

2022 Bencher By-Election – County of Vancouver

Candidate biographies and statements

The candidates were invited to submit biographical information and an election statement. The views expressed are those of the candidates and do not reflect the official policy or position of the Law Society.

Candidates are listed in order of their appearance on the ballot, as determined by drawing of lots, pursuant to Rule 1-28.

Candidate information for District No. 1 – County of Vancouver

- JOHNER, Joyce
- ARAM, Nazanin
- CHARLTON, Nikki L.
- DELANEY, Tim



JOHNER, Joyce

Called to the Bar: 1999

BC College of Oral Health Professionals

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BIOGRAPHICAL INFORMATION

Born the 10th of 12 children on a family wheat farm in Saskatchewan, becoming a lawyer was not a predictable path. But having a passion for education and being community-minded, paved a way for a career in law. Primarily focused on litigation, I practised both criminal and civil law, first at Singleton Urquhart and then at Blakes before going in-house at the BC Securities Commission.

I later joined the College of Dental Surgeons of BC as General Counsel, a role I held from 2018 until CDSBC amalgamated with three other regulators to become the BC College of Oral Health Professionals. I bring extensive governance experience working as corporate secretary to the Board, as well as overseeing regulatory functions. I am well versed in the standards of good regulation and the principles of regulatory modernization.

I have been on boards for not-for-profits and coached a variety of sports and organized charitable events. While on the board of Touchstone Theatre, I founded the annual Lawyers Show and have organized ‘Hockey Helps the Homeless’ raising money for street level organizations.

I have a law degree from the University of British Columbia, and undergraduate degrees in Economics/Environmental and Psychology.

ELECTION STATEMENT

What does it mean to be a modern regulator? The LSBC is being faced with this question.

A modern regulator is effective, trustworthy and committed to transparency, fairness, accountability and inclusivity. Regulating in the public interest requires commitment to engage not only with the profession but with the people we serve. There needs to be a clear focus on informed decision making and the delivery of results. To be forward

looking we need to not only ‘think’ we are doing a good job, but we need to be able to measure our performance.

I am running for Bencher because I want to help the LSBC find a way through this thicket. I served on the leadership team at CDSBC that responded to a review by regulatory expert Harry Cayton, and which delivered on a formal action plan to meet all of those recommendations. For close to five years, I have been part of a high-profile transformation and I want to share the experience I have gained and be part of the opportunities ahead.

I have five core competencies essential to be a Bencher:

Role Clarity - An understanding of board decision making, fiduciary duties and strong governance to assist with establishing board policies and oversee the initiatives.

Strategic Priorities – The ability to set and measure strategic objectives and link decision making to the mission, vision and values of LSBC.

Accountability – Clear understanding of regulatory accountabilities which is necessary to increase confidence in the LSBC to regulate in the public interest.

Financial Literacy – A solid understanding of finances and budgeting to assist with fiscal management, that includes risk management.

Cultural Safety – My learning is ongoing. I work to foster culturally safe, humble and respectful engagement and want to implement initiatives to take meaningful action toward reconciliation with Indigenous peoples in the justice system. A strong governance structure is one rich in diversity and that specifically works towards anti-racism and identifying biases to contribute to positive systemic change.

I have an understanding of the current Issues including:

Provision of Legal Services - I am aware the Ministry is currently seeking public input on improving access to legal services and will be proposing changes to the regulatory framework for the legal profession. LSBC has an opportunity to lead these changes. I bring a solid understanding of government relations and the need to understand and work with the government’s accountability to the public.

Responses to the Cayton Report – LSBC undertook a governance review and Cayton made recommendations to reduce conflicts of interest, focus on regulatory matters, measure outcomes and engage more with users of legal services. I can assist with the

development of an action plan to determine how to improve decision making, reduce barriers and implement changes in a manageable timeframe.

I look forward to an opportunity as Benchler to respond to challenges and opportunities in the delivery and regulation of legal services.

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ARAM, Nazanin

Called to the Bar: 2013

Aramesh Law / Harris & Brun Law Corp.

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BIOGRAPHICAL INFORMATION

I was born and raised in Iran. I hold a Bachelor of Civil Law from Tehran University (2000) and an LLB from UBC (2004). I was called to the BC bar in 2013. I have practiced in Prince Rupert, Victoria and Vancouver and I have done both solicitor’s work and litigation in a variety of areas from Legal Aid bail hearings to commercial litigation. Since a few years ago, my practice has focused on civil litigation. I started my own firm in late 2020. I currently practice family law and civil litigation including insurance defence litigation, both independently and in association with Harris & Brun Law Corporation.

I have been in the past a member of TLABC and CBA and sat on the board of governors of TLABC and the CBABC auto insurance group.

I have been fortunate to work with a few past benchers including a past president and life benchers.

ELECTION STATEMENT

I am running again in the Vancouver bencher election out of a desire to participate in, and hopefully contribute to, our profession and governance.

In my view, the source of many of our profession’s problems is our prevalent unhealthy culture. Some of our recent initiatives – reconciliation, equity, diversity and inclusion – are to deal with the symptoms of our cultural problem. Ambitious as it may be, what the legal profession needs is cultural change. There are too many lawyers – both those with and without “privilege” – struggling with the added stress of our culture, and too many who have simply opted out or tuned out because of it.

Cultural change is difficult to achieve but it should be our priority. We, especially our profession's decision makers, do not talk about cultural change enough. I have an open mind towards making changes in the legal profession and, if elected as benchler, I would try to explore all possible ways to improve our culture.

Our regulatory model is going to change. The details of the proposed change remain to be seen, but it seems certain in the future we will not have the level of self-regulation we currently do. It is crucial for the benchers and lawyers generally to fully participate in this process to ensure we maintain our independence and self-regulation as much as possible.

I am in favour of authorizing non-lawyers to provide specified legal services.

I agree with a unified regulator for lawyers, paralegals and notaries in principle, but I have concerns regarding the yet unknown details of the mandate and authority of the proposed regulator.

I think more needs to be done to gain public confidence in lawyers and the LSBC, including tougher sanctions for the more serious types of professional misconduct. Ours is a position of trust and a lawyer who intentionally violates that trust should suffer harsher consequences than an average person who is not in such a privileged position.

Public outreach and engagement by the LSBC would also be helpful to enhancing public confidence. I think as a profession we do not make much of an effort to find out what the public thinks of our self-regulation.

In my opinion the LSBC should increase its work with the government, courts, CBA and other participants in the justice system to expand Legal Aid and modernize the court system. Improvements in these two areas would be very impactful for access to justice and the public interest.

I support implementing guidelines regarding the terms of employment of articling students and junior lawyers. Of course such guidelines will have to strike a balance between maintaining business viability for firms and protecting students and juniors from unfair employment conditions. Guidelines may be limited in scope and application, but they are necessary.

I would consider looking at alternative indemnity fee structures based on level of risk/claims. At the very least, a history of professional insurance claims can be considered in setting a tiered indemnity fee structure.

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CHARLTON, Nikki L.

Called to the Bar: 2004

Farris LLP

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BIOGRAPHICAL INFORMATION

Nikki Charlton has spent her legal career at Farris LLP. She was called to the bar in 2004 and became a partner in 2015. Nikki practises in the challenging field of family law, with a dynamic practice offering every process option (mediation, collaborative law, arbitration, litigation), to best serve her client’s interests. She also serves as a neutral to resolve family law disputes. Nikki is an accredited Parenting Coordinator, Family Law Mediator, and Child Interviewer.

Nikki obtained her B.A. with distinction at the University of Victoria and her law degree at UBC. She co-chaired the CLEBC Biennial Family Law Conferences in 2017, 2019 and 2021 and has written papers and presented at various conferences. She served for six years on the board of the British Columbia Collaborative Practice Roster Society, and during her tenure Nikki supported the development of the Pro Bono Collaborative Family Law Project, a voluntary and confidential program for unrepresented parties going through separation.

Before becoming a lawyer, Nikki worked as a respite and support worker, including with youth at risk and children with disabilities. She has participated in numerous charitable fundraising activities and has been on the board of the North Shore Disability Resource Association.

ELECTION STATEMENT

We are in a period of profound reflection on and – with its nature and extent still to be determined – change to governance models and regulation of the legal profession. We need to bring energy and creativity to bear, all the while maintaining our absolute focus on core values that underpin the public interest, which must remain paramount in all we do. Even beyond the Law Society’s statutory mandate to uphold and protect the public

interest, service to the public is foundational to our profession and the oath that we take upon entering it.

I have a particular interest in ethics, and the ongoing development of the BC code of professional conduct. As a family lawyer, I have firsthand knowledge of both the good and bad commonly associated with the legal profession and our legal system more generally. I have experience not only in identifying problems but also in listening to diverse voices and thinking through and achieving solutions in collaborative, meaningful ways.

Without appreciating different voices and perspectives, any successes will be diminished or even illusory. I am mindful that we all come to the table with our own unique story and experiences. My life experience has highlighted this. I was raised up in a military family, moving across North America and Europe every 1-3 years of my life until I moved by myself into residence at the University of Victoria in 1993. Throughout my life I have had the privilege of living in various communities, where people have vastly different backgrounds, interests and viewpoints, and working with segments of society that are sadly often overlooked, such as children with disabilities and youth at risk. I am passionate about incorporating into our day-to-day work and decision-making the equality, diversity and inclusion that must be acted upon, not simply invoked.

My life experience has also given me resilience and purpose. The next months and years will bring many challenges in the legal profession but also the opportunity for the legal profession and its regulator to continue to make tremendous, positive impacts, and to make improvements wherever room for improvement exists. I am up for the challenge and would be honoured to serve as Bencher in this critical time.

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DELANEY, Tim

Called to the Bar: 1989

Lindsay Kenney LLP

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Website: www.lklaw.ca

BIOGRAPHICAL INFORMATION

Called to the BC Bar in 1989

General civil litigation practice with Lindsay Kenney LLP

Former managing partner of **Lindsay Kenney LLP**

2016-2020 - Member of the **TLABC** Executive Committee

2018-present- Director, **I'm a HIPpy Society** (society dedicated to hip health in children)

2007-2013 - Elected Member of the **CBABC Provincial Council**.

2010-2012 - Member of the **CBABC Audit Committee**

2007-2013 - Member of the **CBABC Advisory Committee to the Judicial Council**

2006-2015 - President and Director of the **Law Courts Inn Society**

2000-2005 - Chair and Member of the **CBABC Legislation and Law Reform Committee**

1999-2004 - President and Elected Member of the **Vancouver Bar Association**

1998-2008 - Director, **Act II Child & Family Services Society** (society that operates counselling programs and a safe house for battered women and their children)

1992-1994 - National and Provincial Chair of the **Law Week Planning Committee**

Volunteer Lecturer to **CLEBC** several times. Volunteer Judge to **UBC Moot Court** program for several years

Volunteer to **Access Pro Bono** clinics for several years

Coached minor hockey with the **Vancouver Thunderbirds Minor Hockey Association** and coached flag football with the **Westside Warriors Minor Football Association**

ELECTION STATEMENT

The Provincial government's plans to change the manner in which legal services are regulated in B.C. is a watershed moment for the Law Society. As such, it is critical for the Benchers to effectively lobby the Attorney General to ensure that if changes to the regulation of the legal profession are going to take place, they are done in a manner that protects the public and our members.

I want to be involved in this process.

There are three aspects of the proposed changes that I believe we must protect. First, the independence of the Bar cannot be compromised, and I would fight hard to ensure it is not. Second, it is critical that if professionals like paralegals are going to have greater roles in providing legal services, this is done in a manner that ensures appropriate oversight. Third, I believe it is critical that lawyers continue to be the primary group overseeing lawyers on issues of competence and ethics.

I have the utmost respect for paralegals. For many years now, I have supervised paralegals in my practice and during the evenings at Access Pro Bono clinics. I am impressed with their legal insight and competence. Having said that, if paralegals are going to be providing legal services without direct supervision, there needs to be established competency standards and appropriate supervision so members of the public have the confidence that they are receiving qualified advice and services. We need to lobby the government to ensure this does not get lost in the process.

During my time on the TLABC Executive, we responded to this government's changes to motor vehicle injury legislation. An important lesson that was gained from that experience is that simply opposing legislative change at all costs may not work. One has to be flexible.

In addition to the work that needs to be done regarding regulation of the legal profession, I am also seeking election as a Bencher because I am passionate about the importance of mentoring young lawyers. I have been fortunate to have had excellent mentors in my career and I have mentored many others. I have served as a principal for many articled students over the years. If elected, I would always make myself available to assist others with issues in their practice.

I also want to be involved in the discipline and conduct review process. I would do my best to bring a sense of fairness and sound judgment to the review of lawyers' conduct. I have assisted the Law Society in the past in Practice Reviews. I believe it is critical that the Benchers work with lawyers to improve professional standards.

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