



Inaugural Conference a Success!

On September 17, the BC Paralegal Association held its first ever members' conference, 'The Essential Ingredient'. What a day we had! While it was always the intention to hold this as an in-person event, the Association decided – after much deliberation – to proceed 100% virtually using Whova, an online event platform. Whova allowed members to set up profiles in advance of the conference, engage with one another, and visit sponsors at the exhibitor booths. While paralegals, unlike lawyers, do not have mandatory continuing education requirements, it is a personal endeavour to engage in professional development and, I believe an 'essential ingredient' to expanding your knowledge and sharpening your skills to invest in your paralegal career. And that's precisely what September 17 provided. I was thrilled to see how many members attended. You made an important investment in yourselves!

The morning kicked off with members opening their SWAG packages. Along with several goodies, each member received a copy of *Denial*, the latest novel written by Beverley McLachlin, just released on September 14.

We enjoyed a fantastic line up of speakers! The program began with a presentation by George E.H. Cadman, Q.C. (Boughton) about ethics for paralegals. Mr. Cadman spoke on legal professional standards and ethical obligations, which is key for all paralegals regardless of the area of practice.

The program then offered a Choose Your Own Adventure segment. Members could choose to attend a litigation topic presented by Christy Pratt (Reportex, a Veritext Company) about everything paralegals need to know about electronic trials; or a non-litigation topic presented by Zahra Dhanani on inclusion in the law: equity versus equality.

Dirk Laudan (Partner, BLG LLP) moderated an engaging discussion about innovation in the legal industry that included panellists Seema Lal (Partner, Clyde & Co.), Matthew J. Lau (National Director, Business Development, NYRC), Natasha Doucas (Business Development Executive, Ricoh), and Kimberly MacMillan (Partner/ Director of Recruitment, R. Johnson).

Then, Dr. Ellen Domm (PhD, RPsych) gave a presentation on mental wellness, stress management, and mindfulness.

The finale and very memorable highlight was the opportunity to introduce our keynote speaker, The Right Honourable Beverley

PRESIDENT'S
MESSAGE



McLachlin, who spoke about access to justice and the role that paralegals play in the delivery of legal services.

At the end of the day, attendees enjoyed an optional social hour with a wine tasting led by Hillside Winery. It was such an amazing day! We are extremely grateful to our generous sponsors

for helping to make it all happen: Clyde & Co. – premier sponsor; and NYRC, Ricoh and R. Johnson – event sponsors.

I recently presented at CLEBC's 'Advanced Civil Litigation for Paralegals' on the Law Society of BC's Innovation Sandbox. I found it interesting how many in attendance were not aware of it and what it provides. When I polled the audience, just 19% had awareness. The Law Society describes the Innovation Sandbox as a safe space for those who are not currently authorized to provide legal services to test ideas in a controlled environment that are likely to benefit the public. The Law Society of BC has recently updated the [Sandbox section of their website](#) to include [FAQs](#). I recommend you take a look. If you have an idea that could improve access to justice in an area of unmet legal need, either as a paralegal on your own or alongside your law firm, I encourage you to consider applying to the Sandbox. When you visit the website, you will find a list of paralegals and other alternate legal service providers who have already received approval.

Last, but not least, the Board met on November 26 for our annual planning meeting. Stay tuned for details on events planned for 2022!

Stay well,
Michèle Ross

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SAVE THE DATE UPCOMING BCPA EVENTS

MONDAY, FEBRUARY 28 - EVENING
VIRTUAL MEMBERS' EVENT

FRIDAY, APRIL 29 - EVENING
VANCOUVER SPRING DINNER

Watch for details in the new year!

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Summer is Over; School Year, Here We Come!

We're back!

The School of Legal Studies at Capilano University is back in session for another school year. We are now accustomed to the COVID-19 learning environment and we continue to offer our programs through remote learning delivered via platforms such as Zoom, MS Teams, and WebEx.

We suspect that the remote learning trend will continue to stretch its fingertips across educational institutions and programs going forward. Based on feedback we have received, the School of Legal Studies has opted to keep its January 2022 intake of the Legal Administrative Assistant (LAA) Certificate program online, but in a scheduled manner (delivered synchronously through available platforms). Going forward, we will provide our LAA Certificate through three modes of delivery:

- full-time face-to-face option (September intake);
- part-time online (September intake); and
- full-time online, but scheduled option (January intake).

Enrolment in the Paralegal Certificate, Degree, and Diploma programs remains strong. We feel grateful for the continued support and we welcome all new and returning students. We remind our Diploma and Certificate grads that they are eligible to continue their studies in order to earn their Bachelor of Legal Studies (Paralegal) Degree, on a part-time basis.

Finally, we feel very excited to launch three new electives through 2022 – 2023 (and awaiting Senate approval). Stay tuned for more information!

Our People

It's official! The School of Legal Studies has two new co-Chairs: Deb Jamison and Sara El Rayess. As graduates of the Paralegal Diploma program, both Deb and Sara have decades of experience in the profession, and deep ties to firms in BC (Virgin Hickman and Borden Ladner Gervais) and to the paralegal community.

We have several new instructors joining our team:

- Nick Hopewell (Maryn Law)
- Ryley Mennie (Miller Titerle + Company)
- Joao Molinari (Brazilian lawyer and law instructor at BCIT)
- Christine Eilers (previous CapU instructor in SLS)

They are exceptional individuals and we look forward to their contributions to our department.

Achievements and Commendations

Our esteemed colleague, Jeevyn Dhaliwal, QC (Larlee Rosenberg), was recently acclaimed as the Bencher nominee for 2nd Vice President of the Law Society of British Columbia for 2022! In addition to her role as a Bencher, Jeevyn also teaches Immigration Law in our paralegal program. This is one course you won't want to miss!

Michèle Ross (Virgin Hickman), BCPA President and CapU graduate (awarded outstanding CapU Alumni 2021) and Deb Jamison collaborated to co-author an article for the BC Trial

Lawyers Association magazine – *The Verdict* – entitled "A Tribute to the Legal Administrative Assistant". This notable article outlines the significant impact LAAs bring to the legal community and the fantastic opportunities LAAs (and paralegals) can pursue professionally. The article includes contributions from Madam Justice McDonald and Jeevyn Dhaliwal, QC, both of whom spent their early years in the legal profession as LAAs.

The CLE's Family Law Deskbook was recently released with contributions from none other than the brilliant Karen Roussy, Paralegal Diploma graduate, LAA instructor, and Family Law Advocate.

Finally, we would be remiss not to commend the achievements of our graduating paralegal and LAA students who completed their programs this summer and are now working in the legal industry. The preparation and placement of these graduates in practicums 'takes a village'. Thank you to CapU's very own practicum instructors, Karen Roussy and Deb Jamison, and our partner law firms and organizations who took the difficulties relating to COVID-19 in stride.

Capilano University

As CapU moves forward, the School of Legal Studies moves with it. We continue to plan for the next decade ([Envisioning 2030](#)). The initial phase of planning at the institutional level will reflect an increased emphasis on the values of innovation, sustainability, community relationships, the health and wellness of our students, and indigenization. With the increasing necessity for diversity, equity and inclusion, our instructors continue to decolonize course materials, incorporate learner-focused software, and update teaching approaches to reflect a collaborative and inclusive environment. While we can't provide many details of what the future will look like, we can confirm that we have new courses and exciting program initiatives coming down the pipeline!

Going Forward

The School of Legal Studies recently launched its LinkedIn account. Please follow us: <https://www.linkedin.com/company/capu-sls>

The intake of our January 2022 Legal Administrative Assistant Certificate is fast approaching! As many of you already know, this eight-month program is highly regarded and our graduates have excellent starting salaries. We have begun to accept applications and have also started the application review process for our full-time paralegal diploma and degree programs for fall 2022. Please share our email address with anyone you know who might be a good fit for our programs: legalstudies@capilano.ca.

Wishing you a wonderful winter season!



Michael Molson teaches at Capilano University in the School of Legal Studies and the School of Business. Michael has worked as in-house counsel for leading Canadian corporations in the areas of corporate law, banking, real estate, media, oil and gas, and public relations. He has represented many Fortune 500 clients both at home and abroad in Asia.

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Learning from Our Customers

As the Land Title and Survey Authority of British Columbia (LTSA) continues to evolve and meet the needs of a changing world, one constant remains: our commitment to our customers. This commitment includes working to better understand how your needs evolve for you to stay successful in your business. As a customer-centric organization, understanding customer needs and learning from the feedback of customers and stakeholders is fundamental to how we operate and is essential for our continued success.

LTSA receives input from customers and stakeholders through various programs and communication channels. Along with activities like focus groups, interviews and post-transaction surveys, LTSA conducts a *Customer Relationship Health Survey* regularly to measure overall satisfaction with LTSA, as well as other key performance measures. The survey is one of several ways we make sure we meet customer expectations and deliver value as we move toward fulfilling our vision of a real-property market that is trusted and transparent. Customer feedback is critical; it helps LTSA maintain accountability, lets us know how we can improve, and informs business priorities.

Over the past three years, the LTSA has worked with Sentsis Market Research to administer the *Customer Relationship Health Survey*. Most recently, we collected 2,500 survey responses during two periods: September 2020 and March 2021. Distributing the survey over different intervals enabled us to track and respond to changes related to COVID-19 and other market shifts that occurred during this time.

Across all responses, 97% of respondents indicated they felt satisfied or somewhat satisfied with LTSA overall, with 94% of legal professionals indicating the same. In addition, 77% of respondents, and 71% of legal professionals particularly, rated their overall experience with LTSA as excellent or very good.

The LTSA uses these survey results to identify enhancements to our business that will improve our customers' experience. Presently, we continue to improve the functionality of myLTSA and Web Filing and build additional online services to simplify the transaction process for both public and professional customers. We are also listening to our customers to help pinpoint improvements such as enhanced package information and management tools. We will continue to strive for operational excellence with new policy and process updates introduced in the upcoming months to help ensure the accuracy and efficiency of land title submissions.

We also received requests from legal professionals to improve clarity of defect notices and develop a user guide for correcting mistakes. We have initiated an internal cross-functional project to help customers reduce defects, have started working to refine system validations to alert customers when submitting a potential error, and we are raising awareness of common defects to help customers avoid similar issues in the future.

Thank you to everyone who took the time to respond to the survey! We hope you will continue to share your feedback when the next survey is distributed. Look for the link to the next LTSA *Customer Relationship Health Survey* to arrive in your email inbox in January 2022.

Spotlight: Avoiding Common Defects for Land Title Submissions

Minimizing defect submissions to ensure land title applications get processed as and when expected is in everyone's interest. The Land Title and Survey Authority of British Columbia is committed to supporting customers with submitting applications as accurately and efficiently as possible. Learn more about [how to avoid defects](https://ltsa.ca/professionals/land-title-practice/common-errors-leading-to-defect/) by visiting <https://ltsa.ca/professionals/land-title-practice/common-errors-leading-to-defect/>.

For policy and practice guidance related to the correct use of forms, review the [E-filing User Guides and Publications](#) and the [Land Title Practice Manual](#), now available with free online access.



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The *Rust* and *Astroworld* Tragedies from a Lawyer's Perspective

BY KEVIN YEE, MCKECHNIE & COMPANY

Re-published from The Georgia Straight with permission

Recently, two shocking stories emerged from the entertainment world. One took place on a New Mexico film set for a western called *Rust*. A scene rehearsal went terribly wrong when actor Alec Baldwin handled a prop gun that accidentally discharged a live round. The cinematographer, Halyna Hutchins, was killed and the director, Joel Souza, was wounded. Also in the US, the *Astroworld* music festival in Houston, Texas turned deadly. During a performance by headliner Travis Scott and surprise guest Drake, the crowd of 50,000 surged toward the stage. Concertgoers reported passing out and getting trampled. In the crush, nine people died and hundreds more were injured. The fatalities ranged in age from 14 to 27.¹

The aftermath of the *Rust* accident and the *Astroworld* accident are similar. People are demanding answers on how this happened. The police are investigating. The media is reporting. And the victims are suing.

Set against this furor, details are emerging. There are reports that, leading up to the accident, the *Rust* film crew repeatedly complained of workplace safety and of the assistant director responsible for prop guns.

Cellphone footage of the chaos at the Travis Scott show has been shared online. The media is also shining a light on Scott's history of unsafe shows. Scott even has a criminal history relating to concert safety.

Still, these are narratives that only attempt to explain these tragedies while everyone is still reeling. The investigations and lawsuits will find out what actually happened. Both the *Rust* movie set and the *Astroworld* festival had fatalities that should never have happened. While it remains unclear how they happened, it is not overreaching to say that there was likely liability on someone's part. After all, these sorts of things are not supposed to happen (even though they do, unfortunately). This legal responsibility could be in the form of civil liability or criminal liability or both. It could be negligence or something entirely different.

In each tragedy, there is an entertainer in the spotlight for all the wrong reasons. Are Alec Baldwin and Travis Scott in legal trouble? The question of legal responsibility is not a simple one in these scenarios. That's because of the context in which the accidents took place.

Movie productions and music festivals are large projects. Just think about how many people might be involved in the making of *Rust*: movie executives, actors, stunt crew, film crew, security staff, and safety consultants. A music festival is no different. There are concert promoters, festival planners, security staff, musicians, venue workers, and law enforcement involved. When

you consider the number of people involved, you can begin to see how complex the questions become: Who was responsible for safety? What was the chain of command?

Determining liability requires looking at the role of everyone involved. The authorities and lawyers will be looking at the safety responsibilities of each person in the entire operation. To better understand these requirements, they may look at legal precedents. Courts may have considered similar scenarios in the past and given their views. They may also look at the industry standards, contractual obligations, and safety protocol. What rules were in place?

Knowing what should have been done for safety and who should have done it will help authorities decide legal responsibility. So what about Baldwin and Scott in particular? For Baldwin, he could face liability if he acted in a way that went against industry norms and against film set rules. The further he strayed from those standards, the more risk of liability he has. On the other hand, he could have a legal defence if he followed all of the safety rules in place. Liability could fall elsewhere: Was the prop gun supposed to have a live round? Who put it in the gun? What was Baldwin told about the gun?

For Scott, he could face liability if the investigations find that he caused the crowds to become dangerous or if he should have intervened but didn't. How were the crowds before Scott took the stage? What did Scott say to them? What did he know and what could he see while on stage? Scott has made public statements that he didn't know about the accident until after his show.

In such complicated scenarios, legal responsibility, whether it's criminal or civil, will likely not fall on one person. The tragedies may have been due to multiple failings by numerous individuals. There likely won't be a simple answer. And that will be difficult to accept for those directly affected by these tragedies.

The author's opinions of this case are based on news reporting and not on any firsthand knowledge or from any personal involvement.

A word of caution: You should not act or rely on the information in this column. It is not legal advice. To ensure your interests are protected, retain or consult a lawyer.



Kevin Yee is a trial lawyer at McKechnie & Company. He helps people and businesses with their disputes.

¹ Since initial publication of this article, a tenth victim – a nine-year-old boy – succumbed to his injuries.



The Rap Sheet on Restraints

BY OLIVIA HETLAND & TED MILNER, GTD SCIENTIFIC INC.

Lawsuits

Handcuffs and other restraints are used to ensure the safety of the detained, ensure the safety of the officer, and provide control over the detained. Handcuffing that causes injury is gaining awareness in the media and – in some cases – has resulted in significant lawsuits. Consider the news article headline below: a man suffered nerve damage as a result of officers refusing to loosen handcuffs. Cases like these are becoming more prevalent in the media.

HANDCUFF SUIT NETS \$303,000 MAN ARREST DAMAGED HANDS

By MIKE FOLKS, Staff Writer

JUNE 5, 1984

A jury on Friday awarded \$303,000 to a man who said sheriff's deputies caused nerve damage to his wrists by refusing to loosen handcuffs after a 1990 arrest in *Rosa Ramos*.

The Palm Beach County Circuit Court jury deliberated for four hours before finding the Palm B Sheriff's Office guilty of negligent handcuffing.

Handcuff Anatomy

Handcuffs are permitted for use when someone is suspected of a violent crime, when someone has a known history to be violent, and an officer has reason to believe it is necessary. While handcuffs are appropriate for gaining control over a suspect, certain measures must be taken to ensure handcuffs do not cause harm.



subject's wrist. Once handcuffs are applied, they cannot be loosened unless a key or metal shiv is inserted. By inserting a key to loosen a handcuff, it poses risk to an officer. There is a chance the handcuffs can loosen too much, allowing the detained to escape. However, handcuffs can be tightened further after they are applied, unless a double locking mechanism is engaged. Failure to engage the double lock can result in inadvertent tightening, leading to nerve compression injuries. Handcuff-related injuries, such as nerve damage, are not uncommon.

Background

Overly tight handcuffs or movements by the detainee can cause the plates to compress blood vessels and nerves. The superficial radial nerve is particularly susceptible to compression as it runs along the outside of the radius bone at the wrist (Richmond and Fligelstone, 1988; Scott et al., 1989). Handcuff neuropathy due to prolonged compression results in numbness in the fingers, which can impair dexterity, and the ability to detect harmful situations like touching sharp objects or burning heat. Severity of nerve damage is related to handcuff tightness, length of time under compression, and the intensity with which the detainee resists (Payne-James, 2016), which can lead to neuropathy, even if the handcuffs are correctly applied (Payne-James, 2016).

Tests demonstrated that constant compression of 60 mm Hg (approximately 1 PSI) pressure to a nerve can cause total functional loss after 150 minutes and that constant compression of even 30 mm Hg (approximately 1/2 PSI) reduces nerve function by 50% after 210 minutes (Szabo and Sharkey, 1993). Given this knowledge of how prolonged nerve compression affects nerve function, a study was commissioned to compare the risk of handcuff neuropathy with various handcuff designs. GTD Scientific Inc. was engaged to conduct the study.

Our Task

Since an individual of any gender or build might be placed in handcuffs, this study is designed to encompass a broad population: from a small female to a large male. Forearm models were constructed to simulate the two bones of the wrist for each category. A simulated nerve was created from a silicone tube pressurized with a fluid (mineral oil)

Typically, handcuffs are made by two steel plates that are riveted together and have ratchet teeth to tighten to a

cont'd on page 12

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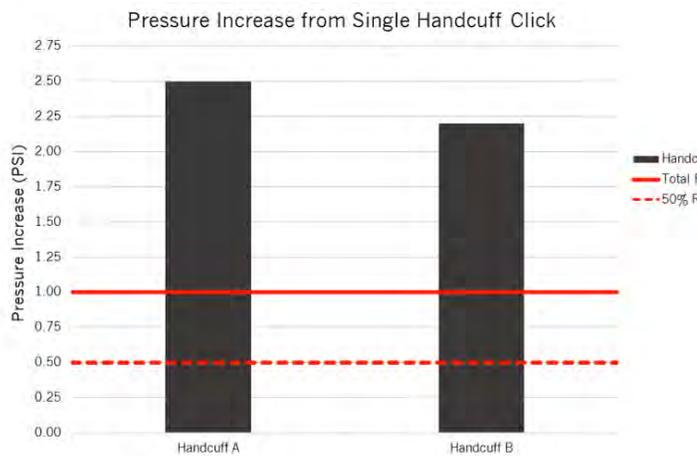


and connected to a pressure sensor. Two different styles of handcuffs were compared.

The handcuff was placed around the forearm-nerve model and the ratchet mechanism was engaged to tighten the handcuff. The increase in nerve pressure was monitored when advancing the ratchet. Once a firm “fit” was acquired, the amount of tightening required to obtain a fit that exceeded injury thresholds was negligible and – in some cases – a single click (see figure).

Findings

Once the handcuff was fitted firmly to the model, the increase in pressure for tightening a single click of the ratchet system was significant, roughly 130 mm Hg (approximately 2.5 PSI) for the first handcuff type and 115 mm Hg (approximately 2.2 PSI) in the second handcuff type presented in the lower figure. These pressures are both well above the values shown to produce total loss of function in a nerve when applied over a prolonged period (Szabo and Sharkey, 1993).



Who to Blame?

These findings establish an understanding that there is a certain level of training that officers must have to ensure the safety of the detained. Officers should always engage the

double locking mechanism to prevent further tightening of handcuffs, and ensure that handcuffs are applied correctly. With equal amount of weight, those who are detained must take a certain level of responsibility for their safety by complying with an officer’s commands and refraining from struggling and other motions they may attempt to free themselves from handcuffs. Excess struggling may cause swelling thus elevating any risk of damage. Considering current handcuff designs and future design improvements may also reduce the chance of injury. Police departments investing in safer handcuff designs will better relationships with officers and the public and ultimately encourage safety overall.

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Olivia Hetland, a fourth-year biomedical engineering student at UBC, specializing in biomechanics and biomaterials, is an Engineering Associate at GTD Scientific.



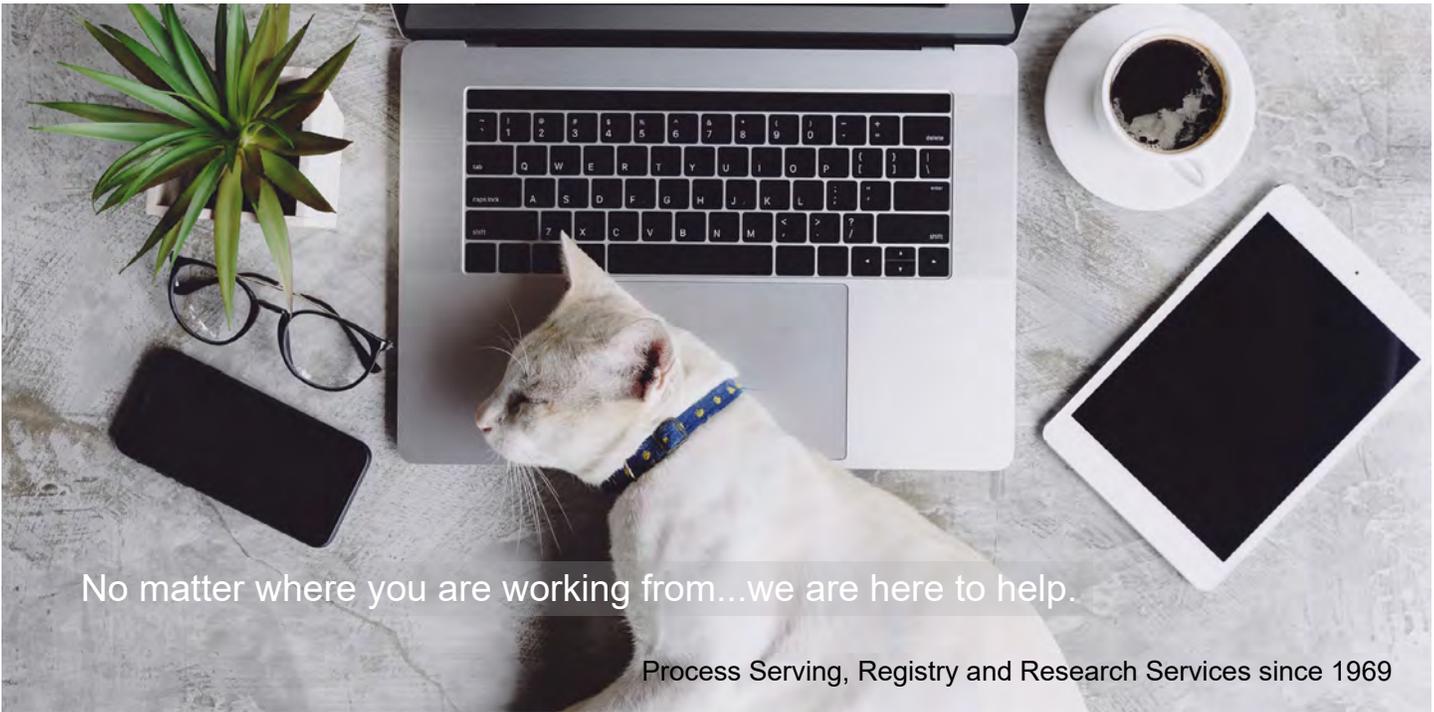
Theodore Milner, a Professor Emeritus at McGill University, is a Senior Scientist at GTD Scientific.

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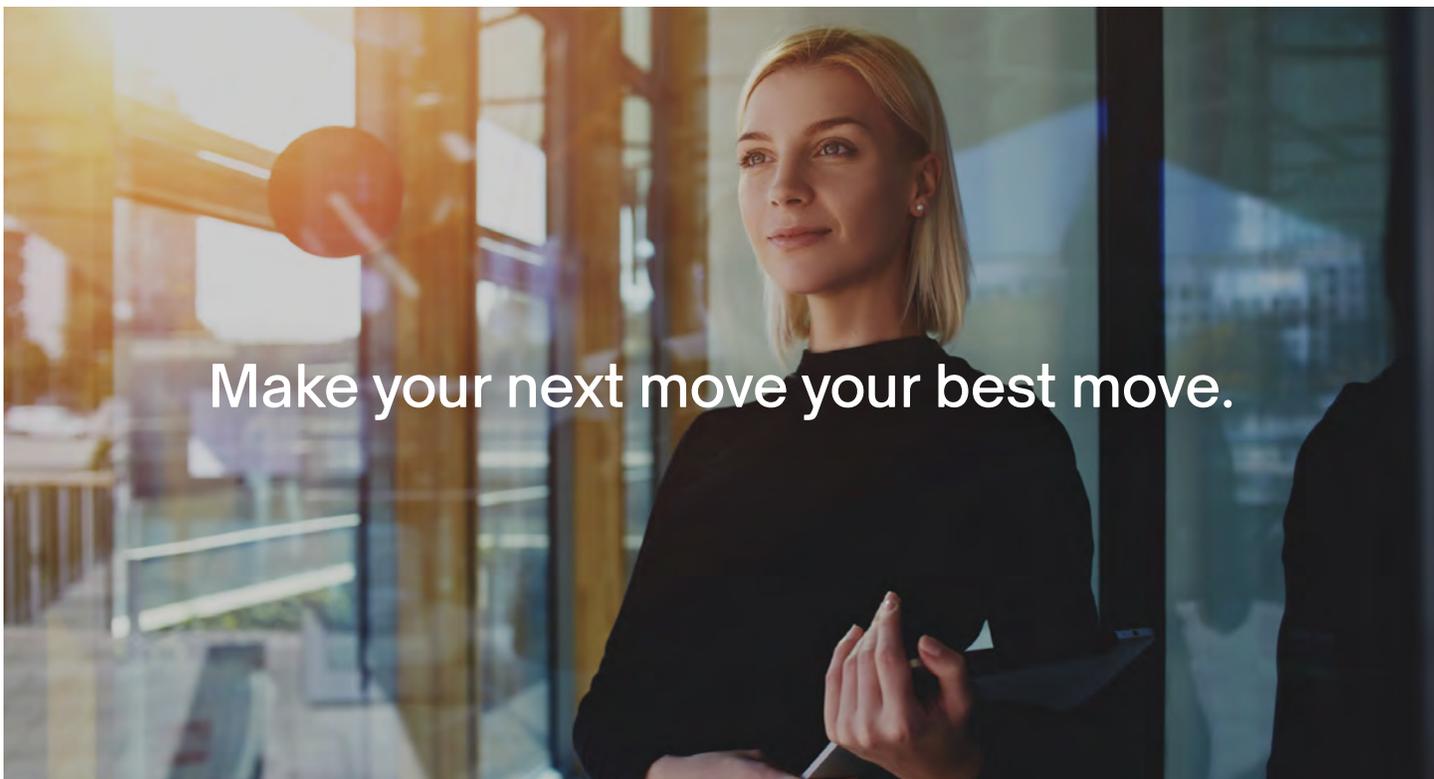
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Canadian Animal Law

BY V. VICTORIA SHROFF, SHROFF AND ASSOCIATES

What is animal law? Simply put, any time an animal and the law intersect, it's animal law. I like to use this fun definition: black-letter law in a furry wrapping.

Animal law cases in Canada are varied, and intersect at all levels of law including environmental, tort, contract, criminal, administrative, family, wildlife, agricultural, property laws, and more. While municipal laws could involve dog bites, provincial laws could involve animals in housing, and fur farming. Federal statutes may involve criminal law such as animal cruelty, and wildlife. Bear in mind that though animals are sentient beings, their cases are framed in terms of animals being property under the law.

Animal Law has Similarities to Environmental Law

Animal law as a practice is expanding in Canada and has been likened to where environmental law was a few decades ago when there were cases involving oceans, whales, rivers and trees, which later became known as environmental law. Animal law is similar, as cases involving wild and domesticated animals have been around for years, but the area was only recently labelled 'animal law'.

Another intersection animal law has with environmental law is that the pressing climate emergency must be addressed. No earth equals no animals.

BC Animal Law History

I often get asked about how I got started in animal law and what the practice entails. Firstly, animal law may seem like a new area of law, but it is not. Nearly 25 years ago, in 1997, BC's first animal law firm was started by trailblazer Kristin Tillquist. Kristin's unique animal law practice garnered a lot of media attention with headlines blaring, "Attorney for the Animals – Lawyer's Love of Pets Leads to Unique Legal Firm" and "Lawyer's Pet Project More Than Just a Hobby." When Kristin moved to the US in 2000, I acquired her practice. Since then, I have helped pioneer animal law from my office in downtown Vancouver.

For the past two decades, my animal law work has focused on advancing the interests of animals using the law. My daily round is diverse: I could be dealing with a 'dangerous' dog on death row and a pet 'custody' case in the morning, and an animal law strata issue, pet insurance denial, or wildlife case in the afternoon.

How Animal Law Applies to Many Areas of Mainstream Practice | Psychology Today Canada <https://www.psychologytoday.com/ca/blog/animal-emotions/202109/how-animal-law-applies-many-areas-mainstream-practice>

Landmark BC Animal Law Case and Application for Leave to SCC

Recently, my team and I had a high-profile pro bono animal law case (R. v. Santics) that went up to the Supreme Court of

Canada.

([Application for Leave](#)) *Santics v. City of Vancouver*, 2020 CanLII 1843 (SCC)

We tried to get a dog named Punky off death row after he was deemed dangerous. The groundbreaking case ignited Canadians and highlighted the importance of animals in society and access to justice for all living beings. *Santics v. City of Vancouver*. While leave was refused by the SCC, just being in the BC Court of Appeal and taking a shot at having the case heard at the SCC was a victory for animals. The case was important for several issues not the least of which it clarified the law and helped further the dialogue on the importance of animals and the law.

Punky's execution stayed as owner takes run at the Supreme Court of Canada <https://www.cbc.ca/news/canada/british-columbia/punky-dog-death-row-bite-vancouver-scoc-leave-to-appeal-1.5257663>

People care deeply about animals. Not a day goes by where an animal law matter has not made the news somewhere in North America. Politically, animal law issues are also gaining steam. You might have noticed the appearance of animals on the platforms of political parties during our recent federal election.

Animal Law Practice Plus Teaching, Mentoring, Clinical Work, Writing

Underlying my animal law work is Access to Justice. I generally do not use the term 'animal rights' without explaining that we cannot have animal rights without human responsibility toward animals.

Learn more about this concept of rights and responsibilities toward animals through this 33-minute podcast about animal law recorded by Lexis-Nexis. Animal Law in Canada: Access to Justice <https://lexisnexiscanada.podbean.com/e/canadian-animal-law-access-to-justice-revised/>

Just as the practice area is not new, courses in animal law have been around for years. Animal law was first taught at UBC in 2004 by Professor Black. I have taught animal law at UBC since 2016. In 2019, I developed and taught the first animal law course for paralegals at Capilano University, where I am faculty. Today, more than 10 Canadian universities offer courses in animal law (and not just to future lawyers).

Several years ago, I established Paws of Empathy to teach animal law and empathy to children.

Longtime animal lawyer takes her canine co-teacher to Vancouver school for class on empathy <https://vancouver.sun.com/news/local-news/longtime-animal-lawyer-takes-her-canine-co-teacher-to-vancouver-school-for-class-on-empathy>

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CONTINUED, FROM PAGE 14: Canadian Animal Law

For years, I have mentored students who wish to practice at least some animal law, even if it's not the bulk of their practice. After several years of developing the idea for a free animal-law clinic, we launched Canada's first Animal Law Pro-bono Clinic (ALPC) in Vancouver with the Law Students Legal Advice Program in 2020, thereby increasing animals' (and their humans') access to justice. It's a great venue for students to work on animal law files and to help the public get access to justice. I continue to volunteer supervise at the ALPC.

Animal Law Pro-Bono Clinic – LSLAP <https://www.lslap.bc.ca/animal-law-pro-bono-clinic.html>

Another way to help animals is via collaborations with others both locally and internationally. I work with a group of about 25 lawyers and academics coast to coast endeavouring to use the law to improve the lives of animals via the national Canadian Animal Law Study Group. I also work with groups in Asia, USA and Europe.

There are international and local conferences devoted entirely to animal law. You can attend these or study through a continuing education program.

The TLABC presented a Paralegal Seminar chaired by Deb Jamison, BCPA member, CapU Instructor and Legal Studies co-chair called Rising Above Adversity in March 2021 and included a segment on animal law. You can read about it in the President's message in the spring 2021 issue of Paralegal Press <https://silkstart.s3.amazonaws.com/dec5518e-e443-4ef4-a747-661e09908690.pdf>. Hope to see you at Part 2 in March 2022!

For those who would like a more in-depth view of animal law, consider picking up a book written by BC animal law authors:

- Animals as Legal Beings <https://utorontopress.com/9781487525873/animals-as-legal-beings/> by Professor Deckha
- My new book, Canadian Animal Law Lexis-Nexis 2021 <https://store.lexisnexis.ca/en/categories/shop-by-jurisdiction/federal-13/canadian-animal-law-skusku-cad-6857/details>.

If you have interest in animal law, I encourage you to read more about it, attend an animal-law conference, or work on a pro bono animal-law file to see if it's a fit for you. We have several lawyers and paralegals practicing some animal law in Canada and more coming on stream every year. There is much work to be done to help bring access to justice to animals!

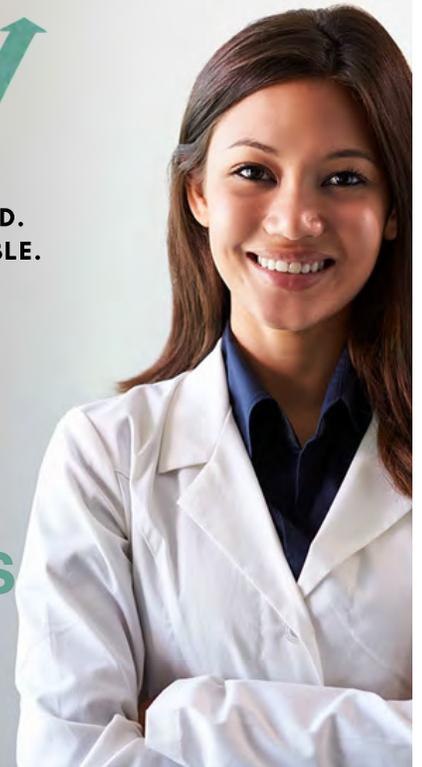


V. Victoria Shroff is credited as a Canadian animal law pioneer. She has practiced animal law for over 20 years in Vancouver at Shroff & Associates. She is adjunct professor of animal law at the Allard School of Law at The University of British Columbia, faculty at Capilano University's School of Legal Studies, authored the book entitled 'Canadian Animal Law', and frequently interviewed by media and lectures widely on the topic. Ms. Shroff is founding chair of the Canadian Animal Law Study Group and Paws of Empathy. She was instrumental in spearheading Canada's first animal law pro bono clinic in Vancouver. Connect with her on Twitter/Instagram @shroffanimallaw, via her website, www.shroffanimallaw.com or LinkedIn, <https://www.linkedin.com/in/victoria-shroff-law/>.



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CEDS Canadian Certification Launches in Canada

BY ANN HALKETT, ALEXANDER HOLBURN BEAUDIN + LANG LLP & MONIQUE SEVER, HARPER GREY LLP

Modern electronic discovery is complex. It really was easier when we dealt with paper! You simply needed to instruct your client to collect the evidence from their filing cabinets and desk. Today, evidence exists in so many different places and a range of formats. There are so many copies of the same document as evidenced by email conversations alone. These challenges add to the complexity and costs in litigation.

The CEDS certification provides you with a basis of understanding to help you grasp what the vendor is talking about as well as equip and enable you to properly communicate with your client to obtain what you need to avoid sanctions and additional costs.

As many of you know, eDiscovery is a process that requires you to use specialized software tools to remove duplicates and to filter out the non-relevant evidence to get to the most important evidence in less time at reduced costs for your client. Even if you outsource this work to a vendor, you still need to understand what they will do and how they will do it, and you need to instruct the vendor, all this in order to achieve the end goal. Counsel would never ask a question of a client at trial to which counsel did not already know the answer to, so why would you blindly follow a vendor's advice? In eDiscovery, it's what you don't know that is guaranteed to cause issues in your case and just as guaranteed to cost more money. The CEDS certification provides you with a basis of understanding to help you grasp what the vendor is talking about as well as equip and enable you to properly communicate with your client to obtain what you need to avoid sanctions and additional costs. (No one

ever wants the client asking why it is costing so much.)

Although eDiscovery involves a unique and constantly evolving intersection of technology and law, most law schools and paralegal programs still do not provide eDiscovery course material in their curricula. Given this ever-changing space with more data sources (e.g., MS Teams and more) being introduced each year, how can you gain any knowledge? With CEDS!

Developed in the US, the CEDS certification has remained at the forefront of eDiscovery and considered one of the top certification programs in the industry. It is an independent vendor-neutral certification. The CEDS credential demonstrates that you have specialized knowledge and skills relevant to the eDiscovery industry. It is one of the most well-known and widely held certifications among litigation support managers and directors. Most law firms, corporate legal departments, financial institutions, and government agencies recognize this certification and are increasingly



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looking for candidates with these credentials.

In Canada, ACEDS assembled a team of subject matter experts who revised the US-based manual and exam to incorporate both the Canadian common-law and the Quebec civil code, focusing on various eDiscovery topics. The exam questions are intended to reflect real-world scenarios that paralegals and lawyers would commonly encounter and should know about.

Gaining certification can lead to a new job and/or advancement opportunities, as well as help you command a more competitive salary. According to an ACEDS survey, 89% of hiring managers say they are more likely to hire a CEDS professional over someone without the credential.

It is critical for anyone involved with the litigation process to fully understand the procedures and the terminology in the electronic discovery process to be an effective team member.

So, we ask, what is holding you back? Would you like to become an expert? Show your commitment to the realm and continually seek to improve your knowledge and invest

in your eDiscovery career. The CEDS Canada certification has launched so reach out to vancouver@aceds.org today!



Ann Halkett is the Manager, eDiscovery Services at Alexander Holburn Beaudin + Lang LLP. Ann teaches the “Electronic Evidence and Litigation Technology” course in the Paralegal Program at Vancouver Community College, is the President of the Vancouver chapter of the Association of Certified eDiscovery Specialists, and part of the team involved with drafting the certification manual and exam for national certification.



Monique Sever is a Litigation Support & eDiscovery Supervisor for Harper Grey LLP. She is co-creator and instructor of the Electronic Discovery and Litigation Technology course at Vancouver Community College, and Co-chair of the Practice + Procedures Focus Group. Monique is a member of the BCPA, British Columbia Legal Management Association – Litigation Support Subsection, Association of Litigation Support Professionals (Vancouver), and International Legal Technology Association – Co-Member Liaison for Vancouver. for Vancouver.


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