncovered by the IHRP and other refugee and immigration advocates, brought a swift reaction even before the report was officially released. Instead of resisting its findings, the CBSA cooperated, detailing in a running commentary the measures it is taking to make improvements. "The change in government was a huge factor," said Samer Muscati, JD 2002, director of the IHRP. "It's changed the advocacy landscape. Now we're able to meet with MPs, we're able to meet with the minister himself. They understand the issues and want to work on changing things."

Muscati and others say CBSA and government officials are also aware that child detention and family separation need to be handled as twin principles; alternatives outside of detention must be established for the entire family unit, in order to protect the welfare of the children. "We're glad there is a recognition of this twin principle but we'd like to push the government further," said Gros.

But while the Trudeau government has committed \$138 million to improving the entire immigration detention regime, Gros points out the bulk of that is dedicated to upgrading the infrastructure of the immigration holding centres. Just a small fraction was set aside for health services and alternatives to detention. "I would suggest that when the vast majority of funds are allocated to upgrading prisons, I think that's a problematic direction," she said. "There needs to be a lot more focus on making alliances with local organizations that can provide support outside of detention. It's a matter of establishing those contacts and programs. And I don't know that \$5 million will be adequate."

Nonetheless, Gros and other advocates are hopeful, acknowledging that MPs, policy makers and the CBSA have all shown a genuine openness to ideas and a willingness to adjust. After the IHRP report was released, CBSA began providing updated child detention statistics online in an unprecedented show of transparency. Previously the IHRP could only obtain the numbers through Access to Information requests.

The latest figures indicate the number of children being detained indeed seems to be falling, but researchers haven't yet determined

where the children are going and if their parents are going with them. That's cause for concern. "The report isn't only about ending child detention, it's about ending family separation," Muscati said.

A key goal among advocates is entrenching revised policies in legislation, leaving less room for individual officers to make discretionary decisions. "It's important that legislative changes be at the heart of recommendations," Gros said. "On the one hand, it's important to have flexibility because cases can vary and be complicated. But on the other hand, we have to guard against such wide discretion that allows for human rights violations to creep into decisions."

"Where there is a gap in legal rules, I would hope to see those supplied by the government," added Prof. Audrey Macklin, faculty adviser to the IHRP. "Wherever you can be clear, you should do it." And while she welcomes the new openness at the upper levels of government, Macklin worries whether that trickles down to the front lines. "Institutional culture changes more slowly. There has to be an institutional culture that will be receptive and responsive to change."

Canada doesn't have to look very far for successful examples in other countries. In Belgium and Sweden, migrant families are treated more like visitors than inmates. They are assigned case managers who guide them through living in the community, connecting them with doctors, schools and appropriate programs while they wait for their cases to be adjudicated. "There's evidence that shows people are far more willing to leave a country voluntarily if they're treated with dignity and they don't feel like they have to run away from authority," Gros said.

Forming productive partnerships with local organizations would help the government keep tabs on migrants, while allowing them to lead lives of freedom and dignity. Children could play with each other and attend school. And whether they stay in Canada or are sent back to their countries of origin, they'll likely be better off than when they arrived.

"We have to think about these children and families in detention as future Canadian citizens," said Rachel Kronick, the psychiatrist who contributed to the IHRP report. "Is this the welcome we wish for them to receive?"

The IHRP released its latest detention report, "Invisible Citizens: Canadian Children in Immigration Detention," in February 2017.

Read the full report online: http://uoft.me/invisible



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By Cynthia Macdonald Illustration by Ashley Mackenzie Photography by Nick Wong

ROAD TO MENTAL HEALTH

On-site counsellor, web resources, stress-buster programming: how Faculty of Law is tackling the issue of student mental health

n his final year at U of T law school, Orlando Da Silva, JD 1993, was the very picture of success. On the threshold of starting a job with one of the country's largest law firms, he also earned excellent marks and was co-editor in chief of the *Law Review*, the student journal.

Remarkably, Da Silva did all this while suffering a major depressive episode—one of many that had afflicted him periodically since childhood. Twenty-four years later, it is something he still deals with. "During those times, it's hard to concentrate," he says. "You get thoughts of worthlessness, self-hatred and self-harm." At his lowest point in law school, he thought constantly of ending his life: "Every waking moment, until I'd fall asleep with exhaustion."

Now a lead trial lawyer for the province, the former Ontario Bar Association president is a hugely influential advocate for mental health within the Canadian legal profession. Unfortunately, except for the high public profile that surrounds it, Da Silva's story is not unique.

Last year, an American Bar Association survey revealed a wide range of psychological concerns among lawyers: almost a quarter of respondents qualified as problem drinkers, while more than a quarter were depressed. In 2014, the Centers for Disease Control revealed that lawyers have the fourth highest rate of suicide among professional populations (behind dentists, pharmacists and physicians). And a 2015 study from the US-based Hazelden Betty Ford Foundation, which surveyed more than 12,000 lawyers, found significant levels of depression (28 percent), anxiety (19 percent) and stress (23 percent). (Canadian data are not currently available).

Law is a notoriously competitive and adversarial field. Law school can be as well; there, the stresses are different but no less

severe. They may include concern over marks, finances, and a shrinking job market, as well as the biological reality that much mental illness sets in prior to age 25.

Is this bleak picture inevitable, before one's legal career even begins? Absolutely not, says Da Silva. "There's a self-stigma that lawyers face. You're supposed to be able to solve your own problems, and that stigma keeps everyone from seeking help. But 80 percent of those who do get help will recover."

Across North America, institutions are tackling the problem in various ways. Provincial bar associations all provide a variety of assistance measures, such as phone counselling and psychological referrals. Websites and blogs, such as justbalance.ca and Lawyers with Depression, are also available, as is an online course (on mental health and wellness) offered by the Canadian Bar Association.

Most importantly, law schools are listening too. "We know that over the past few years, universities and other post-secondary institutions have been experiencing a spike in the number of students who are struggling with mental health challenges that impact their studies," says Alexis Archbold, assistant dean of the Faculty of Law's JD program. "We felt it was important to develop our own programs and services that are informed by best practices, and are responsive to students' needs."

The Faculty's new mental health strategy document is still in the draft stage, but most of its key recommendations are already underway. Chief among these is the hiring of an on-site counsellor. A 2000 graduate of the school's combined JD/MSW (master of social work) program, Yukimi Henry has been in the position since last February.



Not all students have mental illness but, as Singh notes, all have mental health, which must be persistently tended.

The presence of an "embedded" counsellor at Law (as opposed to one hired to serve all U of T students) has made help much easier to get. "The amount of time a student has to wait to access my services is dramatically different than it used to be," says Henry. "Accessibility is better too, because I'm in the same building."

Because some may not feel comfortable seeing a counsellor, Henry says it's important that the Faculty of Law offer a wide range of services, such as printed and web-based assessment tools and resources, and stress-busting initiatives such as games nights or dog-walking events. Learning strategists can help with issues related to schoolwork; visiting alumni mentors can ease career fears. Says Henry: "You could have therapy on one end, and programs that allow students to engage with another on the opposite. It's about having a comprehensive notion of wellness, and helping them to develop a broader skill set for their well-being."

A criminal lawyer and social worker, Henry is also uniquely placed to understand the problems students present. "I think it makes it easier for them to identify with me," she says.

Micheline Singh agrees. The second-year law student currently serves on the Student Mental Health and Wellness committee, and has been active in the field since founding a peer-to-peer support program as an undergraduate in the Ivey School of Business at Western University.

"They pushed us really hard at Ivey, just as they do in law school," she says. "Some nights you don't sleep." While the law school's placement rate has remained steady at about 95 percent, available articling positions in Ontario continue to decrease—which has also ramped up anxiety and uncertainty within her cohort. "Everyone is vying for the same positions, and people are scared to talk about it."

Which is why Singh has seen it to be so necessary to complement the administration's programs with ones that are student-led. "We want to provide a safe space for students to talk about this, because in the day to day life of law school it's hard to; the pressures on our time are considerable." Young lawyers suffer even more self-stigma than their older counterparts, and she feels it's critical that students hear from experienced lawyers on the subject. "Seeing them talk about it gives younger people incentive to follow that lead," she says. "And to know that things will be okay."

The range of what constitutes mental health problems is vast: everything from mild stress, to disorders such as bipolar illness or schizophrenia. Those dealing with illness of a more serious nature are able to request accommodations (for example, extra time on exams). Henry supports these students by informing them about

the options the University of Toronto's Accessibility Services provides; she also helps to streamline the process by, among other things, providing needed paperwork. She says that part of the spike in student requests for help may result from a changing economic and social climate, "but it's also the question of whether students are coming into postsecondary institutions with more complex needs as well."

Not all students have mental illness but, as Singh notes, all have mental health, which must be persistently tended. U of T Law was, in fact, one of the first faculties on campus to relieve stress by building community, via "Doggie Days" and crafts nights. Several years ago, the school also changed its grading system: traditional letter grades have now been replaced by another rubric consisting of High Honours, Honours, Pass, Low Pass and Fail, which doesn't pigeonhole students as ruthlessly and is thought to have better effects on student mental health.

Of course, there are those who see the stress-busting measures as infantilizing—more appropriate, perhaps, to 18-year-old undergraduates than to adults facing an inherently stressful professional career. US legal scholar John Banzhaf claims North American law schools are creating a generation of "wussified" lawyers. As he recently told the *Times Higher Education* supplement: "We depend on lawyers to stand up to tremendous pressures, to judges who will try to shut them down, very strong opposing counsel, and community pressures if you're defending an unpopular defendant or cause. If they are wusses....the consequences are more serious."

But Yukimi Henry counters that the whole point of mental health initiatives is to build that very resilience so valued by professors like Banzhaf. "Individuals are not looking for special privileges, they're looking for a system that better represents them, whether they have mental health issues, or obligations to other people in their lives, or any number of concerns," she says. "Fostering a sense of internal capacity to withstand adversity is absolutely critical. But this particular narrative runs on the notion that the best way to do that is tell people to sink or swim. It's Darwinian, and frankly immoral in many respects. It doesn't work."

Orlando Da Silva would agree. He grew up in an abusive household. Fearing the consequences of revelation, he learned to stay "strong" and silent about his depression. In doing so, he had no idea that many others felt the way he did.

"I received an award from the Centre for Addiction and Mental Health last year, and it was only as a result of winning it that I realized

Building resilience: Yukimi Henry (L), Micheline Singh, Orlando DaSilva







a previous winner was a classmate of mine who'd also suffered from depression" he says. "We sat beside each other in a number of classes. At times, I think back how much easier it would have been if we'd known we had the same illness. We could have talked about it."

That classmate, Richard Braudo, LLB 1994, ultimately triumphed over years of bipolar illness to become a renowned expert on the intersection between mental health and the criminal law system. Braudo's unique and valuable career points to the reality that stress and depression are obvious risks of the legal process for clients as well: a compassionate lawyer who can empathize with their experience is obviously one who can serve them much more effectively.

Da Silva firmly believes that all the remedial measures in both law and law school will have little effect if the culture surrounding the law continues as is. U of T Law is doing its part by showing students that they have the power to make choices in their career; not to vie in war-like fashion for a limited number of positions, but to practice law differently and more flexibly.

In the legal world, though, particularly for litigators and those working in big firms, the message is coming through more slowly. "You can have every strategy you want, but as somebody once said, culture eats strategy for breakfast every morning," Da Silva says. "Performance metrics and profitability are much more important than they used to be in some firms," so if more attention were paid to mental health, productivity would likely go up—less absenteeism, less presentism (there in body, but not in spirit), more confidence building a client base.

But as Da Silva points out, increasing quality of life, not work capacity, is in the end the real point of mental health awareness. "Lawyers have always been high-functioning individuals, and the last thing that goes for them is productivity. While suffering major depression in law school, my marks barely changed and neither did my performance."

As his experience shows, U of T has long produced stellar lawyers. The time has now come to ensure that their internal lives are every bit as rewarding as those they live on the outside.



LUCIANNA CICCOCIOPPO: What have been some of your top challenges to date, and what are you most proud of?

PAUL SCHABAS: I think the top challenge is the reform of our licensing process, which includes a review of articling and the Law Practice Program, the articling alternative that's been running at Ryerson University and the University of Ottawa for the past few years. We were mandated to conduct a review of that program last fall, and we did. The initial recommendation was to abolish the LPP, on the basis that it wasn't sustainable, and was perceived as being a second-tier approach that not many people were taking.

We put that out to the profession. The profession came back and said you can't just abolish the LPP without having something else to replace it. There was a lot of praise for the program itself, which we understood. We listened to that, and we have now embarked on a thorough review of our licensing process. Everything is going to be on the table—the future of articling, the nature of the exams, and whether we should have an experiential course requirement, such as Ryerson's.

As for the top accomplishment, I think that would be the racialized working group report's approval at Convocation (the meeting of the LSUC Board) in December. We had a lengthy debate on what are far-reaching, proactive and positive recommendations that are going to promote and enhance diversity, in entry to the profession and in advancement in the profession. This has been a long time coming. We had a working group that spent several years on this. One of the first things I did as treasurer was to say: 'Let's move this along and bring this forward to Convocation.' I'm delighted at how well-received it was by the profession, and by Convocation, which ultimately passed it without a dissenting vote.

LC: How will you convince law firms that this is important and they need to do it?

PS: We've already reached out throughout this process to talk to law firms. This report imposes requirements on law firms to do things, to adopt principles and practices to promote diversity. They're going to have to engage in reporting to us on their practices. Lawyers fill out annual reports where people can choose to self-identify, so we're going to be gathering statistics. This is something that is very much in our scope of operations. We've budgeted to adapt our data gathering so that we can gather the data the proper way and report on it.

LC: There was also a recent poll about access to justice that shows that the public is still very frustrated. They had strong words to say about how old fashioned and difficult it was accessing the justice system. What was your reaction to the results of this poll?

PS: I'm not surprised. We commissioned this poll through our TAG group (the Action Group on Access to Justice). Access to justice has been a growing issue for years. The public has a right to be frustrated. We have a court system that still operates much as it did 50 or 100 years ago. We have a whole complex host of laws out there that the public have difficulty understanding, and they have difficulty accessing legal assistance. The legal aid system, while it's had a lot of new funding put into it in the last few years, is still very much only accessible for people of a very, very low income level, if any. The courts and society have to do better in this area.

As the regulator, we are not a service provider, but we're being proactive where we can. I've established at the Law Society a legal aid working group to provide input and support for enhancing legal aid in the province. TAG was created to bring together stakeholders in the access to justice sector, who are collaborating in various ways to modernize the justice system. Of course, we're charged with regulating paralegals. Over the last nine or 10 years, we've licensed more than 8,000 paralegals who are providing legal services, often in their own businesses, in areas where lawyers were not meeting the demand. They're providing it in an economical and effective way.

We're doing those kinds of things. We're reaching out. I'll tell you, one area that we're very conscious of is outreach to new Canadians and to those for whom English is their second language, who may not readily have access to or may not understand that we are a regulated profession in Ontario. We're developing a communication strategy to raise our profile and to raise public awareness of the fact that lawyers and paralegals are licensed and regulated professionals.

We're also developing a reconciliation framework for Indigenous peoples. We just approved an Indigenous certification specialty for lawyers. We know there's a huge need in Indigenous communities, especially in remote areas of Ontario, for legal services. We have to build trust with these communities to let them know that there are lawyers who have the cultural competencies, as well as the legal competencies, to represent them.

Another big achievement in the past year at the Law Society is the creation of our Coaching and Advisory Network, or CAN, to provide support to lawyers who are newly called, which could include internationally trained lawyers, and lawyers who are working in sole practices who need access to advice that they can't get because they're not working with other people whom they can see down the hall and bounce ideas off, or may not have access to a more senior practitioner or mentor.

LC: What have you observed about working with Convocation, with young lawyers, say with 10 years of practice, versus those with a more mature practice?

PS: Convocation itself changed quite significantly a year ago, because half of the elected benchers were new. I think what we're seeing is a profession that itself is changing, that sees the need to provide legal services in different ways, in new and innovative ways. We all walk around with computers in our pockets, and yet we go to the courthouse or we go to a tribunal, and suddenly everything is anachronistic and paper-intensive. I think we're all looking for ways to transform the profession and transform the legal system so it reflects the 21st century that we live in.

LC: What do you think the law firm of the future looks like?

PS: That's a good question. I'm not sure, and that's part of what we're trying to figure out.

LC: What do you hope to accomplish by the end of your term?

PS: I want to have an approved new approach to licensing.

LC: Do you remember your election day?

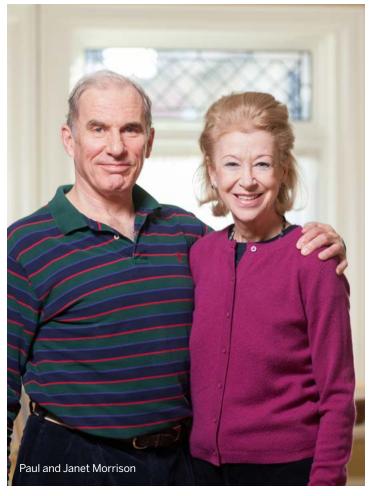
PS: Yes, it was very exciting. The new treasurer is elected at Convocation and then chairs the remainder of the board's meeting. There's a lunch afterwards for all of the benchers. Our lunches at the Law Society have always started historically with a toast to the Queen. I've been conscious for a number of years that this was not a toast that was welcomed by some benchers, including people of Indigenous heritage who felt that it was not inclusive. I stood up, as it is the role of the treasurer to make a toast to start the meal, and I said it's time we toasted Canada. I think that set a tone of change right away.

Read the full interview online: http://uoft.me/schabas

Augment, assist, strengthen, support, magnify, intensify, spotlight, highlight

Dean Ed lacobucci's priorities include bolstering the student experience, with a focus on financial aid. Read why these alumni stepped forward—and stepped up to give.





Melissa Kennedy

When Melissa Kennedy, LLB 1987, was a law student, she covered the costs herself. "I worked. I paid my own way. I had student loans," she says. "I didn't receive financial aid from the law school, but I received financial aid from the province."

Paying for school was a stretch, even though tuition back then was a fraction of what it is today. Kennedy worked on and off campus, one year serving as a don at Victoria College, which covered her room and board. She understands financial aid from a very personal point of view, and she supports it now because she knows there is a need. And she has the means to address it.

"Things are definitely different from when we went to school in many respects," Kennedy says. "Tuition is something that we can help with."

Kennedy has spent a good part of her busy career looking for ways to help. Along with her impressive collection of professional awards, she's been repeatedly recognized for her indefatigable volunteer work, which includes key roles with Legal Leaders of Diversity and Inclusion, and the University of Toronto's Law Alumni Association. U of T lauded her with an Arbor Award, its highest honour for outstanding volunteerism. In her current corporate position, as executive vice president, chief legal officer and public affairs at Sun Life Financial, Kennedy is also the executive sponsor of sustainability, where she promotes diversity as a key component of organizational resilience.

"I think you get the richest outcome when you have people involved in an activity from a variety of backgrounds," she says. "Either they're trained differently, they think differently or they're from different cultures. I passionately believe that is the truth."

That approach applies to the law school and by extension the legal profession, Kennedy argues. Casting a wider net and having the means to enroll the most promising students, regardless of background or ability to pay, will benefit the entire community.

"I think it has a huge correlation," she says. "As lawyers, it doesn't matter where we practice or what we practice. In law I think we will encounter a huge richness in problems, in clients, in situations, and having that richness being introduced at an early stage can only be beneficial."

Paul and Janet Morrison

Like the deep roots of a majestic oak, their personal and academic histories are tightly intertwined with the University of Toronto. That's where Paul, LLB 1975, and Janet Morrison, MA 1975, met at a Christmas party on a day that also happened to be Paul's birthday. And it's where their relationship flourished, as Janet remembers with a chuckle.

"Most of the homework and studying I did was at the law school, because at the time Paul was a much more committed and conscientious student than I was," she says. "The only way I could see him was to rub pencils with him at the library and then persuade him to take me out for a beer afterwards."

Decades later, the couple's commitments to each other and the law school have not wavered. While Janet established a successful practice as a clinical psychologist and became an adjunct lecturer at the Factor-Inwentash Faculty of Social Work, Paul is a senior litigation partner at McCarthy Tétrault in Toronto. He's also president of the Law Alumni Association, and counts many of his law school classmates among his closest friends. Their younger son earned his JD in 2011.

"This has been a very important part of Paul's ongoing life," Janet says. "And I really applaud that. It interests him and engages him in a way that's very energizing and good for him."

Paul and Janet have led by example, contributing to the school's growth on a consistent basis. Their most recent donation—to the law school's financial aid pool—will help attract stellar students from varied backgrounds and cultures, who might otherwise consider U of T beyond reach. "We live in a world of enormously talented young people who are skilled beyond belief," Janet says. "There needs to be enough money so they can start to dream and realize what they can accomplish."

With an increasingly diverse student body, Paul adds, U of T will lay the groundwork for a truly representative legal system in Canada. "There's a tremendous need for diversity in our profession. Law schools are supposed to feed it, and U of T is the leading law school in the country."

In Memoriam:

DR. STANLEY WONG, 1947 – 2016 CLASS OF 1982



The Faculty of Law is saddened to hear alumnus Stanley Wong passed away April 30, 2016 in Vancouver. He was born in Guangzhou, China, and grew his career around the world after receiving a BA in economics from Simon Fraser University, a PhD in economics from Cambridge University (King's College), and his LLB from the University of Toronto.

Passionate about his work, Stan was a highly accomplished lawyer with an international reputation, recognized worldwide as a leading expert in competition law and policy. In 2014, after a rigorous global search, he was recruited to be the founding CEO of the Competition Commission of Hong Kong. In 2006, Stan was recruited to serve as a member (commissioner) of the Competition Authority of Ireland in Dublin, completing his five-year appointment in 2011. Prior to that, he was a partner at Davis LLP in Vancouver and Toronto. He had his own consulting practice on competition law enforcement and competition policy and was called on for counsel and

expertise by many competition authorities around the globe, including: Singapore, Malaysia, the Philippines, the United Kingdom, the European Commission, China, Croatia, South Africa, Colombia and Canada. In 2000-2001, he chaired the National Competition Law Section of the Canadian Bar Association. Before entering law, Stan was an associate professor of economics at Carleton University in Ottawa and published a seminal book on methodology.

Stan was devoted to his parents and was always concerned about the wellbeing of his siblings. He was energetic, scrupulously fair, and provided companionship, mentorship and leadership by example. He loved classical music and concerts, was a keen tennis player and avid fan, and a gourmet cook and wine connoisseur. He had a gusto for life and friendship. He will be missed.

Read Dr. Wong's obituary here: http://bit.ly/2nBdfdr

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JOINTLY DEVELOPED BY:







elinda Park, LLB 1991, cannot believe it's been 25 years since she graduated from the Faculty of Law. "I was in Toronto last fall, and met with some of my closest friends from U of T for dinner," she tells me via Skype from her home in Alberta. "We just looked at each other and said: 'What the [heck], how did that happen?" she chuckles.

Today, the Calgary securities and capital markets lawyer is chair of the partnership board at Borden Ladner Gervais, the first woman to be elected to the firm's highest governing seat. Strategy fills much of her agenda "to ensure the plans don't become stagnant, or worse, irrelevant because the outside world changes faster than you do."

Determination is stamped in her upbringing, a mix of Austrian heritage and Saskatchewan spirit. It comes from her mother, who at the age of 12 voluntarily left her parents, siblings and homeland to join childless relatives in Canada in the hopes for a better life post-WWII, says Park.

"Talk about no fear; talk about survival! She gets on a ship, in the middle of winter that sails through a storm and ... every day, for two weeks, [her uncle and aunt] would go to this train station in remote Saskatchewan and wait for this little girl to get off the train from New Brunswick. Every day she did not get off the train. The one day her aunt did not go, is the day he still went." And she arrived.

Such is the plucky Park background. Engaged at 18, married at 19, Melinda completed her last year of an undergraduate commerce degree from the University of Saskatchewan together with her U of T law degree, to graduate in 1991.

Who writes: "a die-hard Saskatchewan Roughriders fan" on her

resume when applying to her first lawyer job—in Calgary? Melinda Park does.

"I became partner there. I had my two children there, and maybe part of it was we didn't know what the rules were. Or what the protocols were. We just had to get the job done." With a supportive family and partners, she took leadership opportunities along the way.

In 2002 that firm merged with BLG, and now she's helping to "steer the ship, to ensure it's not heading for an iceberg." For her, that includes keeping a keen eye on the students coming in.

"How are we going to have a legacy that is about more than the current partners at BLG? To me, that's just so fundamental."

Thoughtful? Yes. Worried? No. "I'm seeing excitement; I'm seeing a lot of confidence. I think students and associates are much more exacting on where they want to be."

She puts her strengths to work in the community as well, volunteering on the board of the Sheldon Kennedy Child Advocacy Centre. She hosted a community event at BLG to help raise awareness of preventing abuse in children and youth sports.

"It was moving the conversation from the police, from the social worker, from the hospital and putting it in a business function. For me, it was bringing the two important parts of my life together in one place."

Did she think a quarter of a century ago that she might one day chair a national, 700-lawyer firm? "Probably not—but I never thought I couldn't. Sometimes you scare yourself out of doing things instead of taking advantage of opportunities, where you could end up in a really nice place."



'Micro' op-eds from our Faculty of Law scholars



Illustrations by Gary Neill

Trade policy:

I believe his trade policies, if implemented, may precipitate a major international trade war and consequent global recession. His threat to impose massive tariffs on all Chinese imports would be a violation of WTO obligations and would obviously provoke retaliation by China. His threat to tear up NAFTA would be a grievous blow to Mexico's development prospects, would cast a shadow on global supply chains everywhere, and may sideswipe Canada. His threat to repudiate the Paris Climate Change Agreement may well provoke other signatories to impose carbon tariffs at the border on US imports, again risking a trade war. None of this will make America great again. Stronger human capital policies designed to help workers adjust to the twin impacts of trade and technology on the workplace would be much more productive.

MICHAEL TREBILCOCK //

UNIVERSITY PROFESSOR

State surveillance:

Trump takes over one of the most powerful surveillance systems the world has ever created. Many expect a strong push to undo the post-Snowden reforms that introduced some constraints, as well as a push against introducing laws to better protect privacy in the private sector. The public/private nexus of surveillance will continue to thrive. But the most concerning aspect of this is the social and political context in which it will operate: one based on division and bigotry where officials lie, the press is vilified, and the White House itself undermines important state institutions.

LISA AUSTIN //

ASSOCIATE PROFESSOR

LGBT rights:

What will LGBT rights look like? Who knows. Trump has no official policy, but his VP and his Cabinet are virulently anti-LGBT. The GOP, which controls Congress, has passed the most anti-LGBT platform in years. Trump has promised to appoint conservative judges to the US Supreme Court, and his first nominee, Neil Gorsuch, fits that bill. Trump has waffled on LGBT rights, saying that Obergefell (the same-sex marriage case) is settled law, but he has also rescinded the Obama administration's guidelines preventing discrimination against trans students in K-12 schools. It seems like the weight of three branches of government are against same sex marriage and in favour of anti-trans legislation. Plus, it's cheaper than building a wall. Trump and the GOP can deliver on their hateful promises to their base, with relatively little cost. The future looks bleak.

BRENDA COSSMAN //

DIRECTOR, MARK S. BONHAM CENTRE FOR SEXUAL DIVERSITY STUDIES

Healthcare:

With a president driven by Twitter 'likes,' and fresh off the recent failure to dismantle Obamacare, it's hard to say how the US healthcare policy winds will blow from now on. Trump plays to popularity, first slamming the impact of unconscionable pharmapricing on health care, but then picking a Secretary of Health, Tom Price, who is accused of conflicts of interests over his pharma and medical device stocks. Trump and the Republicans have further started a general assault on the regulatory state, with frontrunners for the job of Federal Drug Administration commissioner who don't seem to believe in the need for strong regulatory control of drugs. The health of Americans risks being abandoned more than ever to market forces even if political reality may now force Trump to tweak Obamacare rather than abolish it.

TRUDO LEMMENS //

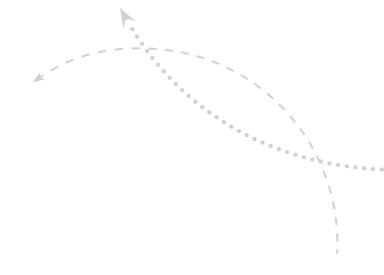
SCHOLL CHAIR IN HEALTH LAW AND POLICY

Security:

In a Trumpian world, Canada must take care to ensure that we are not complicit in torture, the increased use of Guantanamo and discriminatory profiling of Muslims. We still have in place Harperera directives that allow us to share information when there is a risk of torture. We still have an inadequate and antiquated review structure that does not keep pace with Bill C-51's vast information-sharing laws or the new powers it gives CSIS. Should an act of terrorism in the US have a Canadian connection, Trump's anger will collectively punish Canadians, just as his initial ban on travellers from seven countries and Syrian refugees imposed collective punishment on Muslims.

KENT ROACH //

PRICHARD WILSON CHAIR IN LAW AND PUBLIC POLICY







Religious freedom:

A disaster. For one, Muslims (American or not) will continue to be targeted, as we have already seen in the controversial Muslim immigration ban. Second, the new counterterrorism program will only focus on radical Islamic movements, which will perpetuate the false perception that Muslims pose a special threat to the US and to the world. Third, the domestic culture wars are going to be ratcheted to a whole new level, with planned changes that will allow more church involvement in politics, and exemptions from federal laws on religious freedom grounds. Basically, Trump and his team's warped view of religious freedom would inspire more hate, bigotry, and subvert the greatest experiment that the United States has given the world, i.e. the separation of church and state, and would leave America a lesser nation than when he took over its reins.

ANNA SU //

ASSISTANT PROFESSOR

Voting rights:

During his campaign Trump falsely claimed that "millions of people" had voted illegally, and since winning the presidency, he has pledged a major investigation into voter fraud. Given President Trump's position, I predict that Republican-dominated states will be further emboldened to persist in their practice of enacting laws that are ostensibly designed to combat the virtually non-existent problem of voting fraud but which, in fact, serve to suppress the vote of minorities and low-income individuals— who tend to support the Democrats. While lower courts have recently ruled to protect voting rights, these gains may be undone once Trump's nominee to the Supreme Court is confirmed.

YASMIN DAWOOD //

CANADA RESEARCH CHAIR IN DEMOCRACY, CONSTITUTIONALISM AND ELECTORAL LAW

Immigration:

Immigration policy will be volatile. That is not to say that dramatic changes to law will be easy to accomplish; the speed with which the "Muslim Ban" unravelled in the face of legal challenge demonstrates that. And Mexico is not going to pay for a wall. Deporting millions of non-status migrants will be both impractical and opposed by powerful employers who depend on their labour. But government officials in immigration enforcement report that Trump has 'unshackled' them. Ordinary travellers at airports and ports of entry—not only Muslims—will quickly learn what has always been true: people are nowhere more powerless than at a border. And because thousands of people clear US immigration in Canadian airports every day, they will experience this reality on Canadian soil, with the assent of the Canadian government.

AUDREY MACKLIN //

CHAIR IN HUMAN RIGHTS LAW

Investor rights:

The Securities and Exchange Commission's mandate to protect investors will remain the regulatory centerpiece regardless of the change in presidents. But, while Trump's appointment of Carl Icahn as special adviser on regulatory reform may be good news for activist shareholders (including Icahn himself), it is unlikely that investors as a whole will benefit under Trump's reforms. Why? Trump has advocated the reduction of bureaucratic red tape to allow businesses to flourish. He has suggested repeal of the Dodd-Frank Act, which currently regulates the financial industry for the purposes of consumer protection. Ultimately, investors, especially those in the middle class, will surely lose as a result of such drastic regulatory measures.

ANITA ANAND //

J.R. KIMBER CHAIR IN INVESTOR PROTECTION AND CORPORATE GOVERNANCE

Constitutional issues:

The United States will be embroiled in a constitutional predicament throughout much of President Trump's tenure. Trump declared that he will not divest himself of his overseas business empire—that he will keep it somehow separate from his presidential duties. This immediately gives rise to a constitutional problem under the Emoluments Clause, which is intended to preclude foreign influence in U.S. political affairs. Should any foreign government grant some indulgence to Trump operations in order to gain the President's favour, it will run afoul of the Clause. Trump will argue that the president is not covered by the clause. He could also seek Congressional approval to carry on. In either case, this is a quandary that is likely to turn into a crisis.

DAVID SCHNEIDERMAN //

PROFESSOR

Global climate policy:

President Trump is threatening to leave the historic climate agreement the world finally reached in 2015. Legally, the US can withdraw from the climate regime and stop financial support of climate action in developing countries. But withdrawal means yielding strategic ground to China, which is already positioning itself for global climate leadership. And while domestic climate action in the US may slow, it will continue regardless—through local and state policies, transboundary carbon trading, and business-planning for competitiveness in a decarbonized future. So, the Trump Administration may end up being big bark with small bite.

JUTTA BRUNNÉE //

METCALF CHAIR IN ENVIRONMENTAL LAW

*Current as at press time



The first Chinese-Canadian graduate of the Faculty of Law talks about China's law firm market, volunteering to help youth mental health—and resolving the mystery of No. 31

Interview by Lucianna Ciccocioppo Photography by May Truong **LUCIANNA CICCOCIOPPO:** Many Canadian and US law firms, indeed firms a round the world, have been feeling the pressures to consolidate with mergers. How has your firm been able to maintain its independence and grow its business?

FRED KAN: We are a medium-sized firm, with 20 lawyers. Of course, in Canada and the United States, a medium firm would be at least 200 lawyers or so, but not here in Hong Kong. Our niche is in dispute resolution, and we can maintain that niche. However, we need to expand to take into account the market opportunities in the mainland. That's very important. It's the second largest economy in the world, with a population of 1.4 billion. How are we going to tap into that market? It is a question that we have to deal with.

We had an office in Tianjin for many years. We decided two years ago to close it down because the distance is quite far and it was not economically cost effective. By doing so, we were not giving up on the market. There are many big law firms in mainland China, some with over a thousand lawyers, but they are not organized the way we are. They are chamber practices, with maybe 50-60 small groups. That's not the type of law firm we want to be.

We want a law firm that shares our organizational structure. We have a partnership, we each have specializations, and we all work as a team. Instead of us going to mainland China, we decided to let them come to us, so we save on costs. We won't be taking a loss in the mainland.

LC: What do you think about Chinese law firms expanding abroad into Canada, the US and the UK?

FK: It's the right approach. I think the Chinese are doing it now—for example, the King and Wood Mallesons joint venture in the UK, which seems to be failing. Still, it will not dampen their spirits. It is happening and if we can fund a law firm in mainland China that can grow closely with us, I have no problem in changing the name of the firm. I am more than happy to be part of a big family. We would be the outpost, we would be able to assist the mainland law firm in reaching out to the West, to Canada and the United States. Currently, we have a small practice in Tokyo, Japan. My partner is there 10 days every month.

LC: Why did you want to become a lawyer?

FK: I studied mechanical engineering [at U of T], and I graduated in 1964. My undergraduate thesis was in solar energy. Two letters of acceptance arrived at our house in Hong Kong. One was from McGill University, accepting me to their Barbados campus to do solar energy research, and the other from the University of Toronto law school. With no secrets between father and son, he opened one and thought: "Oh, my son's applying to a U of T law school, okay." Then looked at the other letter from McGill: "Barbados campus, studying solar energy."

Solar energy, what's that? You dry your clothes under the sun. You dry your salted fish under the sun. No one cares about solar energy. They were not familiar with Barbados. My father used to hold court

in a restaurant in Wan Tai, for business dealings. He told people he wanted to visit this place called Barbados, and asked people whether they had been there. No one knew of it, until one day this smart alec came and said: "Mr. Kan, this a place they do the calypso." When I returned home, my father took me to a restaurant the next day, and then he asked me: "Son, do you know how to do the calypso?" Well, being an honest person, I said: "Father, sure I do; everybody does it." And he replied, looking me in the eyes: "Son, no more dancing. Be serious."

So I went to law school.

LC: That was that?

FK: That was that. And I always wondered, over these past 10 years or so, whether I made the right choice. Until I found out about my number. My office is on the 31st floor of the building. My club membership number is K-31. My golf club number is also 31. My telephone number has 31 in it, and so forth. I said to my daughters: "This number 31 seems to follow me everywhere." They said: "Dad, when we were in Canada, our Boulevard Club membership number was also 31."

So I decided to find out, what does number 31 mean? A friend of mine knew this *feng shui* master, someone he consulted whenever he opened up a new factory on the mainland. We went out for a round of golf—on the 31st day of the following month. After the golf game, I asked him about the number 31. He said: "In Chinese astrology, the number 3 is associated with conflicts and disputes; the number 1 is literature and writings. Thirty-one suits you. You are involved in disputes, and you are writing all the time. Thirty-one is you." So, that settles it. I think I was pre-ordained to be a lawyer rather than a science researcher in solar energy.

LC: You've accomplished a tremendous amount, not just in your career but in your community as well. What impact do you think you've had?

FK: I think the most important thing I have done is Teen Talk. It's a program for the Law Society [of Hong Kong] to engage with about 2,000 young high school students to discuss and debate the important issues of the day. It's very successful. It's supported with more than C\$200,000 a year, and this is the sixth or seventh year. For the first year, the theme was 'Love Yourself.' The suicide rate of young people in Hong Kong is very high, and I was concerned. First of all, they have to learn how to love themselves before they can love others. There's nothing selfish or self-centered about that, you have to love yourself. It was a very good starting place.

LC: Why are you so supportive of the law school, and indeed, the University of Toronto?

FK: As the Chinese saying goes: "When you drink from the stream, you always remember the source." You have to look at your roots, and the University of Toronto is an important root for me. \checkmark

This Q & A has been edited and condensed; read the full interview online: http://uoft.me/FredKan





Photography by Salathiel & Wesser

REUNION 2016

More than 425 alumni enjoyed Reunion 2016 last fall. Student ambassadors led alumni tours of the Jackman Law Building, and classmates attended dinners and family activities throughout the weekend, as graduates from years ending in 1 or 6 returned to their alma mater to reconnect October 20-22.

A special shout-out to the Class of 1956, the graduating class of the building's namesake, the Hon. Hal Jackman! And happy 50th anniversary to the Class of 1966, who celebrated Reunion in September and witnessed the dedication of the John R. Willis classroom, which they funded in honour of their former law school teacher.

View more photos here: http://uoft.me/r16

1958

HARVEY BLISS, LLB: Career has included: Trial and appellate counsel Bliss & Associates; president of the Ontario Bar Association; chair of the National Council of the Administration of Justice in Canada. Retired now in garden paradise in Mexico, growing medicinal plants, orchids and bonsai. I give talks on dozens of botanical and oenological subjects. Come see: hebliss@laguna.com.mx

STEPHEN GRANT, LLB 1973.

of the boutique family law firm Grant & Sadvari, and founder of Resolutions Inc., received the 2017 Advocates' Society Medal, the highest expression of honour to its members "for those who have clearly demonstrated their pre-eminence as counsel and who are acknowledged unequivocally as leaders of the bar, who have been dedicated and active members of The Advocates' Society, and who have made a significant contribution to the profession of law and to the well-being of the community at large."



1979

Touching base in the Big Apple: VIRGINIA DAVIES, LLB 1979, LLM 2002, and WILLARD TAYLOR generously hosted an alumni evening at their Manhattan home on December 8, 2016. In a warm and casual setting, about 20 alumni attended to reconnect with one another, and hear from Dean Ed lacobucci. Another event in February, this time in TriBeCa, drew more than 30 alumni, ranging from Class of 2016 to the mid-1980s, for a fun meet-up after work.



We're planning more NYC events in 2017, so stay tuned for details, or contact Matt Willis at: m.willis@utoronto.ca.

1980

JUDITH HUDDART, LLB: This spring marks my 35th year as a family lawyer. When several of my Collaborative Practice colleagues (a parenting professional and two financial professionals) suggested it was time to re-think the way separating clients got information, I agreed. We decided to offer couples the opportunity to meet with us together for two hours to ask questions and get practical family, financial and legal information (not legal advice). Couples hearing the same

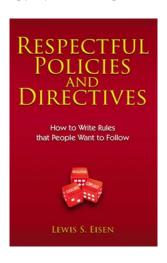
information at the same time is a simple concept, but not the norm in family law, until now: www.theneutralzone.info.

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1981

LEWIS EISEN, JD: I just published a book on how to write administrative policies, called *Respectful Policies and Directives: How to Write Rules that People Want to Follow.* I've been running workshops over the last few years teaching people how to organize

their policy instruments, and showing them how to write policy statements that are clear, succinct, and respectful to the people they are intended to govern. This book consolidates a lot of that advice.



DAVID SWEANOR, JD: I was named Outstanding Individual Philanthropist by the Association of Fundraising Professionals (AFP), and was presented with the award on November 17 at the Ottawa Philanthropy Awards ceremony.



@LaskinLawLib: Congratulations to **@UTLaw** alumna Justice Rosalie Abella — named Global Jurist of the Year by **@NorthwesternLaw!**

1982

MARK HAYES, LLB: On November 1, 2016, my firm Hayes eLaw LLP made its first foray out of the Toronto concrete jungle and is now based at 693 Queen Street East, just over the DVP from downtown. We are sharing space with Lewis Birnberg Hanet LLP, a leading Canadian entertainment firm, with whom we plan to forge even closer ties in the future. I invite all of my friends and colleagues to come and visit us in Leslieville! mark@hayeselaw.com

1990

JENNIFER WEBSTER, LLB: In 2016, I started my own practice as a workplace mediator, arbitrator and facilitator. In addition to providing mediation services for workplace conflict, I facilitate workshops using the methods of Lego Serious Play® to support teams in creative problem-solving and strategic planning.

2003

TIM WILBUR, JD: I have just been appointed the managing editor of *Canadian Lawyer* magazine and Findlaw.ca. I am now responsible for the editorial direction of both products. I write the "Editor's Desk" for each issue, manage the editorial teams, assign stories to freelance writers, manage substantive editing and fact checking, and coordinate where edited copy appears in multiple print and digital channels. I am happy to hear from alumni and all lawyers

across Canada about story ideas for our magazine: tim.wilbur@thomsonreuters.com

2005

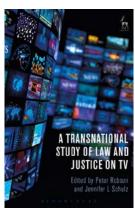
MICHAEL COHEN, JD: I am a partner in the corporate and capital markets group at Brown Rudnick LLP in Boston, specializing in transactions involving emerging technology and life sciences companies, and crossborder matters. I welcome opportunities to reconnect with other U of T Law alumni in the trenches! mcohen@brownrudnick.com

Calling all **@UTLaw** alumni in Boston!

2006

JENNIFER L. SCHULZ, SJD: I am pleased to note that my new book is out. Co-edited with

Peter Robson and published by Hart (UK), A Transnational Study of Law & Justice on TV is the first empirical study of the amount of legally themed television programs viewers in 14 different countries around the world are watching.



2007

CHRIS GRAHAM, JD: In 2016 I founded TellPeople (www.tellpeople.ca), a company that teaches empathy-based storytelling

to professionals. Our workshops teach you simple tools that you can use to help people listen, understand and remember what you have to say. We're based in Toronto and our workshop is accredited for 3 Professionalism hours by the Law Society of Upper Canada. chris@tellpeople.ca

MELANIE WEBB, JD: After several years working as an associate for senior counsel Alan D. Gold and Leo Adler, I have finally launched my own law practice as a sole

practitioner in criminal law. I now share space with a wonderful and collegial group of lawyers at Simcoe Chambers in Toronto.



@amirto13: Had a great time moderating the Sports Law panel at my alma mater @UTLaw with panelists Trevor Whiffen, Daniel Ages and Len Glickman

@JasonLeung3: Going back to @UTLaw to speak on their career panel for Welcome Day 2017. In some ways, I wish I could do law school all over again!

y

Send your Class Notes to: nexus.magazine@utoronto.ca or submit online http://uoft.me/lawclassnotes



The stunning Jackman Law
Building turns one year old. We've
enjoyed an entire year of seasons
in this impressive architectural
accomplishment. Photographer
Stephanie Coffey captures the light,
angles and colours of the Faculty
of Law's newest addition.

@uoftalumni: Inside **@UTLaw** new Jackman Law Building, which offers some of the best views on campus via **@torontolife**.





@MayoMoran: Pretty proud of the new digs **@UTLaw**! Space that makes the spirit soar.



@SusanBrownSF: Oh wow, just saw the new building for the first time. Congrats, @UTLaw!



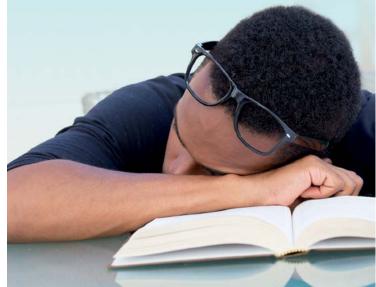
















SOME THINGS CHANGE, SOME THINGS DON'T.

COME BACK TO LAW SCHOOL FOR ALL THAT'S NEW AND NOSTALGIC.

Please let us know of any address updates or corrections at 416 978 1355 or at alumni.law@utoronto.ca.

LAW REUNION 2017: OCTOBER 27-28

If you graduated in a year ending in 2 or 7, this Law Reunion is for you. Join us in October to relive your student days (and nights), reconnect with friends and see the stunning new expansion of your historic law school.

Register and find out more at uoft.me/law-reunion

