

OCTOBER 2023 NALP QUARTERLY BOARD REPORT

Date: October 19, 2023

To: NALP Board of Directors (via e-mail)

Cc: Ryan Baker and Grace Premachandran
(Canadian Region Regional Reps)
Keya Dasgupta (NALP Board Member)

From: Myriah Graves (Canadian Section Co-Chair)
Christi McAuley (Canadian Section Co-Chair)

Please see below the summary from the Canadian Section, which includes a summary of the Canadian NALP Bulletin contributors and an update from the Working Groups.

Further, we are pleased to report that Rose Yanco (Henein Hutchison Robitaille LLP) has taken on the role of Well-Being Champion for the Canadian Section.

Overview

1. NALP Canadian Section 2022/2023 Bulletin Contributors
2. Updates from the Working Groups

1. NALP Canadian Section 2022/2023 Bulletin Contributors

The upcoming Canadian Bulletin contributions for 2023 are as follows:

ARTICLES and COLUMNS

Author(s) Name, Email	Tentative Topic	Preferred Issue Months
Ebony Rose	Lawyer Learning in a Post- Pandemic World	October
Selina Mamo & Grace Smith	Importance of Real Time Feedback	December
Lisa Del Col	Supporting Trans and Non-Binary Students and Lawyers	January
Lynn Iding	Responding to Microaggressions (and coaching others on how to respond)	February
Ashley Thomassen & Lauren Sigal	Engagement Strategies and Generational Differences in Law Firms	March

FEATURE ARTICLES

Author(s) Name, Email	Tentative Topic	Preferred Issue Months
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2. Updates from the Working Groups

A. *Diversity Working Group*

Co-Chairs: Bethany McCoy (Cassels) and Nicole Salama (Minden Gross LLP)

Members:

- Anna Maria Decia-Gualtieri (Windsor Law)
- Glenn Chu (City of Toronto, Legal Services)
- Lisa Del Col (Osgoode Hall Law)
- Neil Dennis (Blaney McMurtry)
- Myriah Graves (Fogler Rubinoff)
- Jen Quito (Dentons)
- Kyle Elliott (Blakes)

Update

We continue to work on updates to the NALP Diversity Guide for a Canadian audience, for presentation at the upcoming Canadian Section Winter Meeting. We will be coordinating any changes with mind to the updates coming to the American NALP Diversity Guide, which are being worked on by the NALP Diversity Committee.

B. *CDLE Working Group*

Co-Chairs: Kara Sutherland (Dentons) & Maryanne Forrayi (U Calgary Law)

Members:

- Ryan Baker, Bereskin Parr
- Lisa Cunningham, Wildeboer Dellelce
- Glenn Chu, City of Toronto, Legal Services
- Kyle Elliott, Blakes
- Myriam Lapierre, Osler
- Robyn Marttila, Western
- Jina Dhillon, UVic
- Samantha Samuels, Cassels Brock
- Analea Wayne, DLA Piper

Update

Since our last report, the CDLE working group has been liaising with Lisa Quirk to finalize the changes to the demographic questions which we anticipate will be in place for the fall 2023 update of the CDLE. The CDLE has also been amended since our last report to remove the compensation information to ensure compliance with Canadian competition legislation.

C. SAWG Toronto

Co-Chairs: Myriah Graves (Fogler, Rubinoff) & Robyn Martilla (Western Law, UWO)

Members:

- Teri MacDonald (Osler, Hoskin & Harcourt LLP)
- Megan Percy (Aird & Berlis LLP)
- Cheryl Biehler (Fasken)
- Georgia Brown (Emma Sako while Georgia is on leave) (Torys LLP)
- Stacy Keehn (University of Ottawa)
- Amanda Fiorelli (Davies)
- Hakim Kassan (McCarthy Tetrault)
- Mya Rimon (Osgoode Hall Law School)
- Michel Lederman (Goodmans LLP)
- Stephanie Mui (Peter A. Allard School of Law)
- Shawn Swallow (Schulich School of Law)
- Scott Warwick (Department of Justice)
- Brian Puddington (PPSC)
- Glenn Chu (City of Toronto, Legal Services)
- Mya Rimon (Osgoode Hall Law School)
- Tierny Read Grieve (Hicks Morely)
- Lindsay Kantor (Torkin Manes)

Update

SAWG doesn't have too much to report at this time. We are in the process of considering the changes to the *Competition Act* that have prevented employers from listing compensation on the Canadian Directory of Legal Employers and any updates to the Best Practices that may be required.

D. SAWG Vancouver

Chairs: Pamela Cyr- Norton Rose Fulbright and Stephanie Mui- Allard Law, UBC

Members:

Lisa Anderson – Singleton Reynolds
Evan Atkinson – Allard Law, UBC
Tory Brown – Allard Law, UBC (on maternity leave as of August 2023)
Jina Dhillon – University of Victoria
Heather Doi, Niall Rand, Elise Kohno, Catherine Repel, David Penner – Vancouver Bar Association (VBA)
Allison Jackson – Lawson Lundell
Christi McAuley – Thompson Rivers University
Jennifer McNaught – Blakes
Ilana Schrager – McMillan (on maternity leave as of August 2023)
Stacy Shields – Norton Rose Fulbright (on maternity leave as of August 2023)
Christine York – Alexander Holburn Beaudin + Lang

Update – July 18th Meeting

1. **Competition Act:** We reviewed the different opinions we received from our respective legal counsel. Some firms had been advised that it is fine to continue participating in the structured recruits and in working groups such as V-SAWG, so long as members are careful to not stray into discussions around salary or bonus or employment conditions, including hybrid work arrangements. It was recommended that meetings also have an agenda that is circulated beforehand. In light of the advice received, some firms have removed references to monetary amounts from their profiles on NALP. The group will continue to discuss this after receiving further legal opinions from the schools and the VBA.
2. **Structured Articling Recruit:** The group reviewed the VBA Best Practices as they related to the structured articling recruit in Vancouver (which took place in summer 2023, with in-firm interviews happening in mid-August). It was noted that there was no substantial change in the number of employers participating in the structured articling recruit this year, which has remained relatively tepid over the course of the last several years. Some participating firms also noted a substantial increase in the number of applications from students who were trained outside of Canada (i.e. attended school and/or were licensed in another jurisdiction). As a result, their review process was completely different and much more time consuming. Participating firms also noted that they had heard of students receiving and accepting offers earlier from other firms, including a number in interior BC. The VBA asked to be advised if the group heard of any other early offers being made, particularly those in Vancouver, due to the Law Society of BC Rules around articling offers. Should any of these end up being a violation of the VBA Guidelines, the first step would be educating these employers and engaging in conversation. It was also discussed how some participating employers did virtual-only interviews for students outside of Vancouver, which made for a less positive experience for those students affected. The group considered whether this is something to be communicated to employers, as it may result in them receiving fewer applicants. Lastly, it was flagged that the VBA Guidelines had an old version of LSBC Rule 2-58.
3. **Structured Summer Recruit:** The question was posed to the group around parameters for coffee chats, and whether it was preferable for students to reach out to employers to ask to be put in touch with students (or others at the firm), or to directly contact members of the firm themselves. Members shared how most are happy to field these requests and connect students with lawyers and current students, but are also fine with students contacting those at the firm directly. We discussed the importance of advising students not to overdo it and be thoughtful as to the questions they ask as opposed to just checking off a box, as asking too many people shows a lack of understanding and respect of the lawyers' time, as well as putting a lot of pressure on all parties involved. Some firms also indicated that they do not do one-on-one coffees for these reasons (e.g. pressure, too time consuming, etc).
4. **Blackout Period:** We discussed the importance of reminding students and other employers about blackout period for the structured articling recruit. For employers that aren't participating in the structured articling recruit, it was confirmed that they do not follow blackout period rules as it doesn't apply to them. The question was raised as to whether firms that are participating in the structured articling recruit can meet with students that aren't part of that recruit (i.e. 1L and 2L students not looking for or applying for articles).
5. **Next Meeting:** The next V-SAWG meeting will take place on **Wednesday, Nov 22, 2023** with the intention that a larger meeting with all employers that participated in the structured summer recruit will take place during the week(s) after.

E. OCI Advisory Working Group

Chair: Chris McKenna (Bennett Jones, Toronto)

Members:

- Natasha Bhimji (Stikeman Elliott, Toronto)
- Shawn Swallow (Dalhousie Law)
- Tiffany Soucy (McMillan LLP)
- Gabrielle Maunier (Blakes, Calgary)
- Christine York (Alexander Holburn)

Update

The OCI Advisory Working Group will be circling back regarding next year's OCIs in the coming weeks.

F. Mid-Winter Meeting Working Group

Co-Chairs: Ellen Dalicandro (WeirFoulds) and Nicole Salama (Minden Gross)

Members:

- Lindsay Kantor (Torkin Manes)
- Megan Percy (Aird & Berlis)
- Grace Premachandran (Lincoln Alexander Law)
- Piper Riley Thompson (University of Calgary)

Update

The Winter Meeting will take place in person on December 11 at Gowling WLG's office in Toronto. The Working Group ("WG") distributed a survey asking for feedback on topics and speakers of interest. Several members provided comments and the WG is now formulating the agenda. The WG looks forward to sharing the agenda and sign up information with the Canadian community over the next few weeks.

G. Canadian Industry Data Working Group

Co-Chairs: Shawn Swallow (Dalhousie Law) & Alex Waite (Ottawa)

Members:

- Christi McAuley (TRU Law)
- Ryan Baker (Bereskin & Parr)
- Nanci Shipp (Davies)

Members: Seeking Employer Members

Update

The Industry Data working group manages three surveys. The Class of 202X Snapshot Survey occurs annually, and there are two biennial surveys – the Law School Salary Survey and the Survey of Legal Career Professionals - Employers

- Class of 2022 Snapshot Survey: Circulated to schools in April 2023 – Survey completed, results circulated.
- Law School Salary Survey: Circulated to schools in May 2023 – Survey completed, results circulated.
- Survey of Legal Career Professionals - employers: Will be circulated end of May 2024.

H. National Recruitment Survey Working Group

Chair: Jennifer Nadon (uOttawa Law)

Members:

- Nicola Martin (Ontario regional member, Osgoode)
- Maryanne Forrayi (Alberta regional member, University of Calgary)
- Christi McAuley (BC regional member, TRU)
- Martha McClellan (Atlantic Canada regional member, UNB)
- Myriah Graves (employer advisor member)

Update

The group is on track with all survey activities (survey content updates, survey distribution, data collection, and reporting) for all structured recruitment processes in all major markets nationally. In October, the National Recruitment Survey Working Group received data collected from the 2024-2025 Articling Recruitment Survey. The working group will be producing a full summary report and individual employer reports of those results ahead of the next structured articling recruitment survey cycle. The group will be updating and finalizing the content for the Fall 2023 recruitment survey and timing its distribution to coincide with the conclusion of the Fall recruits. The group has drafted a framework document to detail the workload of the group's members as well as a timeline of activities to facilitate leadership transitions.

I. Toronto Recruitment Review Working Group

Co-Chairs: Lisa Del Col (Osgoode Hall Law School) and Tiffany Soucy (McMillan)

Members:

- Julie Banting (Queen's Law)
- Grace Premachandran (Lincoln Alexander Law)
- Selena Randhawa (Windsor Law)
- Ryan Baker (Bereskin & Parr)
- Cheryl Biehler (Faskens)
- Hayley Wong (Norton Rose Fulbright)

Update

Group Mandate:

- Our mandate was to conduct a review of the Toronto 2L student recruitment process including timing, format and related procedures and make any recommendations for changes to improve the recruitment processes.
- Broadly speaking looked at four major areas of the recruit: (a) the application process, (b) OCIs and "intent to call" process, (c) the in-firm process and (d) timing/ schedule of the recruit

Recap of Work:

Stakeholder Surveys

- The Working Group consulted stakeholders (employers, schools and students) to gather data about pain points during the recruit

Consultant Workshop

- The Working Group retained the services of Gimbal Consulting to assist them in their work. Gimbal is a company consisting of lawyers who provide consultation and guidance on legal process improvement. You can read more about Gimbal [here](#).
- The Working Group had a two-day workshop with Gimbal on December 13 and 14, where they worked to identify the main goals of each stakeholder using the survey results, and then worked together to identify key pain points and work through possible solutions.

Report, Recommendations and Meeting

- The Working Group used the information from the workshops to draft a report and make recommendations for changes/updates to the process
- The Report was shared with stakeholders and a Zoom meeting was held to go over the recommendations.

Outcomes:

- We thank all stakeholders who took the time to provide their thoughts and insights to the Working Group about how the recruitment process could be improved. We have completed our review and presented our recommendations to all stakeholders and NALP, and our mandate is now complete. The mandate is now with NALP to determine what, if any, next steps should be taken, including the potential of other Canadian Section Working Groups using the data of this Working Group in informing any possible next steps.