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Law Faculty Developments at Calgary, 1984-1989

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I. *Introduction*

The Calgary Law Faculty is the youngest of the Canadian Law Schools, having been established in 1976. During the period under review the Faculty tackled developmental challenges that older Canadian law schools had faced years ago in generally less stringent economic times.

Calgary's founding Dean, John P. S. McLaren, was ideally suited by talent and temperament to guide the Faculty in its formative years. Professor McLaren is well known for his strong commitment to excellence in legal education as well as for his exuberance, openness to new ideas, and advocacy of clinical education. During his tenure, Dean McLaren assembled a highly qualified faculty committed to developing an innovative teaching program emphasizing legal method and process and skills development as much as substantive knowledge of the law and procedure. In 1984, on his retirement from the Deanship Professor McLaren described in detail the initial development of the school, the aims and growth of the curriculum, and the excitement, stresses and strains of transforming a legal education dream into a reality. His article is required reading for anyone wishing to understand the unique educational program at Calgary and the strong commitment of its faculty to teaching excellence, a process of intensive instructional evaluation and extensive faculty-student interaction.¹

The major challenges faced by the school during the five years under review were to retain its innovative educational program, which requires a low student-to-faculty ratio, and at the same time expand the school's computer learning capacity, mount a graduate program, and increase the opportunities for both individual and group research. Innovation and excellent teamwork were required to meet the challenges in the face of serious, continuous, budgetary reductions and the faculty's strong desire not to increase enrolment or class size.

This review of legal education in Calgary is presented in four sections highlighting the principal developments in the undergraduate program, the establishment of a graduate program, increased research initiatives and external relations activities. It tells the story of a small, but

*Margaret E. Hughes, Professor (and Dean 1984-89), Faculty of Law, University of Calgary.
1. John P.S. McLaren, "Legal Education at Calgary: Blending Progress and Tradition" (1985),
9 *Dalhousie L. J.* 421.

committed, high energy faculty working hard, in the midst of financial restraints and changing times, to develop new resources and pursue its vision of legal education.

II. *The Undergraduate Program*

Calgary's legal education program was extensively studied and critiqued during the review period. An external committee had been appointed at the request of the Faculty by the President of the University of Calgary in 1983 to, among other things, review the Faculty's program and consider how well the objectives of the Faculty had been met since its establishment.² The review committee, in its December, 1983 Report hereinafter referred to as the *Law Review Committee Report*, commented positively on the progress made by the law school in meeting its original objectives, but made recommendations for fine tuning elements of the curriculum and called for a review of the practicum program.³ A subsequent stimulus for program review was provided by reductions in governmental funding to the University and the University's need to determine how those reductions were to be allocated.

These studies did not result in major changes to the legal education program at Calgary, but they forced the faculty to critique, justify, and fine-tune its curriculum. In addition, but not as a direct result of these external evaluations, the program was enriched by the addition of several new courses and substantially improved opportunities for computer skills training.

i) The Practicum Program

Students in the final semester of third year participate in an extensive integrated experience designed to require students to apply theory and doctrine that has been learned in previous terms to practice, using either clinical methodology or simulation and observational internships. As it is

2. The review committee comprised three legal experts external to the University of Calgary, Mr. Justice Bud Estey of the Supreme Court of Canada, Professor Murray Fraser, Vice President, Academic, University of Victoria, and Mr. Ernie Hutchison, Q.C., President of the Law Society of Alberta, and three University of Calgary representatives from academic units other than Law, Dr. Jim Black, Chairman (English), Dr. Frank MacKinnon (Political Science) and Dr. Dick Stein (Engineering).

3. Report of the Committee to Review the Faculty of Law, The University of Calgary, December, 1983 at 32-33. After the Faculty of Law studied and responded to this review (*The Response of the Faculty of Law, University of Calgary to the Report of the Review Committee*, 1984), the Executive Committee of the General Faculties Council (GFC) struck an ad hoc committee to review and report on both the review committee report and the response and to make recommendations. In April 1984 all three documents came before and were debated in the General Faculties Council of the University. See the *Report of the Law Study Group*, The University of Calgary, August, 1985, at 2-3.

not possible to provide all students with live clinical experience in the four subject areas chosen (Criminal Justice, Family Law, Business Planning, and Natural Resources and Tribunal Practice), these programs are characterized as practicums.

The *Law Review Committee Report* recommended that the Faculty review the practicum program particularly from the point of view of whether it should remain compulsory and whether the 150 credit hour allocation might be reduced. In response to this report, an Ad Hoc Faculty Committee was established in the Fall of 1984 to conduct this review. It concluded that the practicum program should remain a compulsory component of the third year program and should continue to be credited with 150 hours. However, it recommended specific measures to increase the standardization of at least the major components of the four practicums. The Committee also recommended that the Trial Advocacy program offered in an intensive "Block Week" format at the beginning of the final semester, should continue to be an integral part of each practicum, and that all practicums should have included course work and a major legal research and writing component, each worth 30 credit hours, with both components graded according to the prevailing letter grade system in the Faculty and appearing on the student's transcript under the appropriate decimalized component of the practicum. These recommendations were accepted by Faculty Council in May, 1986. The Faculty also accepted recommendations to limit the duration of "observational placements", as opposed to participative or client service placements, during the practicums and to require the practicum directors to develop written standards for supervision, both pedagogical and professional, and for the selection and monitoring of the practitioners directing the field placements. While other Committee recommendations were not accepted, they were intensely debated and helped significantly to clarify and reaffirm the objectives of the practicum program.

There was another important practicum development during the review period. The Business Planning Practicum was primarily oriented towards the tax, legal and practical considerations of a growing corporate client. Traditionally, it was the practicum that had to rely most heavily on simulation techniques rather than live clinical experience. This problem was creatively solved in 1985 by the initiative of the practicum leader, Professor Catherine Brown, who successfully approached the Alberta Law Foundation for funding of a Small Business Student Clinic⁴ to be

4. The name of the Small Business Student Clinic was recently changed to the New Venture Student Clinic to reflect the shift in focus towards working with more sophisticated, higher potential growth ventures.

operated by third year law students as part of the New Venture Development program in the Faculty of Management. The clinic provides legal assistance and information to community based entrepreneurs at the business start up stage and at the same time, provides clinical legal education in the corporate-commercial area to the practicum students. In addition to the practicum leader, who also serves as clinic director, there are five practitioner mentors for the fifteen to sixteen practicum students. Each mentor has a background in one of the areas regularly addressed by the New Venture clients; namely, intellectual property, commercial and corporate, securities and finance, and regulatory and administrative. The program, which continues to be funded by the Alberta Law Foundation, has enjoyed great success.

ii) Size and Type of LL.B. Program

When he left the Deanship, Professor McLaren predicted that given the reality of fiscal restraint that had hit the University of Calgary "... time and energy will have to be dedicated to preserving the gains already made."⁵ Unfortunately, his prophesy proved accurate and much effort was expended during the review period on defensive action to maintain the core elements of Calgary's unique legal education program.

In March, 1985, the University Budget Committee, faced with continuing financial constraints and increased student-to-faculty ratios in many Faculties, noted that the Calgary Law Faculty had significantly higher instructional costs per student than all other Canadian law schools represented in the Canadian Universities Data Exchange Consortium statistics. It concluded that two major factors contributed to the high cost of instruction, namely the small enrolment in the Faculty (i.e. limited to 180 students) and the type of program offered (i.e. a high component of practicum experiences) and questioned whether the University could afford, in times of fiscal restraint, to continue to offer this type of program. The Budget Committee referred its concerns to the Institutional Policy and Priorities Committee of the University (IPPC), specifically recommending that IPPC address the number of students-in-program in the Faculty and the type of program offered and direct the Budget Committee accordingly.

A university-wide "Study Group" was formed in late April, 1985, to address these issues.⁶ However, the study group confined its investigation

5. *Supra* note 1, at 459.

6. The Study Group was composed of Dr. Brian F. Chellas, Chairman (Dean of the Faculty of Humanities), Dr. Ronald B. Bond (English), Mr. Wayne P. Kelly (Office of Institutional Analysis), Dr. Dennis Parkinson (Kananaskis Centre for Environmental Research) and Dr. Robert G. Weyant (General Studies).

to questions directly relevant to the apparent high cost of instruction in the faculty and in particular to the question of the number of students in the program. The study group believed that it would be inappropriate for it to undertake another in-depth review of the Faculty's program because the program had recently been extensively and thoroughly scrutinized by one of the University's major governing bodies as a result of the previously discussed December, 1983 *Law Review Committee Report* and the *Faculty of Law Response* thereto.⁷

The study group reported to IPPC in August, 1985. It noted that it was unable to judge with sufficient precision whether, as claimed by the Faculty, the natural effect of the practicums in the legal education program was to limit total program enrolment to 180 (i.e. 4 practicums with a maximum of 15 students each for a maximum of 60 in third year) and that increasing the number of full-time students would require increasing the size of the academic staff to provide more practicums. However, it felt that if this was the case, then the practicum feature of the legal education program was "effectively stifling growth and contributing to high instructional costs, and earnest reconsideration of the practicums is required."⁸ The study group concluded with a question rather than recommendations. It asked if the status quo was to be maintained, as advocated by the faculty, and accordingly there be no change in the student-faculty ratio or the instructional cost per student, "whether the product is worth the cost: Are the quality of the program and the quality of its graduates sufficiently high to warrant such statistics?"⁹

Battle lines were clearly drawn. The response of the Faculty of October, 1985 noted that whether the product was worth the cost was something that could not be proved or disproved as Law, unlike other disciplines, such as Medicine, has no national examinations or other formal gauges to measure how graduates of different schools match up against each other.¹⁰ The Faculty noted that the recent reviews of the faculty had concluded that the program was innovative, pedagogically sound, and working well, and that there appeared to be no reason for the University to require the Faculty to increase its student enrolment and jeopardize the quality and uniqueness of the practicum program except for the University to look good on paper in regard to instructional costs per student and student-to-faculty ratios.¹¹ The University would not

7. *Supra* note 3.

8. Report of the Law Study Group, The University of Calgary, August, 1985, at 24.

9. *Ibid.*, at 25.

10. Response of the Law Faculty to The Report of the Law Study Group, August, 1985.

11. *Ibid.*, at 7.

receive any more government funding for having more students in the program and there was no perceived need in the marketplace for more lawyers, and no room in the present law facilities for more students. In the end, no action was taken by the University to force the Law Faculty to increase its enrolment or alter its practicum program, but reference continued to be made by subsequent University Budget Committees to Law's high instructional costs.

iii) Program Enhancement

Despite the demoralizing effect of having to expend so much time and effort to defend the core elements of the program that the Faculty had worked so hard for a decade to transform from a dream to a reality, the faculty continued to strive to enhance the program. Several new courses were introduced and the skills training program was expanded particularly in the computer training area as new resources were tapped and existing resources reallocated.

The curriculum at Calgary has always emphasized the wide range of skills needed by lawyers to effectively carry out their diverse roles and responsibilities. The Faculty recognized that, while a general knowledge of computers and the law may have been sufficient several years ago, a graduate today needs to be thoroughly familiar with automated legal research skills and the acquisition of such skills must become as integral to the law student's program of study as have been the traditional skills of law library use. Other computer applications such as word processing and litigation support are also important. However, the acquisition of this knowledge and these skills require intensive instruction and extensive hands on practice and Calgary in its early years did not have the Faculty expertise or the computer hardware for much computer research training. During the period under review, the computer capacity grew considerably primarily due to the generosity of the Alberta Law Foundation.

Initially the Faculty, under a grant from the Foundation successfully instituted a program of training law students in computer use for searching library materials and retrieving data as part of the first year curriculum. After an initial lecture given by a QL representative, students were trained in a series of small group sessions by the responsible faculty coordinator and the reference librarians and practical application was provided by an open memo assignment in one of the first year classes. Professors Gail Starr and Iwan Saunders, along with Faculty members from the Windsor Law School, had developed a program for computer assisted instruction in legal research. In addition, Professors Catherine Brown and Christopher (Kit) Rigg were funded by the Alberta Law

Foundation to develop computer assisted learning programs in corporate taxation and estate planning, evidence in civil procedure, and labour law. However, while the Faculty had been developing these computer assisted instruction programs for a number of years, the lack of computer facilities for students made it impractical to require students to use these programs.

In 1988, the Faculty successfully petitioned the Alberta Law Foundation for funding to establish an eleven station microcomputer laboratory in the Law Library. The grant proposal was prepared by Professor Rigg and reference librarian, Don Sanders. The University agreed to provide special funding to renovate law library space to accommodate the laboratory. This multi-purpose facility, which officially opened in February, 1989, is able to accommodate database searching, computer-assisted instruction, word processing and law office management software. Three additional computers are located outside the laboratory for individual instruction of students by the librarians without having to disturb micro lab users. A printer is provided for every two computers and a laser printer is also available.

First year students now undergo intensive small group instruction in computer research use and both first year and upper year students have much more opportunity for hands-on practice as well as for using the computer assisted learning programs than was the case in the past. The Law Foundation continues to provide grant moneys for all students, as well as faculty members, to access the non-free data bases as required for instruction, research or merely hands on experience. Students, through the use of these non-free data base systems, have an opportunity to develop more sophisticated searching techniques, as well as a better appreciation for the full range of available information. In 1989, the Alberta Law Foundation provided additional funds for hardware and software enhancement and equipment maintenance and to enable the Faculty to hire upper year students with computer experience to be available in the microcomputer laboratory to assist other students as required with computer searching or word processing problems.

iv) Exchange Programs

Two modest exchange programs were commenced during the review period. In the fall of 1984, the Faculty began to exchange a faculty member for a two to three day period each year with the School of Law at the University of Montana to thereby enrich Calgary's comparative law program and stimulate curriculum reform ideas. Constitutional experts were exchanged the first year with Professor Chris Levy visiting Montana and Professor Larry Elison visiting Calgary. In subsequent years, Professors Kathleen Mahoney, Catherine Brown and Sheilah

Martin visited Montana and Professors Marjorie Brown, Stephen Bahls and Barry Burke visited Calgary.

In 1989, the Faculty commenced a student exchange program with the Faculty of Law at the University of Oslo, Norway, which, like Calgary, has special strengths in the natural resources law area. The exchange builds on a program that has been operating successfully since 1980 between the Law Faculties at Oslo and the University of North Dakota, but modifies it to meet Calgary's non-credit approach. Under the program, mutual tuition fee waivers are provided for two students per year each way between Oslo and Calgary. The Oslo students visit Calgary during the regular academic year, normally for one term, and individualized course and grading arrangements are made by the Associate Dean. Calgary students enrol, tuition free, along with North Dakota students, in a six week course, held between mid-May and the end of June and taught in English, combining formal lectures and associated field trips to Norwegian courts, administrative agencies and legislative offices. The Faculty subsidizes the transportation costs for the Calgary students chosen and, while the Calgary students, unlike the Oslo and North Dakota students, do not receive any course credit for successfully completing the course, they do receive a transcript notation for successful participation in the program. This is consistent with Calgary's approach to students who enrich their legal education by attending the Common Law/Civil Law Exchange Program or the Canadian Human Rights Foundation's annual two week course on Human Rights.

III. *The Graduate Program*

The establishment during the review period of a thesis-based graduate program was an important step to enrich the legal education program and to stimulate the research effort of the Faculty. The desirability of offering a graduate program had been discussed for several years. Initially the Faculty considered having four areas of specialization, Natural Resources Law, Family Law, Legal History and Legal Education. The December, 1983, *Law Review Committee Report* recommended that the LL.M. proposal be carefully re-thought by the Faculty in light of its intensive engagement in a relatively new LL.B. program that still required fine-tuning and that in re-thinking the proposal, consideration be given to limiting the proposed scope of the program to one or at most two of the four areas of study suggested.¹²

12. The Report of the Committee to Review the Faculty of Law, December, 1983, at 25, 33.

By early 1987, the Faculty considered that the undergraduate program was sufficiently fine-tuned and enriched and the library collection was substantial enough to push for the establishment of a graduate program. However, in view of the decision of the provincial Department of Advanced Education not to provide any additional funding for new University programs and the inability of the University of Calgary to provide any additional resources to support an LL.M. program, the Faculty decided to restrict the program to the area of natural resources, energy and environmental law, but it did not rule out the possibility of extending the ambit of the program in the future.

The initial choice of specialization for the graduate program was based on the need to mount the program by reallocating existing resources and the fact that sufficient expertise, course offerings and library holdings existed in the natural resources law area in the Faculty and its affiliated research institute, the Canadian Institute of Resources Law. In addition, as Calgary is the oil and gas capital of Canada, there was widespread interest in the legal and natural resource communities in such a program being offered. Furthermore, the Faculty's only endowed chair was in the natural resources area.

In early 1987, the Law Faculty submitted a proposal for a Master of Laws degree program in the field of Natural Resources and Energy Law to the Faculty of Graduate Studies. An Ad Hoc Committee appointed by the Faculty of Graduate Studies reviewed the proposal, and met with Law Faculty members, Canadian Institute of Resources Law staff, representatives of the Calgary legal community, the Director of the University Library and other interested individuals. The Committee eventually made a positive recommendation to the Council of the Faculty of Graduate Studies which in February, 1988, approved the program. However, as a condition of Graduate Studies' approval, the Law Faculty had to commit to mount the program without any additional resources from the University and to raise sufficient endowed funding for graduate scholarships.

Additional approvals were required in the University and the proposal moved successfully, albeit slowly, through The Institutional Policy and Priorities Committee, the Executive Committee of the General Faculties Council, the General Faculties Council and finally the Board of Governors in December, 1988. In March, 1989, governmental approval was granted, on condition that no additional government funding would be provided in support of the program, and on April 20, 1989, the University Board of Governors authorized the immediate implementation of the LL.M. program in the field of Natural Resources and Energy Law.

Major fundraising efforts commenced in mid-1988 well before final program approval was obtained, to ensure that the required external funding for the program would be in place. The Dean established a committee of eighteen senior counsel from leading Calgary law firms and resource companies, under the chairmanship of Mr. Bill Howard, Q.C., to assist in designing and implementing a campaign to create an endowment for the needed graduate scholarships and to enrich the existing endowment for the Chair of Natural Resources Law to ensure sufficient funding for a Chairholder to be in residence each year. Substantial difficulties were encountered in coordinating the priority of the Law fundraising activities with already approved University external fundraising efforts. However, the President of the University, J. Murray Fraser, encouraged and supported the committee by agreeing to match from the governmental matching funds received by the University all moneys raised by the committee. The campaign was successful¹³ and the Faculty accepted its first two graduate students in September, 1989. It is planned that by its fifth year of operation the program will grow to an intake of five students per year.

IV. *Research Initiatives and Activities*

The intense demands placed on the Faculty in the school's early years to develop an innovative legal education program and the priority placed by the Faculty on strong teaching and frequent assessments of student performance quite naturally left little time for research activity. In December, 1983 the *Law Review Committee Report* had recommended that the Faculty encourage more publication by its teaching staff and establish an information system to apprise its members of research grant opportunities and deadlines.¹⁴ Most Faculty agreed with the thrust of this recommendation and several initiatives were undertaken in 1984 and 1985 to substantially increase the opportunities for both individual and group research and to broaden the overall focus of the research done in the School.

i) The Canadian Institute of Resources Law

The Faculty in its early years, while primarily directing its efforts to

13. The campaign raised almost \$300,000 which was subsequently matched by the University of Calgary. In addition, shortly before his death in February, 1989, the late Honourable Neil Douglas McDermid, Q.C., established a named endowment fund, the interest from which will be used to benefit in many ways the Alberta Law Faculties. In the spring of 1989, the directors of the endowment agreed to annually provide four \$10,000 Law graduate scholarships to be tenable two per year at each of the Alberta Law Schools beginning in July, 1989.

14. *Supra* note 3, at 33.

developing the teaching program, demonstrated great initiative and foresight by laying the foundation for an institutional research focus in natural resources and energy law with the establishment of the Canadian Institute of Resources Law (CIRL) in 1979. CIRL was established, with funding from the Alberta Law Foundation as well as from the Governments of Alberta and Canada, as an independent institute associated with the law school and located in close physical proximity to it.

The Institute's major objectives are to undertake and promote research, education, and publication on the law relating to Canada's renewable and non-renewable resources. The Institute has a national Board of Directors with representatives from the Calgary Faculty, major resource development sectors, and environmental and conservation groups. By 1984, under the able leadership of Executive Directors Roland Harrison, Al Lucas and then Connie Hunt, the Institute had earned an enviable, national reputation for excellence.

It continued to enhance this reputation during the period under review. The Institute publishes a quarterly newsletter entitled *Resources* that provides timely comments on matters of current concern in the resources law field and updates on the Institute's current research projects, grants, publications, and seminar and conference programs. The Institute is also well known for its *Canada Energy Law Service*, a five-volume looseleaf guide to energy tribunals, that is published in conjunction with Richard De Boo Publishers. One example of the major research projects undertaken by the Institute during the period under review is a four year Canadian Water Law Project funded by the Donner Canadian Foundation and Environment Canada that resulted in seven manuscripts published as either books or discussion papers on the broad topics of water allocation, water quality, extra-jurisdictional effects of water projects and native water rights. The Institute also began a major research project on legal issues in Canadian forest management.

ii) *The Canadian Research Institute for Law and the Family*

In 1984, with a grant from the Alberta Law Foundation, a study was undertaken of the feasibility of setting up an interdisciplinary institute in conjunction with the Faculties of Law and Social Welfare to undertake major interdisciplinary research in the area of law and the family. The institutional model chosen to be emulated was the previously established and highly successful Canadian Institute of Resources Law. Following the successful completion of the feasibility study, chaired the first year by Dean Hughes and the second year by Professor Diane Pask, the Alberta Law Foundation generously committed two years of core funding for the

Institute at over \$200,000 per year and the Faculties agreed to provide the space required out of their premises. Approval by the Board of Governors of the University was obtained in late 1986. The Institute was established in the Law School in February, 1987 and Dr. Joseph P. Hornick was appointed the Institute's first Executive Director.

The Institute's mandate is to conduct interdisciplinary research on issues relating to law and the family, to analyze the effects of laws in relation to policy objectives and to disseminate information through publications and educational activities. A national Board of Directors was established with representation from academia, the practising bar, the judiciary and the private consulting sector.

Since its establishment in 1987, the Family Law Research Institute has published, either by itself or in conjunction with established legal publishers, manuscripts on the economic implications of marriage breakdown for spousal and child support, young offenders in Canada, child welfare law, and elder abuse and neglect in Canada. It has also begun major research on alternative measures and programs for native young offenders and on the handling of child sexual abuse cases in the child welfare and criminal justice systems.

iii) Research Director and Research and Development Newsletter

In November, 1985, the Faculty took steps to improve its research and publication capabilities by reallocating resources to permit the appointment of a Research Director and to increase its budget allocation for student research assistants. Professor Al Lucas was the first Director appointed and he continued in the position until the end of 1987. Professor Nigel Bankes has held the position since then. Both Directors have tackled the challenges presented with enthusiasm and skill and have made a major contribution to increasing the Faculty's research output and profile.

The Research Director's duties include assisting faculty members in the development of research proposals and dealing with publishers, investigating and promoting the development of funding for law research projects and the hiring, allocating and supervising of student research assistants funded from the faculty budget. The Director also has responsibility for promoting the research thrust of the Faculty through outreach activities such as supervising the publication of an annual research and development bulletin. It was anticipated that the Research Director's position would be expanded to include the position of Director of Graduate Studies with overall responsibility for the implementation and operation of the LL.M. program at such time as the program finally secured University approval and this occurred as planned.

The Faculty's first *Research and Development Newsletter* was published in the fall of 1986 and was designed to make available to interested individuals and groups outside the school the nature and range of research and writing which had been and was being undertaken by Faculty members. It was hoped that a listing of the research completed or underway in the faculty would both demonstrate the commitment of the school to research and scholarship and at the same time provide the basis for correspondence and interaction with legal academics and practitioners elsewhere with similar interests. The *Newsletter* also provided the faculty with an opportunity to highlight the work of its two affiliated research institutes.

iv) Law Review

The Faculty does not currently publish a student or Faculty Law Review. However, the Faculty is pursuing with enthusiasm a proposal from the Faculty of Law at the University of Alberta that the *Alberta Law Review*, presently published by its students become a joint project of the two Law Schools.

V. External Relations

The Faculty, faced with a tight articling market, a graduate program initiative and a continuing reduction in resources, focused particular attention during the review period on its external communities. The Law Faculty, much like Faculties elsewhere, had found itself increasingly dependent upon support from the legal profession, strong alumni connections and external funding from the private sector. The success of these external relations initiatives required extraordinary commitment by the Faculty and support staff due to the small size of the Faculty and the intensive demands of its educational program.

i) The Law Society of Alberta and the Calgary Bar Association

The Dean of Law serves as an *ex officio* member of the Benchers of the Law Society and of the Law Society's Legal Education Committee and a Bencher of the Society serves as a member of the Faculty Council. Members of the Calgary Bar and judiciary regularly enrich the Faculty's teaching and skills training programs by serving as sessional lecturers, or as group leaders, demonstrators or judges in the professional responsibility, interviewing, negotiation and counselling, trial advocacy and mooted and debating programs. A Faculty member serves as a member of the Board of Directors of the Alberta Law Reform Institute and the Institute in 1989, under the guidance of its new President, Alan D. Hunter, Q.C. and its new Director, Professor Peter J.M. Lown, began

to hold some of its meetings at the Calgary Faculty rather than solely in Edmonton as had been the practice in the past.

The Calgary Bar Association in 1979 undertook funding a Visiting Chair in Advocacy at the Law School in honour of Chief Justice James Valentine Milvain of the Trial Division of the Supreme Court of Alberta who retired at the beginning of that year. The Chair enables the Law School to invite a leading counsel each year to conduct a number of sessions on advocacy as part of the compulsory third year program in Trial Advocacy. In 1985, the Faculty initiated the practice of having the Chairholder address members of the Calgary Bar at a downtown location to increase the contact between the Faculty and Calgary practitioners and to publicly express the Faculty's appreciation for this support. The Faculty also mounted a photo display near the Moot Court Room to permanently honour the Chair incumbents. During the past five years the Chair has been held by the following eminent counsel: Joel Pink, Halifax; Serge Kujawa, Q.C., Saskatoon; Marvin R.V. Storrow, Q.C., Vancouver; David W. Scott, Q.C., Ottawa; and Richard Scott, Q.C., Winnipeg.

The Faculty also initiated two regularly scheduled events to increase its ties with members of the Calgary Bar and judiciary, virtually all of whom are graduates of other, older law schools. First, it began to hold "Law Firms Night at the Law School" during which all members of particular law firms, one or two firms at a time, were invited to the law school to meet the faculty and student representatives and hear a presentation on the major features of Calgary's educational program, resources and evaluation system. The program was designed particularly to increase the receptiveness of Calgary law firms to Calgary graduates at a time when articling positions were becoming increasingly scarce due to the general slow down in the Alberta economy. The Faculty also began to invite selected practitioners and judges to dinner meetings with a guest speaker on current legal issues. Faculty members, visiting professors and visiting chairholders served as guest speakers and lively discussions followed. The legal community has demonstrated strong interest in attending these sessions.

The students initiated an Articling Day event, now held on campus each fall, to provide Calgary students with an opportunity to meet with members of the profession and discuss matters relating to articling. Speakers representing law firms, oil companies, banks, insurance companies and alumni address topics such as what to expect in articles, the rights and responsibilities of the student-at-law, and alternatives to articles.

In addition, as noted earlier, eighteen senior counsel from major Calgary law firms and resource companies assisted the Dean during the

latter part of 1988 and the first half of 1989 in mounting a successful fundraising campaign to enable the Faculty to commence its graduate program in September, 1989, without any new governmental or University funding.

ii) The Legal Education Society of Alberta

The Legal Education Society of Alberta is based in Edmonton and is responsible for providing the Bar Admission Course and the continuing legal education programs for the province. A member of the Faculty serves on the Society's Board of Directors.

Since 1983 the Faculty has jointly sponsored with the Legal Education Society a one week summer intensive skills oriented Workshop on Trial Advocacy for practitioners from the western provinces. The program, which has been consistently over-subscribed, is organized by Professor Christopher (Kit) Rigg with faculty drawn from the bar and judiciary of Alberta and Saskatchewan. In 1988 the Faculty, under the initiative of its Research Director, moved to jointly sponsor a second annual seminar with the Society. While the initial program on "Recent Developments in the Law" did not attract sufficient registration to proceed, a second attempt in March, 1989, was successful. The latter program was a one day seminar on the special legal problems associated with doing business on Indian Reserves or with Band Councils and the legal problems associated with the establishment and financing of Indian business on reserves. These jointly sponsored programs showcase faculty talent and generate a modest source of revenue for the Faculty.

iii) Alumni

The University of Calgary Faculty of Law Alumni Association was formally organized during the Homecoming Celebrations held in November, 1986 to honour the Faculty's tenth anniversary. While the alumni is still small in numbers and relatively young in experience at the bar, it offsets these realities with its energy and enthusiasm. Ms. Bev Powell, the Faculty administrator, assumed responsibility for alumni affairs and enthusiastically tackled the compilation of the Faculty's first alumni directory and the preparation of alumni profiles for the Faculty's Moot Hill magazine. One night at the annual Law Show is now designated "Alumni Night" to encourage alumni attendance and the Association is encouraged to present at least one skit at the show.

The Law School Class of 1989 demonstrated its commitment to the Faculty with a unique and generous parting gift. Under the leadership of graduating student Kip Popowich, the class established a Graduation Endowment Fund, the first of its kind at the University of Calgary.

Almost the entire class made three-year pledges for a class total in excess of \$12,000 that is eligible for a match from the provincial government matching fund which will double the donation. The class realized that the costs associated with legal training for future students will increase and intended the endowment as both a legacy to future classes and a precedent to be followed by later classes. The principal will remain in the University's Capital Fund and the interest will be used to finance practicum needs, student travel, alumni affairs and other projects.

iv) Conferences

Over the past five years the Faculty has successfully mounted, singularly or jointly, a number of major conferences which have served to increase the national profile of the Faculty as well as contribute, through the publication of the conference proceedings, to Canadian scholarship.

In July, 1984, the Faculty hosted the annual meeting of the Mid-Continent Association of Law Schools at Banff. In May, 1985 it hosted a national conference on "The Socialization of Judges to Equality Issues" which attracted over 200 registrants from across Canada and which resulted in a book of essays on *Judicial Neutrality and the Law* edited by Calgary Professors Kathleen Mahoney and Sheilah Martin.

The Faculty, in June of each year from 1984 to 1989, co-hosted with the Faculty of Management an Annual Labour Arbitration Conference with attracts several hundred participants and results in published conference proceedings coedited by Professors Kit Rigg of the Law Faculty and Al Cahoon of the Management Faculty.

The Canadian Law Teaching Clinic, initiated by members of Calgary Law Faculty and others ten years ago, assists law teachers to improve their teaching skills. The clinic was hosted by the Calgary Law School at Banff for the first three years of its existence and has been held in various locations since that time. In 1989, the Canadian Law Teaching Clinic returned to Banff for its tenth anniversary and was hosted by The University of Calgary in conjunction with the Faculties of Law at the Universities of Windsor and Montreal. Calgary Law School staff provided local support for the clinic.

Plans are well underway, with seed money, support staff and teaching release time provided by the Faculty and substantial start-up funding provided by the Alberta Law Foundatoin, for a major international conference to be held in the fall of 1990 in Banff on "Human Rights in the Twenty-First Century: A Global Challenge". Professor Kathleen Mahoney, Director of the Conference, is responsible for its overall planning, organization, budget and execution. Professor Paul Mahoney of

the European Court of Human Rights will coordinate the involvement of the European participants.

v) *Public Lecture Series*

In 1978, the Faculty, under the guidance of Professor William Pepler, initiated a series of lectures known as "Saturday Morning at the Law School". The program is still enjoying great success eleven years later. It continues to emanate from the Law School and is coordinated by Professor Iwan Saunders of the Faculty of Continuing Education with speakers, many of whom are Law Alumni, arranged through the Canadian Bar Association and the Canadian Association of Women and the Law. Lectures traditionally deal with child custody, access and matrimonial property law matters, the Charter of Rights, and landlord and tenant issues.

In 1987, the Faculty, under the initiative of Professor Kathleen Mahoney, launched a new noon-hour public lecture series entitled "Famous Cases". Approximately four lectures are presented each year by practitioners from across Canada who have litigated well-known, precedent setting cases. The lectures have always been very well attended.

VI. *A Look Ahead*

The '90's will be challenging years for the Calgary Law Faculty. Law is constantly changing and so is the university environment. The Faculty will soon be housed in new, more suitable premises but will need to continue to strive to develop the resources needed to deliver a quality program, pursue research, strengthen its community relations and increase the visibility of the school. Particular attention will need to be paid to broadening the range of upper year course offerings and to maintaining a balance in faculty expertise, course offerings and research notwithstanding the specialized nature of the graduate program.

i) *The Physical Facilities*

The Faculty and Law Library have been housed since their inception on the top two floors of the Biological Sciences Building. At best, the facilities might be described as crowded, but colourful, and conducive to frequent interaction between faculty, staff and students in a way that has fostered personal familiarity, professional collaboration and a strongly participative and supportive student body. Since 1987, law classroom space has been relocated and secretarial and storage space has been renovated to create much needed additional faculty offices and to

accommodate the new affiliated Family Law Research Institute and the new microcomputer lab.

During 1987 the Faculty, while acknowledging that it was the only law school in Canada that did not have its own building, reaffirmed its strong preference to maintain a relatively small student body and share a proposed new Professional Faculties Building rather than increase enrolment to justify a separate law building. In June, 1989, fifty million dollars in capital funding was formally committed by the provincial government to build and furnish the long awaited Professional Faculties Building that will house the Faculties of Law, Environmental Design, Social Welfare and Nursing and to renovate the space vacated by these four Faculties. The Law Faculty is expected to have space separate from that of other faculties and users of the building and a distinct locale within the building that will reflect and enhance the school's professional identity and the key features of its program. Construction is anticipated to commence in 1990 with a targeted completion date in 1992.

ii) Reliance On Private Sector Funding

There is cause for concern in the Faculty's increasing reliance on private sector funding for the continued, successful operation of its core academic program. The Faculty's principal external benefactor is the Alberta Law Foundation and, despite the numerous references throughout this article to the generous support the Foundation provides, it is important to acknowledge just how crucial this support has become to the delivery of a high quality educational program. The Law Foundation, in addition to providing special project funding for the library collection generally and the graduate program specifically, and for the Faculty's microcomputer laboratory, the Practitioner-In-Residence program and the annual Martland Lecturers, also provides most of the funding expended to train law students in computer assisted legal research and learning programs, for the participation of Calgary students in provincial and national mootings and client counselling competitions, and for the Faculty's visiting speakers program. The Foundation also provides substantial start-up funding for the planning and promotion of major Faculty conferences and has provided most of the funding to establish the Faculty's two affiliated research institutes. The Faculty is very grateful for this continued, generous support, but is increasingly concerned about the extent of its dependency on such annually-awarded external funding. Also of concern is the increasing amount of time that must be devoted by the Faculty to public relations and fundraising activities with the bar, the judiciary and the alumni to mount new programs such as the graduate program.

VII. *Conclusion*

The Faculty can take pride in the growth and development of its program and research activities, despite diminishing resources, during the period under review and undoubtedly will thrive in pursuit of its academic mission under the leadership of Professor Constance Hunt who assumed the Deanship in July, 1989. The founding traditions of the Faculty will ensure that the challenges of the next decade will be met with initiative, vigour and commitment.