
To: NALP Board of Directors
Cc: Emily Orchard, Lisa Del Col
From: Leeann Beggs
Subject: Canadian Section Report on Working Groups

The following is an update from the Canadian Section on the activities of the Working Groups to October 16, 2014.

I understand that Emily Orchard, the Canadian Regional Representative, will be submitting a report to you under separate cover and that the focus of her report is on activities and market trends in the Canadian Region. In addition, I understand that Lisa Del Col, the CLCDN liaison to NALP, will be doing the same with a school side focus. We are doing our best to coordinate our activities and reports to minimize overlap.

Canadian Section Working Group Reports

1. Summer and Articling Working Group (SAWG)

Vice Chairs: Emily Orchard (University of Toronto) and Nancy Stitt (Goodmans LLP - Toronto)

Working Group Members: Jennifer Lau (University of British Columbia), Marla Billingham (University of Manitoba), Ari Blicher (Aird & Berlis – Toronto), Mya Bulwa (Osgoode Hall), Carol Chestnut (Stikeman Elliott – Vancouver), Stacy Keehn (University of Ottawa), Frances Mahil (Davies Ward Phillips and Vineberg – Toronto), Heather Wiltse (University of Victoria), Christina Beaudoin (Osler LLP – Toronto), Danielle Traub (Torys LLP – Toronto), Natalie Zinman (Gowlings LLP-Toronto), Tracy Robillard (McMillan LLP – Toronto)

Background:

1. Feedback from member employers and schools following the Toronto fall recruitment process in 2013 suggested that the Summary of the Best Practices document produced by SAWG, and circulated to members before interview week, did nothing to reduce the frequency of breaches of the LSUC Rules.
2. At the NALP End of Year Meeting in December 2013, there was a moderated discussion about the SAWG's proposal to implement a process for dealing with complaints made against employers who are reported to have acted offside of the LSUC Rules. The majority of NALP members were in agreement that the solution to breaches of the rules should not to entail increased regulation of the recruitment process, but should instead deal directly with the employers against which complaints are waged. The mechanisms for resolving complaints have not been resolved, but will likely involve the school co-chair of the SAWG contacting those employers against whom three or more complaints

are made. In the first year in which a complaint is registered, a call will likely be the only action taken. If the employer receives complaints in subsequent years, however, there will be an escalating response (i.e. the firm's name may be disclosed on a "naughty" list).

3. The law schools agreed to circulate a national survey to all students who participated in the fall recruitment process. Students will not be asked to identify themselves by school or otherwise.

4. In advance of the Fall 2014 Recruitment process, SAWG is to develop an anonymous survey template that will be the basis on which complaints against employers are tabulated.

Report:

The Summer and Articling Working Group met in July, 2014. The group discussed a number of recruitment related issues, including the following:

- Best Practices for Toronto Summer and Articling Recruitment Practices document (the "Best Practices Guide");
- the National Recruitment Survey;
- CASL (Canada Anti-Spam legislation) as it related to the viRecruit portal (the "Portal");
- accommodation wording on the Portal;
- the treatment of foreign students applying in Canadian recruitment processes;
- the requirement of keeping articling open offers to summer students, including the issues this causes for employers as well as students seeking positions, and the reasons it is in place with respect to protecting those who may wish to change employers;
- whether there was interest in changing application dates for the Toronto recruit; and
- Portal dates

The Group will be scheduling a follow up meeting prior to the Canadian NALP Winter meeting.

2. National Recruitment Survey Working Group

Working group members: Jennifer Lau (University of British Columbia), Lisa Blair (BLG – Ottawa), Emily Orchard (University of Toronto), Marketta Jokinen (BLG – Vancouver), Maryanne Forrayi (University of Calgary), Stacy Keehn (University of Ottawa), Margaret Seko (Bereskin & Parr), Kara Sutherland (Dentons – Toronto)

Background:

Arising from the Summer and Articling Working Group, this group was formed to operate on a temporary basis to manage the creation and implementation of a National Recruitment Survey.

Report:

The National Recruitment Survey will survey Canadian law students on their experiences with regards to employers in the summer and articling recruitment cycles in the major urban markets: Vancouver, Calgary, Toronto, and Ottawa. Students will be surveyed as to both positive experiences with the recruitment process as well as employer behavior that could be improved, or brought in line with the relevant rules/guidelines for the particular jurisdiction. At this point, there is little appetite to survey students with regards to the Montreal market. The survey may eventually be expanded to include Atlantic Canada. The survey with regards to the 1st and 2nd year summer recruitment cycle is in the process of being drafted. A small working group has been formed to provide feedback on survey questions and format. A draft online version of the survey covering the markets of Vancouver, Calgary, Toronto, and Ottawa has been circulated to the working group as well as the Canadian law school CSOs for feedback. Once the questions are finalized, the survey is expected to be translated into English and French versions.

The proposed timeline is to survey students regarding 2nd year summer 2015 recruitment in the Vancouver, Toronto, and Calgary markets in mid-November 2014 with results being reported at the mid-Winter December 2014 meeting in Toronto. A second survey would be sent to students in early March 2015 regarding summer recruitment in the Ottawa (2L), Calgary (1L), Toronto (1L), and Atlantic Canada (2L) markets.

The working group is still in discussions as to what will be done with the results of the survey, and how those results will be communicated to firms.

2. Canadian Directory of Legal Employers (CDLE) Working Group

Vice-Chair: Robyn Martilla (Western Law), Marie Harding (McInnes Cooper-Atlantic Canada)

Working Group Members: Maryanne Forrayi (University of Calgary), Nicole Lecours (Stikeman Elliott – Calgary), Catherine Bleau (Osler – Montreal), Clea Ward (University of New Brunswick), Jordana Laporte (University of Toronto).

Background:

The conversion of the CDLE form to the U.S. based platform was completed in November of 2013. After several weeks of beta testing by the working group members, the newly developed CDLE was launched to Canadian employers in late November for data collection. Several additional changes to the form were suggested by both working group members and other employers and subsequently implemented. The public, searchable portion of the site was launched and available to students in December.

Report:

After moving to the new US-style platform earlier this year the group is focused on ironing out any lingering issues with the new format and stepping up employer outreach. The group provided a report to Lisa Quirk at NALP in May on additional wording and formatting changes they would like to see implemented to make the CDLE more user friendly. The group had a conference call at the end of August. Much of the call focused on plans to increase the number and diversity of employers using the CDLE. Larger centres such as Toronto, Vancouver, Calgary and Montreal and fairly well represented on the site.. The group would like to target smaller firms, in-house legal departments and public interest organizations in these centers as well as underrepresented regions such as Atlantic Canada, the prairies and northern and southern Ontario. The Working Group has a conference call scheduled for November 28, 2014

3. Diversity Working Group

Vice-Chairs: Judith Atwood (McMillan LLP – Vancouver), Anna DeCia (University of Windsor Law)

Working Group Members: Alison Cowan (Farris), Thelma O’Grady (Bull Housser & Tupper – Vancouver), Lynn Iding (McInnis Cooper – Halifax), Anne Pappas (Thompson Rivers University), Emily Galer (Dentons- Vancouver), Sara Lefton (Dentons- Toronto);

Background:

The Diversity Working Group held the first Canadian Diversity Conference on December 5th, 2013 at Goodmans LLP in Toronto. It was a successful day with approximately 60 people in attendance. The group surveyed the attendees afterwards electronically to get their thoughts on the content and format for future Diversity Conferences. There was demonstrated appetite for future Diversity Conferences. The group will discuss priorities for the year, including a detailed discussion about the timing and structure of the next Diversity Conference, which is anticipated to take place in December 2015.

Report:

The Diversity Working Group will be putting on a free NALP webinar in November. So far we have the following details confirmed:

Topic: Promoting Inclusion and Diversity within your Workplace

Speaker(s): Emma Halpern, Equity Officer at the Nova Scotia Barrister's Society and possibly Erica Chung, Executive Director, Initiative for Diversity (we are waiting on confirmation of participation from Erica)

Date: November 18th or 20th (waiting to hear about best date for speaker(s))

Mary Beal has kindly agree to assist us in getting the webinar organized and promoted. As soon as we have the remaining details we will be in touch with her.

The Diversity Working Group will hold its kick-off meeting on June 24th and plans to meet monthly or bi-weekly thereafter, as needed.

4. End of the Year Canadian Section Meeting / NALP Winter Meeting Working Group

Co-Chairs: Natalie Zinman (Gowlings LLP – Toronto), Mya Bulwa (Osgoode Hall)

Working Group Members: Lisa Blair (Borden Ladner Gervais – Ottawa), Heather Wiltse (University of Victoria), Tracy Robillard (McMillan – Toronto), Julie Banting (Queen's University), Leeann Beggs (Gowlings LLP- Ottawa), Patti MacDonald (Gowlings LLP – Toronto), Pam Cyr (University of British Columbia), Sara Lefton (Dentons – Toronto)

Report:

The NALP Winter Meeting Working Group has been meeting (via teleconference) almost monthly since June 2014. The Winter Meeting will be held on Tuesday, December 2, 2014 at the offices of Norton Rose, LLP in Toronto and will be followed by a cocktail reception hosted by Cassels Brock & Blackwell LLP. The Working Group has finalized what it believes is an engaging agenda with the theme Forward Thinking: Engaging the Future of Legal Practice . Sessions will include:

- an update from the Law Society of Upper Canada and Ryerson University's Law Practice Program on the Pathways Pilot Project
- an overview report on the Canadian Bar Association's Futures Report
- an interactive discussion on law school and law firm wellness programs

Online registration for the Winter Meeting will be administered by NALP and will be open beginning on or around October 23, 2014.

5. OCI Advisory Group

Members: Stacy Keehn (Vice-Chair, University of Ottawa), Margaret Seko (Bereskin & Parr – Toronto), Bibiane Bijsterveld (Faskens – Vancouver), Heather Wiltse (University of Victoria), Julie Banting (Queen’s University)

Report:

The OCI advisory group is pleased to welcome two new members, Julie Banting and Bibi Bijsterveld. The group is currently working on the 2015 OCI schedule. A draft was developed and we sought employer feedback. We conducted a systematic survey of Western employers as well as some ad hoc surveying of Eastern employers around pieces of the schedule which were causing challenges. The feedback received through both surveys will mean a possible significant revision of the schedule. The groups next meeting is scheduled for November 14, 2014.

NALP Long Range Strategic Planning Committee – Survey

Section members have been prompted to participate in the Strategic Planning Committee Survey as soon as possible.