

UBC | FACULTY OF LAW

Law School Equity Vignettes Project

**Request for Proposal to Provide Consulting and/or
Film Production Services to the University of British Columbia Faculty of Law**

Deadline for Submission: January 31, 2012

Submissions to be sent to Jennifer Lau at lau@law.ubc.ca

UBC Faculty of Law Equity Vignettes Project

Purpose of Request for Proposal (“RFP”)

The Equity Vignettes Project (the “Project”) seeks to empower University of British Columbia law students at the UBC Faculty of Law (“UBC Law”) to take action when witnessing acts of discrimination, harassment and oppression within the law school environment and the legal profession. The learning objectives will be facilitated through a series of four to six filmed vignettes which will generate discussion and self-reflection.

UBC Law is seeking to hire individuals for the following two roles for the first phase of the Project (“Phase One”):

- 1) A **Consultant** to research and draft the vignette scripts, and develop and lead a series of demonstration workshops incorporating the vignettes (the “Consultant”).
- 2) A **Film Producer** to produce, direct, shoot, and edit the filmed vignettes in consultation with the Consultant and UBC Law (the “Film Producer”).

The vignettes themselves will be drafted in conjunction with the Consultant, the Film Producer and UBC Law. To further assist in determining the specific content of each vignette, a series of consultation meetings will be held by the Consultant and the Film Producer with the various stakeholders: UBC Law faculty, staff, students, and members of the legal community. Volunteer actors will be utilized and will likely not be members of the law school community. Law school staff will provide administrative support to organize, promote, and plan the consultation meetings.

Applicants may bid for the Consultant role, the Film Producer role, or both roles. Proposals from teams of collaborators are particularly encouraged. Please indicate in your proposal how your team would fulfill the roles required and identify any partners and/or subcontractors that you would employ in the completion of the Project.

Further information regarding Project objectives, budget, proposal requirements and delivery will be found at the end of this RFP.

Scope of Services

The following services are required:

- 1) 4 to 6 filmed closed-captioned vignettes, to be produced for DVD and online format;
- 2) A shooting script for the filmed vignettes;
- 3) A series of demonstration workshops incorporating each filmed vignette and facilitating discussion on the topics raised for selected members of the UBC Law community;
- 4) Meetings with UBC Law students, faculty, staff and other UBC Law community groups to gather feedback prior to and during the production of the aforementioned materials; and
- 5) Additional resource materials, as required.

UBC Law envisions 4 to 6 filmed vignettes, each featuring one or more issue from the following list:

- Recognition of the diversity of people within the law school classroom, and the value of that diverse background and opinion;
- The classism and sense of privilege which pervades the law school environment (often unknowingly) by the privileged;

- Power dichotomy, harassment and discrimination in law firm interviews and law firm environment;
- Mental health and substance abuse issues;
- Competitive law school environment and the pressure to succeed; and
- The disconnection between the law school environment and the legal profession with the personal values that brought students to law school.

Each vignette will be between 1 minute and 4 minutes long, depending on the subject matter of the particular vignette. It is unlikely that all vignettes would be 4 minutes long and each vignette will likely vary in length, depending on the subject matter.

The ultimate goal of the Project is for the film vignettes to be facilitated in small groups at the law school by trained facilitators and used in the classroom and at UBC Law Career Services workshops. The facilitators will likely be drawn from UBC Law faculty, staff, and students. In the second phase of the Project, UBC Law intends to seek further funding, after the completion of the vignettes and demonstration workshops, to create comprehensive training materials and facilitation guides for the facilitators (“Phase Two”). The intent is to create facilitation materials that incorporate adult education principles and participatory learning. Pending satisfactory completion of Phase One, it is hoped that the Consultant hired for Phase One will also be available to work with UBC Law to create the Phase Two facilitation materials.

UBC Law hopes to complete Phase One of the Project by the Fall of 2012 with the intention to apply for funding for 2012/2013 to complete Phase Two. This will require timely editing and a high quality product that is capable of being used in workshops that will eventually be delivered to all student members of the UBC Law community.

UBC Law intends to show the vignettes via DVD. In addition, the vignettes will be closed-captioned so that they will be fully accessible to all students.

Background

Systemic discrimination and overt acts of harassment are unfortunate historic and ongoing features of both the legal profession and many law students' experiences at law school. The result is that law students from groups underrepresented in the profession and/or marginalized in Canadian society can feel a profound sense of exclusion as they enter this professional program. The legal profession still presents itself as a largely older, white, male, and privileged profession. In recent years, there have been significant and important changes (in things like patterns of enrollment and self-awareness of this issue among academics and lawyers and law societies) but the issue remains critical, mandating attention.

Because law school is a professional program, students are expected to consider the intersection of their academic and professional identities. The majority of UBC Law graduates go on to article and be called to the Bar. Out of 197 graduates in the Class of 2010, 158 students articulated after graduation.¹ The majority of these students remained in BC after graduation. As there were only 11,450 lawyers in BC in 2008, these students will enter what is a very small legal community.² Essentially, our students' classmates will be their future professional colleagues.

¹ As of January 31, 2010, 8 students in the Class of 2010 sought articles, but had not yet obtained articles. 23 students did not seek articles, with most of these students pursuing further post-secondary education or alternative careers. 9 students did not respond to the survey.

² Law Society of British Columbia, “Considering a Career in Law”, 2008. Retrieved on February 23, 2011 from http://www.lawsociety.bc.ca/licensing_membership/becoming_bc_lawyer/career-in-law.pdf.

Students enter UBC Law from a variety of backgrounds and with a range of experiences. They become a part of a small Faculty which has approximately 560-600 students enrolled in the Juris Doctor program and are placed in small classes.

Given the small size of the Faculty, the law school is an environment where it is difficult to be anonymous and where differences from the profession's so-called white, middle-to-upper-class, male, heterosexual norm stand out.

While law school is a welcoming place for most individuals, for some students, it can be an uncomfortable place. Every law student enters law school with some vision of what their legal education will lead to. That vision is more clearly articulated for some students than for others. For students who do not see themselves as fitting within the so-called "norm", law school can be a place where one feels like they must act or behave in a certain way, express certain opinions, and even deny one's background, in order to "fit" within the law school community or legal profession.

There is a sense amongst law students that they are now competing for high grades and a limited number of jobs. Most incoming law students have generally had very high academic achievement in their previous institutions.³ Although approximately 95% of UBC Law graduates who seek articles obtain articling positions after graduation, there is often anxiety amongst law students that they will not find articles, or that their articles will not be well-paid enough to cover their debt. Most law students also enter law school with student loan debt, and most will incur additional debt throughout their legal education. These financial pressures can lead to increased anxiety amongst law students.

Furthermore, the law school teaching method – which uses cases to demonstrate the application of legal rules and principles – can also create an uncomfortable environment for some students. The law does not operate in a vacuum, and inevitably, there will be someone in the classroom who has a personal relationship or experience that is directly related to the difficult issues discussed in a case. For example, an aboriginal student participating in a class discussion about an aboriginal right to fish case may be a relative of the actual litigant in the case. A mature student in the same class may have worked as a commercial fisher in the same community as the aboriginal student's family for years. Similarly, a female student who is a rape survivor may listen to a class discussion about a particular defense to sexual assault. A student who has extensive work experience as a poverty law advocate may find himself in the middle of a class discussion about the Downtown Eastside. Situations can arise in the classroom, where dominant voices may act to suppress full, open and respectful discussion of the issues, or statements may be made without the recognition that there may be a person in the class whose "issues" are up for discussion. The effect is often alienation for certain students.

Additional factors which play out in the classroom include the fact that most judgments, especially those from older cases, have been decided and written by older, white privileged males. While law school demographics are changing, the law school classroom is still predominantly white and privileged, and students of historically disadvantaged groups can feel keenly aware of their otherness in the classroom.

The law school has struggled with how to best teach the following skills to law students in a careful, empowering, and reflective manner:

- The ability to consider diversity and equity within the classroom environment;

³ For the September 2010 entering class, the average GPA was 84% and the average LSAT was 166.

- The ability to recognize and address the specific challenges associated with the law school environment (i.e. increased stress, academic and professional pressure, and increased mental illness and substance abuse); and
- The ability to speak up and create a positive and welcoming environment for themselves and their colleagues.

In addition to the classroom environment, there are other circumstances particular to law students, including a high-pressure environment, where students compete for high grades and the “best” jobs and deal with external pressure to succeed. The high-pressure law school environment leads to highly stressed law students⁴, who suffer disproportionately higher levels of mental distress and substance abuse than other professional program students.⁵ A fear of exhibiting weakness and an inability to admit that one is not succeeding can lead these students to struggle silently, and leave their peers ill-equipped to act to support them.

Furthermore, once students leave the “safe” confines of the law school, they enter the legal profession – an arena where students are vulnerable, given their junior position. From the interview process to the law firm work environment, law students are exposed to difficult situations (which can involve harassment and discrimination) and they are often unable or unwilling to speak up due to the fear that speaking up may impact their job and their future legal career in what is a small and close-knit profession.

The Inspiration for the Project

Staff and students at UBC Law have participated in the Courage to Act workshop presented by the UBC Access & Diversity Office (“Courage to Act”)⁶. Courage to Act presents a compilation of short film vignettes designed to create positive discussion around issues of discrimination and harassment at UBC. This workshop is not designed to prescribe solutions to the issues that are raised within the content, but rather, to provide a starting point to begin addressing discriminatory language, action and stereotypes.

While an outstanding video, the law students and staff who have viewed the video found the scenarios too simplistic and not reflective of the intricacies of the law school experience as described above. Courage to Act, which speaks of general issues of discrimination and harassment within the university context, has inspired UBC law students, faculty and staff to create their own video that will speak specifically to the law school context. It is our understanding that no similar video exists in the Canadian law school context.

Specific Project Objectives

By the end of the Project (Phases One and Two), UBC Law (or its retained consultant) will have:

- 1) Met with students, faculty and staff at UBC Law to seek input about the potential key issues that should be included in the vignettes;

⁴ The most focused study on law students and depression found that new law students begin with normal levels of depression (about 9% of the sample), however, by the end of law school about 40% of students are measurably depressed. G. Andrew H. Benjamin, Alfred Kaszniak, Bruce Sales and Stephen B. Shanfield, “The Role of Legal Education in Producing Psychological Distress among Law Students and Lawyers”, *Am. B. Found. Res. J.* 225 (1986).

⁵ M. Dammeyer and N. Nunez, “Anxiety and Depression Among Law Students: Current Knowledge and Future Directions”, *23 Law & Hum. Behav.* 55 (1999).

⁶ Inspired by a similar series of videos produced by the University of Massachusetts, Amherst.

- 2) Produced and created a professional film containing four to six vignettes about law school and the legal community which engage and encourage critical thinking and empower student to act;
- 3) Developed a detailed and comprehensive guide to facilitating the filmed vignettes for use by faculty, staff and student groups;
- 4) Created accompanying student resources for the video;
- 5) Recommended and developed a comprehensive plan to ensure that the film is seen by all law students prior to graduation;
- 6) Measured effectiveness of videos and its use in the classroom and Career Services workshops; and
- 7) Considered potential for promoting and marketing the video to other Canadian and American law schools and the following legal professional organizations:
 - a. Association for Legal Career Professionals (NALP);
 - b. Canadian Law School Career Development Network;
 - c. Canadian Law School Academic and Student Services Network; and
 - d. Canadian Council of Law Deans.

Intellectual Property

UBC Law will retain the ownership, copyright, and moral rights of all materials produced for the Project by the Consultant and Film Producer under the aforementioned Scope of Services. Prior to utilizing the Project materials, the Consultant and the Film Producer must first seek permission from UBC Law and must acknowledge UBC Law as the original creator of the Project and its materials.

The successful candidates for the Consultant and Film Producer positions and UBC will sign a Letter of Agreement prior to commencing work on the Project.

Insurance

The Consultant, Film Producer, and all subcontractors utilized for the Project must carry their own commercial and general liability insurance, at their own cost.

Budget

The total budget for the Project is \$14,000 (the “Budget”). The Project is being financially supported by grants from the UBC Equity Enhancement Fund and the Law Foundation of British Columbia Legal Education & Research Project Fund.

The Consultant will be paid a maximum of **\$5,000** for his or her services (the “Consultant’s Fee”). The Film Producer will be paid a maximum of **\$5,000** for his or her services (the “Film Producer’s Fee”).

The Consultant’s Fee and the Film Producer’s Fee are inclusive of any equipment and additional staffing needed to produce the vignettes (i.e. camera, computer, and film editing equipment), subject to the in-kind support listed below as being provided by UBC Law.

In addition to the Consultant's Fee and the Film Producer's Fee, separate funds from the Budget are available for the payment of honoraria for actors, closed-captioning, and tape and DVD stock. UBC Law will also provide the following in-kind support:

- Staff and faculty services, including administrative support to schedule and manage meetings with members of the UBC Law community
- Copying and printing;
- Publicity; and
- Filming and meeting locations (i.e. offices and classrooms).

Proposal Requirements

UBC Law requests that applicants submit a proposal outlining the following:

- For Consultants, please describe your experience with:
 - Projects involving workshop facilitation;
 - Projects that have led to observable and/or measurable differences in the representation or experiences of members of historically disadvantaged groups
 - Projects involving employment or educational equity;
 - Projects involving the law school environment;
 - Projects involving the legal profession;
 - Projects involving mental health and substance abuse issues;
 - Projects involving human resources and hiring practices;
 - Legal practice (including a brief synopsis of your practice experience, if any); and
 - Creating training materials for a wide variety of individuals;
- For Film Producers, please describe your experience with:
 - Corporate and educational filmmaking (with experience in filmmaking for the legal or equity & diversity project being an asset);
 - Directing and editing short films for DVD and online output (including story-editing, sound editing, and online mixing); and
 - Working with other team members who have little to no film production experience;
- Capacity to deliver a high-quality product;
- Examples of previous work, including links to film clips
- One or more draft sketches of sample vignettes;
- Detailed budget for production of vignettes, as per the stated Consultant's Fee and Film Producer's Fee; and
- References.

Timeline

All proposals must be received no later than **January 31, 2012 at 4:30 p.m. PST.**

Delivery

All proposals should be submitted electronically to Jennifer Lau at lau@law.ubc.ca

Questions and Further Information

Questions about the RFP should be directed to Jennifer Lau, Acting Director, Career Services at the contact information below.

Jennifer Lau is the Acting Director of Career Services at the Faculty of Law. She graduated from UBC Law in 2008 and clerked at the BC Supreme Court. She has experience in a variety of legal work environments, including a non-profit organization, a quasi-governmental organization, and a large, full-service corporate firm. Prior to her law degree, she worked in post-secondary student services at UBC and the University of Maryland, and brings her student development experience to this project. She has also co-produced a short documentary film on Chinese and First Nations intermarriage in BC and brings that technical expertise to the project. Jennifer has a Bachelor of Arts (UBC) and a Bachelor of Laws (UBC). Jennifer can be reached at lau@law.ubc.ca or 604.827.5052.

Kaila Mikkelsen is the Assistant Dean, Students, at the Faculty of Law, and has direct experience working with students. She hears student concerns about equity and diversity and actively works to enhance equity within the law school environment. Prior to her current role, she was the Director of the UBC Law Career Services Office and practiced in two different national law firms. Kaila has a Bachelor of Science (UVic), Bachelor of Laws (Dalhousie) and a Master of Law (Cambridge). Kaila is on maternity leave from November 2011 to January 2013, but remains involved with the Project.

A steering committee of students, staff, and faculty from UBC Law has also been formed to advise on the Project.

Contact Details

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