



Gold medal presentations

Each year the Law Society awards gold medals to the graduating law students from the University of Victoria, University of BC and, for the first time, Thompson Rivers University who have achieved the highest cumulative grade point average over their respective three-year programs.

In 2014, gold medals were presented to Lisa Grantham of UVic (left photo, with Bencher Pinder Cheema, QC (left) and Dean Jeremy Webber), Shawn Erker of UBC (right photo, with Law Society President Jan Lindsay, QC) and Taylor-Marie Young of TRU (photo unavailable).

Unauthorized practice of law

UNDER THE LEGAL Profession Act, only trained, qualified lawyers (or articled students or paralegals under a lawyer's supervision) may provide legal services and advice to the public, as others are not regulated, nor are they required to carry insurance to compensate clients for errors and omission in the legal work or claims of theft by unscrupulous individuals marketing legal services.

When the Law Society receives complaints about an unqualified or untrained person purporting to provide legal services, the Society will investigate and take appropriate action if there is a potential for harm to the public.

From February 13 to September 3, 2014, the Law Society obtained undertakings from 13 individuals and businesses not to engage in the practice of law.

The Law Society has obtained orders prohibiting the following individuals and businesses from engaging in the unauthorized practice of law:

- **Ravinder P. Randhawa**, a.k.a. **Ravinder Bains** and **Ravinderpal Randhawa**, held herself out as a lawyer and provided

various legal services for a fee, including giving legal advice and preparing divorce documents. Randhawa and her company, **Randhawa Immigration Services Ltd.**, consented to an injunction permanently prohibiting Randhawa from holding herself out as a lawyer and prohibiting them from engaging in the practice of law for or in the expectation of a fee. (July 29, 2014)

- **Francisco MacDugall**, of Vancouver, held himself out as a "private attorney" entitled to engage in the practice of law and provided various legal services to others for a fee. MacDugall appeared in court as an advocate, gave legal advice and prepared various documents resembling what the courts have described as "organized pseudo-legal commercial arguments." Madam Justice Watchuk granted the Law Society an injunction permanently prohibiting MacDugall from engaging in the practice of law and from falsely representing himself as a lawyer, articled student or in any other manner that connotes he is authorized

to practise law. The court also awarded the Law Society its costs. (September 9, 2014)

- **John Karlsson**, a former lawyer of Youbou, BC, consented to an order permanently prohibiting him from representing himself as a lawyer or from engaging in the practice of law as defined in section 1 of the *Legal Profession Act*. (September 18, 2014)
- **Bradley Jonathan Renford**, a.k.a. **Kim Elton Horne**, d.b.a. **Concise Paralegal Services**, of Burnaby, drafted legal documents and provided legal advice for a fee in a family law proceeding. On October 6, 2014, Madam Justice Koenigsberg granted an injunction permanently prohibiting Renford from engaging in the practice of law, including preparing documents to be used in court proceedings or under statute, giving legal advice, offering legal services and from representing himself as qualified or entitled to engaging in the practice of law. The court granted the Law Society its costs. (October 6, 2014) ❖

Annual general meeting

Van Ommen is acclaimed as Second Vice-President-elect; member resolution passes



THREE HUNDRED TWELVE lawyers and 11 students attended at the 14 locations established for the Annual General Meeting on September 30.

Herman Van Ommen, QC was acclaimed as the Second Vice-President-elect. In nominating him, Bencher Nancy

Merrill referred to Van Ommen as a “gifted leader,” and in seconding the motion, current Second Vice-President David Crossin, QC said Van Ommen “always conducts himself with good faith, civility and the utmost integrity.” Van Ommen will begin his term as Second Vice-President on January 1, 2015.

The member resolution before the meeting passed by a vote of 188 to 48. The resolution directs the Law Society to require all legal education programs recognized by the Law Society for admission to the bar to provide equal opportunity without discrimination. The Benchers will consider the result of the vote at an upcoming meeting. ❖

In Brief

REMINDER: SURVEY ON LEGAL SERVICES IN BC

As reported in *E-Brief*, the Legal Services Regulatory Framework Task Force is conducting surveys of the public, lawyers and legal service providers to study the legal needs in the community, and whether those needs are being met. The focus of the work is to improve access to legal services, particularly in low to middle-income brackets.

The deadline to complete the survey is **October 31, 2014**. For more information or to access the survey, follow the links in the [highlight](#) on the website.

JUDICIAL APPOINTMENT

Sandra Harper, a lawyer with Harper and Company in Victoria, was appointed a master of the Supreme Court of BC (Vancouver). ❖



NEWS FROM THE LAW FOUNDATION

Law Foundation grants – a statistical overview

IN SPITE OF financial challenges caused by ongoing low interest rates, the Law Foundation continues to fund 88 continuing and on-track programs and 26 projects that contribute significantly to improving access to justice in BC.

The statistical highlights of the Law Foundation’s accomplishments in 2013 include:

- over 89,000 people received legal information, advice, summary service or representation from foundation-funded advocates or lawyers, in all regions of the province;
- over 100 public interest cases or regulatory hearings were completed;
- over 550 law students were supported;
- 126 publications were created by programs and made available online and in print (with over 126,000 hard copies of legal education resources being distributed);
- significant law reform and research work was done;
- the 30 law libraries continued to serve the profession and the public, answering over 21,000 information requests from the public and over 26,000 from the profession, and serving over 19,000 users via public access computers;
- 46 lawyers and 72 advocates were funded in various full and part-time positions.

GRADUATE FELLOWSHIPS

The Law Foundation will issue up to six graduate fellowship awards of \$15,000 for the 2015-2016 academic year. Applicants must be residents of British Columbia; graduates of a BC law school; or members of the BC Bar who are in full-time graduate studies in law or a law-related area.

All applications and supporting material must be received at the Law Foundation offices by **January 7, 2015**. For more information about the fellowships and the application process please refer to the Law Foundation website at lawfoundationbc.org (under Funding Available > [Graduate Fellowships](#)). ❖



The Law Society sponsored an Aboriginal Lawyers Mentorship Program meet and greet in September (see page 5 for more on the event). Several mentees from the first year of the program attended, including (left to right), Nathaniel Lyman, Steven Carey, Mary Mollineaux, Keith Brown and Kris Statnyk.

The Aboriginal Lawyers Mentorship Program: how it helps increase access

THIS PAST SUMMER, Joanna Recalma was faced with a difficult decision.

The lawyer and mother had been working at a small firm in Nanaimo and, after remaining with that firm for her first year of practice, she was considering making the jump into solo practice.

"It was nerve-racking," Recalma said. "I was examining what I was earning from the fee share, and the hours I was working,

and although I was grateful for my experience and articles, I thought perhaps it was best I try practising on my own."

The University of Victoria law school graduate is originally from the Qualicum (Pentlatch Nation) and Alert Bay ('Namgis Nation) and signed on to become a mentee when the Aboriginal Lawyers Mentorship Program began in 2013. While she was armed with tenacious grit and a law

degree, Recalma also had a lot of questions about practising alone. Before making her decision, she sought advice from the mentor she had met through the program. Recalma had been paired with a senior lawyer from Victoria.

"My mentor was able to meet me at the last minute, he was so flexible. He was so generous and giving of his time on an unpredictable schedule," she said. "He



Andrea Hilland, Staff Lawyer, Policy & Legal Services

made my choice into solo practice much easier.”

As expected, the first month of her venture met with some challenges, but now in her fourth month on her own, Recalma is busy with her practice. In fact, she is so busy that, for the moment, she is not accepting new clients.

Recalma’s successful transition into solo practice demonstrates how the Aboriginal Lawyers Mentorship Program helps junior Aboriginal lawyers in their careers. The program is administered by the Law Society, with help from the Canadian Bar Association, and pairs junior Aboriginal lawyers with senior lawyers for a mentor-mentee relationship.

The program recently launched its second cycle after a tremendously successful first year.

“We had a goal to match 20 pairs, and we met that goal,” Andrea Hilland said. Hilland is the Law Society staff lawyer who oversees the program. “We also had 17 additional senior lawyers who were on a wait list to become mentors.”

The program is open to junior lawyers and law students with Aboriginal ancestry who wish to be mentees. While mentors do not need to be of Aboriginal ancestry, they are asked to have an understanding of issues related to the retention of Aboriginal lawyers in British Columbia.

Once a mentor and mentee are matched, they remain in contact through phone calls, in-person meetings or electronically – giving the junior lawyer the opportunity to receive career advice from someone who is more experienced.

“Junior lawyers want to know what the ins and outs of the business part of

practising law are and how to work through that,” Hilland said. “A lot of that is not necessarily obvious ... there’s no how-to guide on it.”

The ultimate goal of the program is to retain and advance Aboriginal lawyers who are currently underrepresented in the legal profession in BC. According to the 2012 Law Society report, *Towards a more representative legal profession: better practices, better workplaces, better results*, only 160

lawyers — or 1.5 per cent of the profession — are of Aboriginal descent, while First Nations people represent 4.6 per cent of BC’s population.

Hilland cites several factors contributing to the underrepresentation of Aboriginal lawyers, such as socio-economic issues, and a desire for many of Aboriginal ancestry to stay in their communities, preventing them from pursuing a legal education.

“Another reason is a distrust of the Canadian legal system,” Hilland said. “It’s a lot of effort to become a lawyer, and a lot of times it’s difficult for many to get that far because they’re disillusioned by the Canadian legal system, so they don’t want to study it.”



Joanna Recalma

However, the training, retention and advancement of Aboriginal lawyers contribute to the strength of the legal profession, particularly in the area of Aboriginal law, according to lawyer and mentor Cheryl Sharvit.

“Aboriginal law is supposed to be inter-societal law. It’s supposed to reflect

Indigenous laws and legal systems,” said Sharvit, who has been practising Aboriginal law for 15 years. “Indigenous people with a foot in both worlds are the best people to explain [Indigenous law] to our judges and to ensure the proper implementation and operation of both legal systems in Canada.”

Tina Dion, a lawyer of Aboriginal ancestry and a mentor in the program, goes even further when speaking about the benefits of retaining Aboriginal lawyers.

“Canadian law is for all of us, but there are some unique aspects of our laws that apply directly and specifically in connection with Aboriginal peoples. I am not just referring to the large basket of ‘Aboriginal law,’ constitutional rights-based issues, but to other areas of law as well, such as criminal, family, administrative, elder, child welfare, and so on, that also require the Aboriginal perspective,” Dion said.

“Through the development of these areas of the law – which are always dynamic – lawyers who bring that unique perspective can only enhance the development of these laws, and our profession. It is also imperative, though, that Aboriginal lawyers be supported in practising in broad areas and not just those areas that touch on ‘Aboriginality,’ because with broader practice and participation, comes the potential increase in the number of Aboriginal judges at all levels, which will begin to address that current underrepresentation.”

It is the under-representation of Aboriginal lawyers that could be discouraging Aboriginal people from seeking legal advice and services when facing legal issues.

“People want somebody who knows the issues personally,” Hilland said. “Somebody who is coming from a similar community background might have that context so that the client doesn’t have to explain everything. They might anticipate that somebody from a similar background might have more empathy for their situation.”

The Law Society believes increasing diversity within the legal profession is part of improving access because the public is best served when members of the profession reflect the communities that they represent.

Recalma agrees. As a family and child protection lawyer, she says her Aboriginal clients are more at ease when they learn