



First Nations Legal Studies Program

UBC Faculty of Law First Nations Legal Studies Program Newsletter – December 2007

DEAN'S MESSAGE



Greetings from UBC Law!

The First Nations Legal Studies Program began at UBC Law over thirty years ago. It is amazing to think of all that has been accomplished since that time by the Program's faculty, students, staff, and alumnae. The Faculty has been honored to play a role in the development of Aboriginal law in Canada. As you will read below, our faculty and students are working hard to ensure the future growth and success of the program.

We are continuing to build our curriculum, to strengthen the First Nations Legal Clinic, and to provide support for Aboriginal students as they move through law school into the profession. This newsletter is a wonderful way of developing the ties between the program and its many supporters. We

look forward to hearing your views.

*Mary Anne Bobinski
Dean and Professor*

Update on External Review of FNLS Program from Prof. Gordon Christie



This past spring the FNLS program went through the process of an external review. Three esteemed reviewers – Jo-Ann Archibald (Dean of Aboriginal Education, UBC), Robert Anderson (Director of the Native American Law Center, University of Washington), and John Borrows (Professor, Faculty of Law, University of Victoria) – visited for several days in early March, and by the early summer they had produced a draft document based on their meetings, document reviews, and interviews. This report will soon be available.

Over the last few months the FNLS program, in concert with students and a few individuals within the law school administration, has begun to work with the recommendations contained within the document. Some recommendations relate to activities and events the program can undertake on its own, and discussions and planning are underway in relation to these recommendations. Some recommendations require either law school or other outside supports, and discussions are just beginning on how some of these might be implemented. Some of the recommendations relate to matters with which alumni of the program could be intimately involved (especially around things like summer employment and career placement, and student mentorship), and the program welcomes any and all interest amongst alumnae in helping in these areas. If alumni wish to know more about the contents of the review documents, or talk about ways they might be involved in implementing recommendations, please contact either Jennifer Duncan (program Advisor) or Gordon Christie (program Academic Director). A major recommendation of the review was that stronger links between the program and its impressive body of alumni be established,

and we hope this can be accomplished!

Update on CIILS Treaty 8 Governance Research Initiative

In April of 2006 the Center for International Indigenous Legal Studies (CIILS), a research component of the FNLS program, in partnership with communities from the Treaty 8 area of British Columbia, received funding from Social Sciences and Research Council of Canada for a three year research project, meant to work toward the articulation of traditional modes of dispute resolution and governance. Over the winter of '06-'07 research staff for the project looked into existing archival materials (from past research projects in the Treaty 8 areas), and identified gaps in the knowledge base. In this first year a lot of work also went into the building of various community committees (elder's councils and the like), to help guide the research project. This past summer a lot of work went into the development and implementation of a summer course in oral history collection, run through UBC, but physically located at the Dunne-Za Lodge, on West Moberly Lake (between the Sauteaux and West Moberly First Nations). Over the fall the first few rounds of interviews were conducted, and at present the research team is beginning transcription of interviews, and work on fitting the collected materials into a new software program developed by the First Nations Studies Program at UBC. Further materials will be collected and organized over the next year or so, and the project will move into organizing various community meetings and events, where the materials collected can be discussed and synthesized. The aim will be to begin drafting research reports on the nature of traditional modes of governance and dispute resolution through the fall and winter of '08-'09. Any alumni interested in how this project is progressing are welcome to contact Prof. Gordon Christie for further details.

Professor Christie has a LL.B. from the University of Victoria, and a Ph.D. (in philosophy) from the University of California, Santa Barbara. He has taught in universities in Canada and the United States, in Faculties of Law, and Departments of Philosophy and Indigenous Studies. Most recently he was an Assistant Professor at Osgoode Hall Law School (1998 - 2004), where he also acted as Director of the Intensive Program in Aboriginal Lands, Resources and Governments.

HAPPY HOLIDAYS FROM THE ABORIGINAL STUDENTS AT UBC LAW!



With another semester coming to an end it is with wonderment that I look back and appreciate the way we made it through the last semester.

Besides academic challenges, we faced racism from fellow students, something which I am sure many of you faced when you were students. Like our past generations, we as a group stood strong and choose to fight back for not only ourselves and those who support us, but also for the future Aboriginal students who choose to attend our fine institution. Our solidarity and courage showed the student body and our professors how important we as Aboriginal students are and how important Aboriginal law content is to the legal profession as a whole.

In looking towards the future, we are working with the First Nations Law Committee on implementing recommendations from the external review of the program including a review of Aboriginal content in the first year curriculum and securing dedicated space in the new building. We are also considering changing our name from the First Nations Law Students Association to the Aboriginal Law Students Association or Indigenous Law Students Association and we would appreciate your input.

We are also working on educating our fellow students and faculty with our annual Aboriginal Legal Awareness Days which will be held from February 11th – 15th, 2008 at the Faculty of Law. The Awareness Days will be a celebration of Aboriginal legal issues and our culture. We will have guest speakers, music, story telling, a silent auction, a coffee house and a barbeque.

You are welcome join our group website where we post all announcements and send messages between all the First Nations students at UBC Law. The group page address is http://groups.yahoo.com/group/fnlssa_ubclaw/

Select "Join this Group" and then send an email to fnlsa_abc@yahoo.ca letting me know the year you graduated in and I will accept your membership.

We hope to receive your emails to join our group website and to see you all at the Aboriginal Legal Awareness Days!

Tansi,
Amanda Miller *Métis*
President, First Nations Law Students Association

WELCOME!

Sarah J. Rauch – UBC Law Alumni 1998



Greetings from the UBC First Nations Legal Clinic. The Clinic has been undergoing a transition during the past year and it has been a challenging time. We are sorry to see that the contract with Renee Taylor has come to an end and that, as any of you who participated in the Clinic or who know Renee will understand, means an end to the Clinic as we have known it. The foundation that Renee provided for the Clinic over the years, with her dedication, humour, and passion, provides an ongoing presence in the Aboriginal community and in the Faculty of Law. The Clinic will therefore carry on its tradition of providing an enriched education for dedicated law students and an invaluable service in the community. In that spirit, I have taken on the role of Director, at least for now, and I invite any of you to contact me and to share your thoughts, offer your wisdom, or express your concerns. As we pass into another era in the history of the Clinic, we share many memories of the Clinic during the last 12 years, and the alumni of the Clinic especially have made significant contributions that I would welcome the opportunity to acknowledge and learn about. Please feel free to contact us anytime.

Sarah J. Rauch earned a BA degree in 1998 from UBC in the general studies program with an emphasis on Anthropology, English and Women's studies. She graduated from the Faculty of Law at UBC in 2001, then articulated with Legal Services Society and worked as an associate with Conroy & Company doing prisoners advocacy and criminal defence litigation before beginning her own practice in Vancouver in early 2006. Her interests are in rights and freedoms and the representation of people with challenges that place them at a disadvantage when negotiating the legal system. She is directing the UBC First Nations Legal Clinic, which is a full term clinical program for law students that provides legal services to Aboriginal people from its location in the downtown eastside of Vancouver.

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Q & A with ANNA FLAMINIO UBC Law Alumni 2003



Q: Please tell me about who you are; what Aboriginal community are you from? Where did you grow up? Did you always want to be a lawyer & why?

A: I grew up in St. Louis, Saskatchewan. I am Cree-Metis. I was born in Ontario near my Dad's family, and grew up in Prince Albert, Saskatchewan, near my Mom's family. I always wanted to work in the area of social justice, so studied sociology and received my Social Work degree at the University of Regina and practiced social work, mostly working at a FN treatment centre for youth. With the

realization that many issues dealt with by Indigenous youth stem from systemic and institutional oppression, and the fact that many young persons with emotional and developmental issues continue to be jailed instead of being offered restorative support and services, I decided to consider law school.

Q: When did you attend and graduate from UBC Law? Why did you choose UBC Law? What are your tops 3 fondest memories of UBC Law?

A: I attended UBC from 2000-2003. I chose UBC because of the impressive level of Indigenous law course offerings and the respected Indigenous law professors. I enjoyed the social gathering with students, especially FNLSP dinners, and respective events.

Q: What was your articling experience like? What are you doing now?

A: After graduating, I chose to work with Elders who had attended residential schools, assisting in the telling of the atrocities suffered and their associated legal claims. After three years, I eventually decided to article back home in Saskatchewan, so applied for a clerkship at the Provincial Court of Saskatchewan. The experience was invaluable as it allowed me to hone my research skills and gather information relating to Criminal law processes. After completing my articling, I applied to the LLM program at the University of Saskatchewan, and am presently doing research on Federal Corrections and Indigenous peoples returning to communities, looking at Cree ways of healing/justice. Myself, and several others, have also begun a non-profit organization, Ki-yo Ke-win Healing and Justice, (meaning 'visiting place' in Cree), which seeks to offer Indigenous healing and transformative justice resources to Indigenous peoples in this territory - Cree, Dene, Sauleaux, Dakota, Lakota, Nakoda, Metis.

Q: How can the First Nations Legal Studies Program improve services for alumni? How can alumni improve the First Nations Legal Studies Program?

A: The review of the FNLS program in the past year was a useful in terms of gathering with other alumni and hearing about their visions and goals for the program. Bringing alumni together both physically, but also electronically through a web space, would be helpful in keeping ties and learning from each other. As alumni, we would continue to be open to be contacted relating to future improvements of the program and suggestions on how to best meet student needs by for example, Indigenous legal paradigms being better integrated within all the law school's curriculum.

NEWS

Aboriginal Law Student Scholarship Trust

The BC Branch of the Canadian Bar Association (CBABC) is excited to announce a new initiative finalized this summer with the assistance of the CBABC Equality Committee. CBABC has negotiated an agreement with the National Aboriginal Achievement Foundation to advance legal education for Aboriginal persons through the establishment of two annual scholarships for Aboriginal persons to study law at each of the University of British Columbia and the University of Victoria. For details about this exciting new project and how you can support this initiative, please click the following link: [Aboriginal Law Student Scholarship Trust Letter to Lawyers](#).

CALENDAR OF EVENTS

For the most up-to-date information about all events taking place at the law school check out the [Events Calendar](#) on the Faculty of Law website.

JANUARY 8, 2008

PLTC Information Session for BC Aboriginal Students
6:00 pm - 7:00 pm
Law Boardroom, Robson Square

FEBRUARY 11-15, 2008

First Nations Law Students Association
Aboriginal Legal Awareness Days
UBC Faculty of Law

MARCH 14-16, 2008

"Reconciling Indigenous & Canadian Legal Traditions"
Aboriginal Justice Conference
Chase, B.C.
Quaaout Resort & Conference Centre

INTERVIEW with KAREN SHIRLEY UBC Law Alumni 1985

The first Aboriginal woman to open her own private practice of law in British Columbia was a Metis woman from the Red River Settlement in Manitoba who grew up in the inner city of Winnipeg. Today Karen Shirley is a UBC Law alumni who generously gives back to the FNLSP and students by attending events such as the welcome back potluck at Prof. June McCue's residence and by mentoring a first year Aboriginal law student.

Karen Shirley completed her undergraduate degree at the University of Manitoba and at Brigham Young University in Utah. She started law school at the University of Manitoba but transferred to UBC Law in 1982 after attending a child welfare conference in Vancouver in March when she fell in love with the beautiful weather. At that time, Sam Stevens was the Director of the First Nations Legal Studies Program and UBC Law had a very strong Program in Aboriginal Law.

What are your top 3 fondest memories of UBC Law?

1. Cramming for exams with fellow Native law students. "I lived in the family high rise on Melfa Road and I would get together with other Native law students in their homes and we would stay up all night and cram for exams."
2. Aboriginal law class with Prof. Michael Jackson. "I really enjoyed reading the cases. Michael was very good about taking the time to explain the cases and keep us up to date."

3. Sam Stevens having his tie cut in half. "Sam was noted for wearing a suit and tie even when others were casually dressed. We were at a FNLSF event and Hugh Braker said he needed to make a special announcement and then got up and cut Sam's tie in half."

In 1985 Karen graduated from UBC Law and then articulated with the Attorney General of BC, which included a private bar exchange with Kelleher Claus Illington in Victoria. After her call in 1986 Karen practiced for a number of years as law partner with current BC Lt.-Gov. Steven Point in the firm of Point & Shirley in Chilliwack. In 1990 Karen moved to the Department of Justice in the Commercial and Property Law Section. Karen was inspired to move to the public sector by her desire to "build bridges between First Nation, Metis and non-Aboriginal people" and she felt that by working the DOJ she would "could contribute to the well-being of Aboriginal people." She then worked in the Specific Claims office, and for a year she was counsel to the federal negotiating team on the Nisga'a treaty, before her current assignment as Associate Director of Aboriginal Law (Advisory Services).

As a First Nations alumni Karen believes one of the ways alumni can give back is to the Program is to get involved with the law students and encourage them to focus on their studies while in law school.

"As Aboriginal students, we were stretched pretty thin. We had family and extended family. We were often wearing 3 or 4 hats. We were often being asked to assist in difficult situations," says Karen. "Students need to be encouraged to give up those hats when they are in law school. Students need to know that they can't do it all, and if they try then law school will suffer. Students need to know that it is okay to say, 'I wish I could help you but at this period of time, I can't help you.' And refer them to people who can."

Since 1996 Karen has managed the Aboriginal Law section of the federal Department of Justice in Vancouver. Her unit has 12 lawyers providing legal support to Indian and Northern Affairs Canada (INAC) in the daily operations of that department.

COMMENTS & SUGGESTIONS

We welcome your feedback on the First Nations Legal Studies Program newsletter. Please forward your comments and suggestions to **Jennifer Duncan, LL.B - Advisor, First Nations Legal Studies**, UBC Faculty of Law at duncan@law.ubc.ca.

To update your email contact information or to unsubscribe from this e-newsletter please send an email to duncan@law.ubc.ca