

November 15, 2023 Bencher Election – District of Okanagan

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 6 – District of Okanagan

- SARIS, Jessica
- MARRIOTT, Leonard H.
- EAVES, Thomas
- BRADFORD, Tina-Marie
- WELSH, Michael, KC



SARIS, Jessica

Called to the Bar: 2018

BC Prosecution Service

Email: jessica.saris@gov.bc.ca

BIOGRAPHICAL INFORMATION

I am a Métis woman, born and raised in Richmond, BC, who has experienced many careers before entering the legal profession, most notably as a mortgage broker and real estate agent. I was the first of my family to attend college, first obtaining a Management Certificate in Radio Broadcasting at BCIT before completing a Bachelor of Arts at Kwantlen Polytechnic University and a Juris Doctor at the University of Ottawa. Presently, I am in my final semester of a Masters in Law (LLM) in Criminal Law and Procedure at Osgoode Hall Law School at York University and expect to graduate in December of 2023.

I completed my articles with the Legal Services Branch of the BC Ministry of Attorney General, mostly doing civil litigation, before joining the BC Prosecution Service in the Kelowna Crown Counsel Office. Currently, I'm with the Criminal Appeals and Special Prosecutions section of the BC Prosecution Service where I specialize in commercial crime, police, and regulatory prosecutions throughout the province.

Additionally, I sit on the board of directors of the Kelowna Métis Association and I mentor students and speak to Law 12 classes about the criminal justice system. I'm also a film and television actor.

ELECTION STATEMENT

I seek election as a Bencher of the Law Society of British Columbia in the 2023 elections. In my practice, community activities, and personal life, I am committed to fostering inclusivity, kindness, reconciliation, and professionalism. If elected, I will promote these values in the important work that the Law Society conducts on behalf of the bar and in the public interest.

I am running with no particular agenda beyond a desire to represent the Okanagan region with professionalism, integrity, and a passion for our profession. I believe that my experiences as a Métis person involved with Indigenous governance, as a working mother with a 4 year old, as a student who attended law school later in life after a successful and

long career in real estate, and as a current law student pursuing a Masters, would be an asset to the role of Bencher and to the Law Society.

I am most interested in committee work that involves issues such as reconciliation, inclusion, access to justice, lawyer development, and discipline; however, I am also happy to contribute to any, and all, aspects of the affairs of the Law Society.

If elected, I will be an accessible Bencher, available to discuss difficult issues and circumstances, ethical problems, and any other matters of concern from lawyers and students. I will work hard with the values of inclusivity, kindness, reconciliation, and professionalism at the forefront of my contributions. I would consider it a great honour to serve the bar and the public as a Bencher.

[\[Return to Candidates list\]](#)



MARRIOTT, Leonard H.

Called to the Bar: 1992

North Valley Law

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BIOGRAPHICAL INFORMATION

I bring a rich background to my practice from a lifetime of experience in law and in the agriculture/agri-food industry. My work experience has involved regulatory and statutory bodies, administrative tribunals, and appellate bodies. I am passionate about giving personalized service in my law practice and access to justice for all based on the Charter and the administrative laws of natural justice and procedural fairness. Access to justice means representing your client on a no-frills basis and using common sense and cost-effective solutions in the circumstances. I have obtained the following credentials: BA Hons. in Economics at UVic in '86, LLB/JD at University of Ottawa in '89, called to the bar in Ontario in '91, former member of the Law Society of Ontario, formerly known as the Law Society of Upper Canada, called to the bar in BC in '92, and practicing member of the Law Society of British Columbia.

In addition to legal experience in Toronto, Vancouver, and the North Okanagan, the other 50% of my work-life experience has been in the dairy industries of British Columbia and Ontario as a producer, transporter, and processor.

ELECTION STATEMENT

There are a number of substantial changes which I strongly believe require immediate implementation at the Law Society, including:

- The elimination of incompetence of staff and contract personnel at the Law Society, particularly in regards to ignorance of basic principles of law and the profession;
- The equal application of the standards of professional conduct to both Law Society staff and general members at large;
- The modernization of the Professional Legal Training Course to a training course

and not an academic exercise, which will provide flexibility for all articulated students with diverse life experiences and responsibilities;

- The elimination of vexatious and frivolous claims and investigations made by some rogue staff and contract investigators at the Law Society. Presently, investigators are submitting false evidence and suppressing relevant evidence in their reports to the Discipline Committee. Further, when investigators have knowingly exceeded their jurisdiction in a malicious fashion, supervising staff have refused to investigate complaints in relation thereto;
- The reaffirmation that the Benchers run the Law Society, and not the staff running the Benchers. The tail should not wag the dog;
- I advocate for an independent Law Society Tribunal, as the present Tribunal is in no way independent and is composed of long-term establishment personnel who have no interest in making positive, progressive changes. Further, the Law Society Tribunal is paid for by the Law Society, and lawyer Tribunal members are regulated by the Law Society. They are thus necessarily acting under a conflict of interest. Some Tribunal members have even taken the position that they hold inherent jurisdiction such as the Court, even though it is a statutory body and has no such inherent jurisdiction. The Law Society puts forward suggested counsel to lawyers under investigation who, due to their contracts with the Law Society, are not able to maintain usual standards owed to clients;

Generally, the Law Society staff and executive needs a real shakeup in composition and competence. If you want progressive change, VOTE FOR LEN - if you do not want change or for things to improve, do not vote for Len.

[\[Return to Candidates list\]](#)



EAVES, Thomas

Called to the Bar: 2012

Pushor Mitchell LLP

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BIOGRAPHICAL INFORMATION

Thomas J. Eaves is a member of the civil litigation group with Pushor Mitchell LLP. Born and raised in Vancouver, Thomas completed his legal studies at Queen's University before completing his articles in Kamloops. He now resides in Kelowna with his wife and two children.

He possesses significant experience in commercial litigation, real estate disputes, and matters involving breach of contract and foreclosures.

Thomas has successfully appeared before the British Columbia Supreme Court, the British Columbia Court of Appeal, and the Alberta Court of King's Bench. His clients have included national banks, S&P TSX 60 listed corporations, professionals, and small and medium businesses.

Thomas is a current elected board member of the Downtown Kelowna Association and is a strong advocate for businesses in the downtown core and throughout the Okanagan. He is an effective supporter of recent immigrants and has been a director for the Immigrant Education Society in Calgary. Tom regularly volunteers with the Kelowna Taiwanese Cultural Society. Thomas possesses a strong interest in legal reform related to housing supply as well as an interest in ensuring that the less fortunate have good access to legal services.

ELECTION STATEMENT

Our profession is changing rapidly, and it is essential that we possess the necessary tools to deal with the quickly shifting demographics in our society, which include rapidly increasing immigrant communities and an aging population. With this in mind, I will strive to ensure that the Law Society of British Columbia is forward-thinking with regard to the following:

- Changes to the Profession – The Provincial government has indicated that it is going to make drastic changes to the way that legal services are delivered in the coming years. We need to ensure that any changes that are made are made in a way that protects the public and our membership. I believe that it is imperative that our independence not be eroded by any

legislation and that lawyers, primarily, continue to be the ones who oversee lawyers on matters of ethics and competence. The expansion of services offered by paralegals and notaries may well be required, but we need to ensure that our ability to deliver legal services to the highest standards is not sacrificed.

- Good Governance - The Law Society cannot effectively govern without knowing the issues affecting its membership. Many members of the Law Society have voiced to me, personally, they feel they are not being heard, and they need more effective ways to communicate their concerns and challenges. I will support all policies that make communication with the Law Society more effective and advocate for the use of current technology to do so.
- Access to Justice – Access to justice is a constant challenge for the public we serve. As a Bencher, I would be a strong advocate for helping members incorporate pro bono legal services into their practices. I would work tirelessly to advocate for policies that would allow our profession to more easily use technology to provide services to those that are less advantaged.
- Mentorship – I have had the benefit of being guided by great mentors. I will strive to make myself available to young lawyers to ensure that they have the mentorship that is required to be successful.

[\[Return to Candidates list\]](#)



BRADFORD, Tina-Marie

Called to the Bar: 2000

BC General Workers' Union

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BIOGRAPHICAL INFORMATION

Tina-Marie Bradford is a senior litigator with the British Columbia General Employees' Union. She represents the BCGEU and union bargaining associations in public service and private sector in arbitrations, labour relations board proceedings, employment insurance hearings and court proceedings.

Tina-Marie obtained her law degree from the University of Victoria, and a Bachelor of Arts (Honors) from Simon Fraser University. She practiced law in Vancouver with McGrady, Baugh & Whyte, specializing in labour, administrative law, and civil litigation until 2003 when she became in-house counsel with the BCGEU.

Tina-Marie is often requested to sit on continuing legal education panels and conducts training in the area of labour, employment and human rights law. She was also elected twice by her co-workers to negotiate the financial and benefit package for all lawyers and servicing staff at the BCGEU.

She regularly trains and mentor new lawyers, articling students and law co-op students.

In her spare time, you will find her surfing with her husband and 3 daughters or at bootcamp. She also fosters rescue dogs and has fostered and found forever homes for 24 dogs in the Okanagan area. She also organizes fund raising events for No Paws Left Behind.

ELECTION STATEMENT

The roll of Bencher plays a crucial role in the governance of the Law Society. I am running for this position because I care about the standards of our profession and the power of advocacy that we have as a group. I am at a point in my career and my family that I can make the substantial time commitment to volunteer as a Bencher and represent the interests of the Okanagan.

I am committed to supporting diversity in the legal profession and generally in society. As part of my practice, I negotiate employment improvements for equity seeking groups that have faced previous disadvantage in employment including hiring, promotion, and financial initiatives and other equity initiatives. As chief spokesperson for these negotiations, I work closely with equity seeking groups to ensure that their needs are appropriately represented and negotiated. I also regularly represent individuals that have been discriminated against in the workplace. Should I be elected as a Bencher, I commit to being an ally to equity seeking groups as I firmly believe that a diverse bar is a more competent bar.

One of the roles of a Bencher is to ensure that all applicants to the Law Society and current members of the Law Society meet the required Law Society standards. Unfortunately, there are times that pressures bring members under the scrutiny of the Law Society. As a regular part of my practice, I assist those with addictions or mental health issues. I would bring compassion and understanding to this role as well as a firm commitment to balancing the need to protect the public interest and protect our legal reputation.

As the representative for the Okanagan, I will be the voice of our community and will focus on the direction given by our group. I would encourage you to reach out to share your thoughts on the path you think the Law Society should be on.

I am committed to listening to you and would be honoured to represent the interests of the Okanagan as a Bencher of the Law Society. I thank you for your consideration.

[\[Return to Candidates list\]](#)



WELSH, Michael F., KC

Called to the Bar: 1981

Michael F. Welsh Law Corporation

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BIOGRAPHICAL INFORMATION

Michael has been Benchers for the Okanagan since 2018 and served on many committees and task forces, several of which as chair or vice-chair. Currently he is chair of the Legal Innovation Sandbox Advisory Group and vice-chair of the Credentials Committee. He has twice been elected by his fellow Benchers to the Executive Committee. A Past President of ADRBC and CBABC, between 2017 and 2020 he was appointed a Tribunal Member of the BC CRT.

Called in 1981 he acts as mediator and arbitrator in a wide range of legal areas and been counsel in over 1000 trials and appeals, including before the Supreme Court of Canada. Michael was appointed QC (KC) in 2017. He has a C. Med. and C. Arb from ADR Canada, is a Fellow of the Chartered Institute of Arbitrators (FCIArb), panel member with the Vancouver International Arbitration Centre (VanIAC), member of the ADRBC Civil Roster and a mediator in fee disputes between lawyers and clients.

Michael is a columnist for the Advocate and presents at many PD sessions.

ELECTION STATEMENT

The legal profession in BC faces an uncertain future, as the government moves to set up a new legal regulator to replace the Law Society. At this critical time it is vitally important that those elected as Benchers have the experience and ability to take a strong and principled position to ensure the continued independence of the Bar and of any regulator of the Bar, and if necessary to fight to preserve the role of our Law Society. As one of the longest-serving Benchers and with a history of leadership in this profession, I am well positioned to provide that ability and experience.

I have an extensive background in governance and leadership. I have been elected by my fellow Benchers to our Executive Committee for the past two years and have chaired and been vice-chair numerous committees and task forces. I served as President of the BC Branch of the CBA in 2016-2017, when a snap provincial election was called that required great personal efforts in voicing our response to issues affecting the legal system. I was President of the ADR Institute of BC in 2015-2016. The organization was on the verge of

collapse, and I led a re-envisioning and rebranding campaign that helped it become an ADR leader today. In two terms as President of the BC Grapegrowers' Association in my other career as a commercial grape grower, I pulled the organization out of a crisis. With all three, I initiated governance reviews for transparency and more effective service to members.

I served two years with the National CBA Board of Directors that developed and approved its new strategic direction and governance model.

I also bring insights as a sole practitioner who has had practices in two smaller Okanagan cities, Osoyoos and Penticton. I see access to justice issues and other challenges faced by small-town lawyers and the communities they serve. I also recognize the potential issues for justice and our legal system that could arise from a new legal regulator that does not represent the whole province.

[\[Return to Candidates list\]](#)