



Photos: left by Ron Sangha Productions Ltd.; centre and right submitted by TRU and UVic, respectively

## GOLD MEDAL PRESENTATIONS

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

In 2016, gold medals were presented to Connor Bildfell of UBC (left photo, with Dean Catherine Dauvergne and Law Society First Vice-President Herman Van Ommen, QC), Cole Rodocker of TRU (centre photo, with Chancellor Hon. Wally Oppal, QC) and Wesley Hartman of UVic (right photo, with Dean Jeremy Webber and Bencher Dean Lawton).

## Second annual secondary school essay contest highlights significance of the rule of law

THE LAW SOCIETY'S Rule of Law and Lawyer Independence Advisory Committee launched an annual essay contest for BC secondary students last year to reaffirm the significance of the rule of law and to enhance students' knowledge and willingness to participate actively in civic life.

For the 2016-2017 school year, the Law Society is inviting all Grade 12 students and any secondary school students who have taken, or are currently enrolled in, either Law 12 or Civic Studies 11 to submit an essay on the following topic:

**How would you explain the rule of law to a fellow student who has**

**never heard the term before? You might discuss why the rule of law is important, and how it impacts our daily lives. You might also discuss any current events involving threats to the rule of law.**

Students are expected to submit an essay addressing the topic that demonstrates their understanding of the rule of law, its principles and its significance in civil society. Entries will be judged on a clear expression of ideas, an understanding of the topic, originality and excellence in writing.

The winner and runner-up will be

chosen by a judging panel representing the Law Society and the education community. The winning entry will be awarded a \$1,000 prize, and the runner-up will receive a \$500 prize. The winner and runner-up will be invited to an awards presentation event at the Law Society in Vancouver. Travel and accommodation costs for a student not living in Metro Vancouver will be provided by the Law Society.

Deadline for submissions is **April 10, 2017**.

For further details, see the [highlight](#) on the Law Society website. ❖

## Unauthorized practice of law

*UNDER THE LEGAL Profession Act, only trained, qualified lawyers (or articulated 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 omissions in the legal work or for 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.*

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During the period May 18 to August 5, 2016, the Law Society did not obtain any undertakings from individuals or businesses not to engage in the practice of law.

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

### Nashamen Ramzan

Nashamen Ramzan, of Richmond, con-

sent to an injunction prohibiting her from engaging in the practice of law, representing herself as a lawyer or otherwise qualified to practise law, and from commencing, prosecuting or defending proceedings in any court on behalf of others. The Law Society alleged that Ramzan had drafted various documents for a fee relating to an immigration matter. Further, the Law Society alleged that Ramzan charged a fee to commence and prosecute a family law proceeding and held herself out as a legal representative while doing so. Ramzan agreed to pay \$3,500 in restitution and \$1,500 representing the Law Society's costs. (June 2, 2016)

### Charles Bryfogle

On July 15, 2016, Associate Chief Justice Austin Cullen found Charles Bryfogle, of Kamloops, in contempt of various court orders and sentenced him to a conditional sentence order of one year followed by a year of probation. Included in the conditions of the sentence, Bryfogle is required to serve three months of house arrest, must undergo a mental health assessment

and follow the proposed treatment, and must not involve himself in the legal matters of members of the Tsilhqot'in Nation. Bryfogle must not enter any courthouse or file any documents during his sentence or probation, except in specific circumstances, including if the documents are signed by a lawyer.

### Ronald William Kostyk

On August 4, 2016, Mr. Justice George Macintosh found Ronald William Kostyk, of Surrey, in contempt of two court orders for representing himself as qualified or entitled to engage in the practice of law, failing to inform members of the public and administrative tribunals that he was not a lawyer, and failing to make restitution payments as previously ordered. The court sentenced Kostyk to 21 days of incarceration, which is to be suspended for three years and only served if Kostyk further breaches various court orders. Kostyk must complete 50 hours of community service within a year and must make monthly restitution and cost payments. ❖

## In brief

### QC NOMINATIONS

The Attorney General is now accepting nominations for Queen's Counsel. The nomination process will end on September 23, 2016.

More information, including the online application form and a consent form, is available on the Ministry of Justice website at [www.ag.gov.bc.ca/queens-counsel](http://www.ag.gov.bc.ca/queens-counsel).

Appointments are announced at the end of the year.

### JUDICIAL APPOINTMENTS

**Judge Marguerite H. Church**, of the Provincial Court in Williams Lake, was appointed a justice of the Supreme Court of BC in Prince George to replace **Mr. Justice J.W. Williams**, who was transferred to Vancouver.

**Maria Morellato, QC** was appointed a justice of the Supreme Court of BC in Vancouver to replace **Madam Justice L.A. Fenlon**, who was elevated to the Court of Appeal. Madam Justice Morellato was a Bencher for Vancouver County from 2012

until her appointment to the Bench.

**Jennifer Barrett** was appointed a judge of the Provincial Court in Victoria.

**Robert Gunnell** was appointed a judge of the Provincial Court in Chilliwack.

**Robin P. McQuillan** was appointed a judge of the Provincial Court, and will initially be assigned sitting duties out of the Office of the Chief Judge.

**Karen L. Whonnock, QC** was appointed a judge of the Provincial Court in Williams Lake. ❖



Photo: Ron Sangha Productions Ltd.

## 50- AND 60-YEAR CERTIFICATES

The Law Society hosted a luncheon in Vancouver on June 23, 2016, to honour lawyers who are celebrating milestone anniversaries in the profession.

Receiving 50-year certificates unless otherwise noted, were, front row, left to right: R. John Meyer, Shirley E. Giroday (60 years), William J. Worrall, QC (60 years), Nisson M. Goldman (60 years), John K. Dungate, Donald A. Farquhar, QC and Rex D. Blane.

Back row, left to right: Peter W. Brown, Ian G. McKenzie, Mitchell H. Gropper, QC, Donald H. Risk, QC, Derek T. Hopkins, Tsang Wing Wai, Robert C. Gardner, QC, Kenneth J. Yule, QC, Kenneth J. Smith and George R. Brazier.

Also honoured this year, but not pictured: William S. Berardino, QC, David C.T. Davenport (60 years), William H. Davies, QC (60 years), Peter U.W. Ewert, QC, Brian C. Irwin, Brig. Gen. Frank Karwandy, QC (60 years), Henry T. Kennedy, Roy A. Logie (60 years), Warren J.A. Mitchell, QC, Michael J. O'Keefe, QC, Edward St. John Pollard, Vincent P. Reilly, QC, Bruce W.J. Rieck, Richard J. Scardina, Peter H. Stafford, QC and Sam Zalkow.



FROM THE LAW FOUNDATION OF BC

## Bank of Montreal

LAW FOUNDATION CHAIR Warren Milman commends Bank of Montreal for its commitment to paying a competitive rate of return on lawyers' pooled trust accounts. During these unprecedented times, recognizing the overall impact of protracted low interest rates on the Law Foundation's revenues, Bank of Montreal agreed to a new interest rate agreement.

Thanks go to Lauren Wilson, Vice President Commercial Banking; Pardeep

Dosanjh, Commercial Account Manager; Paul Seipp, Regional Vice President Commercial Banking; and Michael E. Bonner, Senior Vice President, British Columbia & Yukon, Bank of Montreal, for their leadership in making this new agreement possible.

Increased revenues enable the Law Foundation to fund programs that make the justice system accessible to the people of British Columbia. The funded programs

include professional legal education, public legal education, law reform, legal research, legal aid and law libraries.

The Law Society, the Canadian Bar Association, BC Branch and the Law Foundation encourage lawyers to consider which financial institutions provide the best support to the Law Foundation when deciding where to place their trust accounts. ❖



*Honourable Judge Len Marchand Jr.*

Photo: Kelly Funk Photography

## A conversation on reconciliation with the Honourable Judge Len Marchand Jr.

JUDGE LEN MARCHAND Jr., like his father, has been a tireless champion of Indigenous people and communities in BC. His father, the late Honourable Len Marchand Sr., made it his life's work to improve the lives of Indigenous people. As the first status Indian to be elected as a Member of Parliament and appointed to the federal cabinet, Marchand Sr. was a true trailblazer and role model.

Growing up as a member of the Okanagan Indian Band, Marchand credits the support and encouragement of his family for his ability to achieve his career goals.

After finishing a bachelor of applied science in chemical engineering at the University of British Columbia in 1986, Marchand worked in the oil industry for five years. He returned to school to study law at the University of Victoria in 1991 and was called to the Bar in 1995. As a civil litigator, he focused on historic child abuse claims in institutional settings and represented residential school survivors.

In 2005, Marchand helped negotiate and was a signatory to the Indian Residential Schools Settlement Agreement, the largest class action settlement in Canadian

history. He also served on the Oversight Committee for the Independent Assessment Process, a claimant-centred and neutral adjudication process that provides former residential school students with a way to settle their claims out of court. Marchand was appointed to the bench of the Provincial Court on September 3, 2013. He currently sits in Kamloops and presides at First Nations Court as part of a regular rotation with other local judges.

In August 2016, Marchand was

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