

To:	NALP Board of Directors (via e-mail)
Cc:	Laura Pringle (Canadian Region Regional Rep)
	Lynn Iding (NALP Board Member)
From:	Katrina Henn (Canadian Section Co-Chair)
	Sophie Roy-Lafleur (Canadian Section Co-Chair)
Subject:	February 2022 NALP Quarterly Board Report – Canadian Section

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. Laura Pringle, Regional Representative, will be providing an update on the Canadian Region generally.

Overview

1. NALP Canadian Section 2020/2021 Bulletin Contributors
2. Updates from the Working Groups

1. NALP Canadian Section 2021/2022 Bulletin Contributors

The list below sets out the upcoming Canadian Bulletin contributions for 2021/2022:

- February 2022 edition (deadline Dec. 15): Bonnie Lussier, *From Languishing to Resiliency, Emerging From the Pandemic*
- March 2022 edition (deadline Jan. 17): Staci Angelis, *Burnout and Stress: The Effects of Acute and Chronic Stress*
- April 2022 edition (deadline Feb. 15): Maryanne Forrayi, *Fostering Innovation: Students Leading the Future of Law*
- May 2022 edition (deadline March 15): Jayne Rossworn, *Wise Decision-Making: Coaching Students and Associates*
- June 2022 edition (deadline April 15): Katie Behan, *Strategic Social Media Research: Taking It a Step Beyond*
- July/August 2022 edition (deadline May 16): Jennifer Nadon, *Not the Be-All and End-All: Helping Students Analyze Grades and Info*

2. Updates from the Working Groups

A. *Diversity Working Group*

Chair: needs new chair

Members:

- Anna Maria Decia-Gualtieri - Windsor
- Kim Bonnar - Cassels
- Neil Dennis - U of Toronto
- Myriah Graves -Fogler Rubinoff
- Kimberley Grange (Dentons)
- Nicole Salama - Gowlings
- Laura Pringle - Uvic
- Danica Steadman – Gowlings

- Ryan Baker – Bereskin Parr
- Lisa Del Col – Osgoode
- Kristy Foreman – ForeReach Consulting

Update

The Working Group arranged a successful D&I Summit in December 2021 with over 40 attendees. The Working Group put in an enormous effort this year to bring relevant topics of equity, diversity, and inclusion to the forefront. Programs addressed data collection of EDI stats and the privacy law issues that surrounds it, methods of retention and inclusion of equity-deserving individuals across all sectors of the legal industry (schools, law firms, government, and in-house), and implementing Truth and Reconciliation initiatives in the legal profession. Through the preparation process for the data collection panel, the Working Group was able to connect with the group of law firms overseeing EDI data collection through viLaw in Toronto, and give a summary of their progress through the Summit.

B. CDLE Working Group

Co-Chairs: Kara Sutherland (Dentons)
Maryanne Forrayi, University of Calgary

Members:

- Jennifer Lau, UBC
- Ryan Baker, Bereskin Parr
- Robyn Marttila, Western
- Laura Pringle, UVic
- Samantha Samuels, BLG
- Kyle Elliott, Blakes
- Bethany McKoy, Lenczner Slaght
- Lisa Cunningham, Wildeboer Dellelce
- Glenn Chu, City of Toronto, Legal Services
- Julie Girouard, Fasken

Update

Our CDLE working group met in November and December to discuss possible changes to the Diversity and Demographics Sections of the CDLE. We formed two working sub-groups:

- *Demographic Categories Sub-Group* – This group is reviewing the various lists of demographic categories that are used by schools, law societies, firms, etc. to see if we can come up with a list of some consistent demographic categories and recommendations on what those categories could be and how granular we could/should get.
- *Qualitative Sub-Group* – this group is focused on “what information are students looking for?” and “what is the best way of gaining access to that information through the CDLE?”.

These subgroups have been meeting in January and we will regroup as a full team in mid-February. We are hoping to be in a position to land on some possible options and then move to the stakeholder engagement phase.

C. Summer and Articling Working Group (SAWG) Toronto

Co-Chairs: Natalie Zinman (Lenczner Slaght) & Robyn Martilla (Windsor)

Members:

- Kari Abrams (Blake, Cassels & Graydon LLP)
- Christina Beaudoin (Osler, Hoskin & Harcourt LLP)
- Ari Blicker (Aird & Berlis LLP)
- Georgia Brown (Torys LLP)
- Stacy Keehn (University of Ottawa)
- Amanda Fiorelli (Davies)- on leave
- Hakin Kassan (McCarthy Tetrault)
- Eowynne Noble (Fasken)
- Mya Rimon (Osgoode Hall Law School)
- Angela Sordi (Borden Ladner Gervais LLP)
- Michel Lederman (Goodmans LLP)
- Kara Sutherland (Dentons Canada)
- Scott Warwick (Department of Justice)
- Brian Puddington (PPSC)
- Glenn Chu (City of Toronto, Legal Services).

Update

Members of SAWG met in December to consider changes proposed by the regulator ,the Law Society of Ontario (“LSO”) to streamline the summer and articling recruitment procedures. SAWG was successful in advocating for changes to the procedures including moving up the application deadline for 2023 2L summer positions (from August to July), updating several definitions and clarifying the process for scheduling interviews and the period of non-contact (formerly known as the "Black-out Period"). The LSO declined SAWG's request to formally incorporate the Best Practices for Toronto Summer & Articling Recruitment Activities into the LSO summer and articling recruitment procedures. SAWG will continue to update the Best Practices annually and circulate them broadly to employers, career services offices and law students participating in recruitment.

D. SAWG Vancouver

Co-Chairs: Pamela Cyr (Norton Rose Fulbright) & Christi McAuley (TRU Law)

Members:

- Allison Jackson & Jennifer Vermiere (Lawson Lundell)
- Marianne Johnstone & Parveen Sehra (Singleton)
- Bonnie Lussier (DLA Piper)
- Jennifer McNaught (Blakes)
- Laura Pringle (UVic Law)
- Andrea Greenwood (mat leave replacement for Ilana Schragar) – McMillan
- Niall Rand (Fasken) & Vanessa Williams (Blakes) – Vancouver Bar Association Reps
- *Stephanie Mui – (Allard Law, UBC) – new member since last report*
- Christine York (Alexander Holburn)

Update

The group has discussed the following topics since our last report on October 15, 2021:

- **Summer 2022 Recruitment Debrief:** The group discussed the Summer 2022 recruit that occurred this past fall, with focus on the following types of ‘bad behaviour’ that was observed during the recruit:
 - Students were again reporting feeling pressured by firms to indicate whether the firm was their ‘first choice’. This typically seems to be done by firm lawyers (rather than recruiters) and so a request was made that lawyers be reminded of these rules.
 - Once again, there were firms that made offers to students **before** the VBA’s offer day. It seems to be the same firms that do this year after year. There was a discussion about the possibility of a request being made once again to the Law Society of British Columbia to implement an ‘offer day’ rule for the 2L summer recruit, just as it has for the articling recruit, since the LSBC rules are mandatory for downtown Vancouver firms (while the VBA rules are voluntary). One group member volunteered to bring this discussion to a LSBC bench at their firm.
 - There was at least one firm that is believed to have given students gifts, despite agreement between the firms that *no gifts* would be given. During the discussion, it was observed that the firm may not have known about the agreement, and that perhaps there might be better communication around such rules going forward. The VBA spoke about increasing their own communication to employers regarding the rules, and the schools agreed with the employers’ request to ensure that the ‘no gifts’ rule is directly communicated to students going forward. While students would not be expected to enforce this rule themselves, if they were aware of it, they would not view firms that did not give gifts in a less positive way and would also be more likely to report gifts to their CSOs, enabling the group to have a better understanding of how widespread the practice is.
 - There was a brief discussion on the topic of firms having events after OCIs but before the blackout period. This topic was deferred to a later meeting, as the members present did not have enough information about this.

- **Logistics of Future Recruits – Articling 2023-2024 and Summer 2023:** The group discussed the preferred logistics for upcoming recruits, with the consensus being that, while it would be preferred for formal interviews to be held *in-person*, it was too early to make any decisions yet and the situation would have to be evaluated closer to the date of the recruit, keeping in mind the recommendations from the public health authorities at that time. There was also a discussion about the format of OCIs for the summer 2023 recruit. The school members saw many benefits to having the OCIs virtual, rather than in-person: it allows for an increased number of employers to attend, which increases opportunities for students; it is more convenient and equitable for students and employers; and the virtual format seemed to be less stressful for students. There was employer support for the idea of in-person OCIs for the local B.C. schools with other OCIs being virtual. Decisions on format will be made by individual schools closer to the dates for the events.

E. OCI Advisory Working Group

(Interim) Chair: Chris McKenna (Bennett Jones, Toronto)

Vice Chair: TBC

Members:

- Gabrielle Maunier (Blakes, Calgary) – Co-Chair, Incoming
- Natasha Bhimji (Stikeman Elliott, Toronto)
- Neil Dennis (UofT)
- Shawn Swallow (Dalhousie)
- Christine York (Alexander Holburn)

Update

The Working Group has completed the fall 2022 OCI schedule and will start turning their attention to fall 2023 in the coming weeks.

The Working Group is seeking one school member – Western Canada – to join and one employer member – Eastern/Ontario to join.

F. Mid-Winter Meeting Working Group

Chair: Myriah Graves (Fogler Rubinoff)

Members:

- Hilary Clarke (independent consultant)
- Patricia Neil (University of Alberta)
- Nicole Salama (Gowlings)
- Ryan Baker (Bereskin Parr)
- Leanne Shafir (Ryerson)
- Lisa Del Col (Osgoode)

Update:

The Winter meeting took place virtually on Tuesday, December 7 and Wednesday, December 8, 2021 from 12:00 p.m.-5:00 p.m. The theme for the meeting was “*Looking Back, Moving Forward*”. It was well attended with over 75 delegates. We enjoyed learning from a variety of presenters tackling topical issues from mental health to the challenges of attrition.

The Working Group is looking for new members (including a chair) for the 2022 Winter Meeting. If you are interested in volunteering, please get in touch with Myriah Graves at mgraves@foglers.com

G. Canadian Industry Data Working Group

Chair: Vacant

Vice Chair: Laura MacLelland (U of A)

Members:

Christi McAuley (TRU)
James Liepold (NALP)
Laura Pringle (UVic)
Lisa Cunningham (Wildeboer)
Nanci Ship (Davies)
Ryan Baker (Bereskin & Parr).

Update on members: We have lost Katie Behan to a maternity leave and Chantal Riendeau who has left the university for a new position. We will also soon lose Jim Liepold as he moves into retirement.

Brief update on activities within the group: Our surveys go out between May and July each year. We will begin prepping these soon. We have set a goal to produce a new articling/young associate cross-Canada salary survey. We have not got past the initial draft stage yet. Jim Liepold suggested connecting with someone at NALP to discuss further so that will be the next step there. I am still seeking someone to take over the reins as Vice-Chair and with our couple of member losses, we could do with new members too.

H. National Recruitment Survey Working Group

Chair: Sophie Roy-Lafleur (McGill University)

Members:

- Maryanne Forrayi (University of Calgary)
- Jennifer Nadon (University of Ottawa) (Civil Law)
- Christi McAuley (TRU Law)
- Lisa Del Col (Osgoode)
- Selena Randhawa (Windsor)
- Myriah Graves (Fogler Rubinoff) – Employer Representative

Update

We are currently finalizing the report on the surveys distributed last year and preparing to circulate the articling recruitment survey. We added a demographic question to the survey and sought the feedback of a group of Toronto employers working on a diversity survey to make sure that our approaches are consistent and do not overlap. We are also collaborating with the new Toronto Recruitment working group to include questions in the survey that will inform their efforts.

I. Toronto Recruitment Review Working Group

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

Members:

- Julie Banting (Queen’s University)
- Lisa Del Col (Osgoode Hall Law School)
- Margaret Seko (Ryerson Law)
- Selena Randhawa (Windsor)
- Ryan Baker (Bereskin Parr)
- Cheryl Biehler (Faskens)
- Hayley Wong (Norton Rose)

Update

- Our Recruitment WG has met and we are in the early stages of forming our work plan for a review of the Toronto recruitment process
- Our mandate is to conduct a review of the Toronto 2L student recruitment process including timing, format and related procedures and make any recommendations to NALP (and the LSO) for changes to improve the recruitment processes.
- Broadly speaking will be looking 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

Our work thus far:

- As a first step, we are doing a high-level canvass of stakeholders in early 2022 to identify “pain points” in the recruitment process from the viewpoint of those stakeholders - we’re currently drafting the questions and reaching out to the NALP Recruitment Survey Group to see if we can add some questions to the student recruitment survey to avoid survey fatigue
- We also hope to share this survey with a wide variety of employers – those who participate in structured recruitment processes, but also other employers to ensure we consult widely, since the recruitment procedures can impact more than those who participate in the structured process

- We have been given budget from NALP for a consultant and we are in the process of considering ways to utilize a consultant – it may be in a design thinking session or similar, to address the information gathered in the survey, identify issues and possible solutions, conduct further consultation and/or research as necessary, and to formulate recommendations to be made to NALP and the LSO. Alternatively the consultant may also be able to facilitate discussion amongst stakeholders about the issues and possible solutions, in an effort to reach an acceptable level of consensus
- We have been in touch with the LSO and will continue to engage in periodic discussions and updates with the LSO leading up to formalizing our recommendations

Next Steps:

- Once we have a broad idea of the pain-points we will do a more focused survey of stakeholders to drill down into those pain points with the goal of identifying areas to make recommendations for improvement
- We are also canvassing other industries and cities about their recruitment processes, to see if there are any alternate models – in whole or part – that we could adopt
- We are targeting the annual spring meeting of the NALP Canadian section as a time where we could dive into these issues more deeply and/or bring in the consultant to facilitate a discussion of our findings/ possible recommendations
- We foresee that the bulk of the work will take place in calendar 2022 and our target is to have recommendations ready for the LSO's consideration for implementation in 2023 / the summer 2024 recruit