

Pro Bono Students Canada - University of Victoria Chapter

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Access to Justice

Project 20-01: Communications Internship with Access to Justice BC

Project Type: Internship, Public Legal Education

Organization: Access to Justice British Columbia

Area of Law: Access to Justice, Human Rights, Interdisciplinary (ie. Family, Civil Litigation, Alternative Dispute Resolution)

Project Details: Student Volunteer Positions are opportunities for law students to contribute to access to justice in BC and to learn about work that aims to improve access to justice. Students will focus on supporting the Access to Justice BC narrative strategy, which will include:

1. assisting with the development of written and video “Access to Justice” stories for Access to Justice BC;
2. conducting interviews and preparing videos related to various access to justice events. All events and interviews will be hosted/conducted remotely while restrictions are in place. Students will not be asked to attend in-person interviews or events while Provincial Health Restrictions and University Restrictions are in place and if these restrictions are lifted, students can participate with in-person activities only if they are comfortable;
3. supporting A2JBC’s social media activity – students will participate in planning, input and distribution;
4. being part of the organizing group for Access to Justice Week 2021. This will include promoting the event with other students and possibly canvassing student organizations to put on events. The student will be part of an organizing group that coordinates communications and may have some responsibility for tweeting during the week. and;
5. participating in the Access to Justice Engagement Committee, which entails being present at the Committee meetings by phone or Zoom

Required: 1 upper year student OR 1 previous volunteer and 1 first year student. Volunteers should have Social Media expertise and video content creation/editing skills is an asset.

Project 20-03: Legal Fact Sheet Project

Project Type: Public Legal Education

Organization: South Asian Legal Clinic of British Columbia

Area of Law: Access to Justice, Interdisciplinary (Poverty Law, Residential tenancy law, disability law, employment law, human rights law, wills/estates/probate/elder law, immigration/refugee law)

Project Details: This project provides law students with the opportunity to assist with providing free and accessible legal information to low income South Asian people in the Lower Mainland. Subject to the review and approval of the supervising lawyer, law students will create content in the following areas for plain language fact sheets that will be posted to our website: Poverty Law, Residential Tenancy Law, Disability Law, Employment Law, Human Rights Law, Wills/Estates/Probate/Elder Law, Immigration/Refugee. Students will research legal issues and then compile the information in 1-2 page fact sheets on a variety of legal topics.

Students will be expected to perform the tasks remotely. The number of fact sheets will depend on the complexity of that area of law, and the students and supervisor will decide on the scope of work at that time.

Required: 2 student volunteers (first year or upper year). Given the demographics served, there is a strong preference for volunteers who can speak/read/write to some extent in a South Asian language or have some familiarity with South Asian cultures. Volunteers should be familiar with the barriers that constrain South Asian people in BC and recent immigrants from accessing justice and be able to keep these constraints in mind when drafting the fact sheets. Volunteers should be able to confidently write in accessible language.

Project 20-04: Internship with USCLAS

Project Type: Internship, Legal Research and Writing, Public Legal Education

Organization: Upper Skeena Counselling and Legal Assistance Society

Area of Law: Access to Justice (focus on Rural Communities)

Project Details: USCLAS is at a unique moment in their history as services are forced to be delivered partially online. USCLAS supports a wide range of communities with a 5-hour driving range, and service delivery in this time may be improved by a transition to an online model. However, the unique barriers that clientele face in more remote or rural areas of BC may challenge this form of service delivery.

Clients who were already having to hitch hike to attend legal appointments may now be struggling with accessing internet service as well as securing a private and safe area to communicate with their lawyers or receive legal assistance. The goal of this project is to develop a model of distance services which still maintains cultural competency, an understanding of regional challenges and is trauma informed.

USCLAS must balance the challenges clients face with the opportunity to improve service delivery.

This project will involve supporting USCLAS with their community legal work and with their transition to remote service delivery to remote communities in light of COVID-19. This project may include the following tasks:

- Assisting with consultation with the North Western regional First Nations about providing remote legal services in a culturally competent manner. All consultations will be conducted under direct supervision of an USCLAS staff member and summaries of consultations would then be drafted.
- The research and drafting of internal research memos for USCLAS about access to justice approaches being used to bring legal support to rural communities in British Columbia. This could include recording and drafting an internal document summarizing these approaches as well as the approach developed and used by USCLAS. It could also include the creation of access to justice legal resources for remote First Nation communities.
- The research and drafting of an internal research memo about the legal landscape of the BC Law Society regulations about providing unbundled services and creative manners in which non-profits may offer services.
- Assist in setting up remote legal support procedures. This could include organizing documents, researching current legal procedures for family law, criminal law, and poverty law, and sitting in on remote client intake meetings.
- Updating the USCLAS website to include information about services and to summarize online resources available in supporting areas. Students would be encouraged to update and

maintain a blog on current issues facing those accessing justice in remote areas as well as best practices for similarly situated agencies.

Student volunteers will work with the team at USCLAS and carry out the different tasks listed above to support the organization's work. Students will carry out various legal research projects and will be assigned to certain projects by the Organization Supervisor. This role will require the drafting of work plans for the discrete research topics and will require students to remain very organized and prioritize tasks per the direction of the Organization Supervisor. Student will gain experience with consultation and client intake procedures in a remote setting and will learn about being a legal advocate in remote communities. Students will report to the Organization Supervisor and will send all final work to the lawyer supervisor for review prior to use or circulation.

Required: 2-3 student volunteers (upper years and 1 first year). A strong interest in Indigenous Law is encouraged and preference will be given to students with an understanding of community consultation and a connection to the local area that USCLAS serves.

Criminal Law

Project 20-05: Documenting Sexual Harassment and Advocating for Legislative Change

Project Type: Legal Research and Writing, Public Legal Education

Organization: Coastal Research, Education and Advocacy Network

Area of Law: Criminal, Human Rights, Civil Litigation

Project Details: This project is a follow up to the project from last year that addressed sexual harassment ("Supporting Survivors of Sexual Harassment"). This project will continue to build off the work undertaken last year and will focus on understanding the legal landscape of surveillance and CCTV footage and the storage of this information. This footage is an important piece in sexual harassment and assault cases; however, there is confusion and inconsistencies in how this footage is handled. This project will involve drafting an internal research memo for the staff at CREAN explaining this legal landscape and the associated rights of parties who possess the footage and those wishing to view it. This work will support CREAN in their work to have legislation passed that upholds the rights of survivors of sexualized violence and may involve tasks associated with bringing these legal issues to the attention of local MPs. The PBSC student volunteer(s) will not directly engage in the advocacy of the material (i.e. will not directly lobby local MPs). Student volunteers may attend/sit in on advocacy meetings but will not be directly delivering the material.

Student volunteers will work closely with the team at CREAN and their lawyer supervisor to draft a work plan outlining how they will address their assigned research. They will perform legal research in relevant caselaw/legislation, as well as policy research, and will draft an internal research memo to support CREAN in carrying out their actions. Students may be able to sit in on advocacy meetings but will not carry out advocacy to local MPs directly.

Required: 1-2 student volunteers (first year or upper year).

Project 20-06: Legal Terminology Glossary

Project Type: Legal Research and Writing, Public Legal Education

Organization: Victoria Sexual Assault Centre

Area of Law: Criminal, Civil Litigation, Human Rights

Project Details: The goal of this project is to provide clients with a glossary to help them better understand legal terminology in accessible language; outlining terms clients may encounter when interacting with police departments and/or the justice system. Students will compile a list of legal terms (in collaboration with VSAC's Victim Service team) that a client may encounter when working with police departments or the justice system. They will provide the legal definition, an accessible/lay definition and potentially an example of the term used in a scenario. At the end of this project the glossary will be put into a document (pamphlet, info-graphic, etc.) and the students and Victim Service team can collaborate to decide the best format.

Required: 1-2 student volunteers (first or upper year). Volunteers should have an understanding of the root causes of gender-based violence and systemic racism/discrimination. VSAC serves Women, Trans, Two-Spirit and Gender Diverse survivors of sexual assault and gender-based violence – any student working with VSAC will need to understand and adopt their perspective of intersectional feminism, decolonial practice and inclusivity when preparing the documents for their client's.

Project 20-07: Restorative Justice British Columbia Research Support

Project Type: Legal Research and Writing, Public Legal Education

Organization: Restorative Justice Association of BC (RJABC) **Confirmation pending - In the interim, the supervisory role is being fulfilled by an RJ Advisory Committee that is comprised of RJ experts in BC and is spearheaded by RJABC board member, Alanna Abramson.

Area of Law: Criminal, Alternative Dispute Resolution, Indigenous & Aboriginal Law

Project Details: This project will focus on legal research and resource development for Restorative Justice organizations in British Columbia. Restorative Justice organizations from across the province will provide topics for legal research projects that will help them with the work that they do. Student volunteers will then be assigned from UBC, TRU and UVic to each of these research projects. The goal of this project is to support restorative justice work throughout the province by addressing the legal research needs/resources of many different organizations through a centralized restorative justice research database. Pending sign off from partner organizations, the legal resources created by PBSC student volunteers will then be available to other restorative justice organizations in BC and the communities they serve. This may be achieved via email circulation or via a webpage on the Restorative Justice Association of BC website.

This project will be a collaborative effort between British Columbia Pro Bono Students Canada Chapters at UVic, UBC and TRU. The Restorative Justice Advisory committee will provide mentorship and guidance to student volunteers. Each PBSC Chapter's lawyer supervisor will oversee student work and edit/approve final products prior to circulation. Student volunteers will be assigned by their respective PBSC Chapters to a particular research topic and will then carry out the legal research and associated resource drafting. They will meet with their advisory committee and supervising lawyer and draft a work plan by November 1st that outlines how they will complete the project.

Required: 2 student volunteers (1 upper year and 1 first year). Experience with criminal law or restorative justice work would be an asset.

Health Law

Project 20-08: Public Legal Resource on Patient Rights

Project Type: Public Legal Education

Organization: Saanich Volunteer Services Society

Area of Law: Health

Project Details: Students will create a pamphlet and short presentation discussing hospital patient rights in BC including medical assistance in dying. The pamphlet will be a plain language resource that is accessible for the elderly community, especially visually impaired seniors. Students will create a short presentation explaining their research and will record a video presentation to be posted in SVSS's website. The presentation may also take another form, i.e. Zoom webinar or meeting with the lawyer supervisor present to field any questions.

Required: 2 student volunteers (first year or upper year). Experience in social work or elder care is an asset, but not required.

Project 20-09: Legal Research for Office of the Seniors Advocate of British Columbia

Project Type: Legal Research and Writing, Public Legal Education

Organization: Office of the Seniors Advocate

Area of Law: Health, Housing, Human Rights

Project Details: This project will focus on legal research for Office of the Seniors Advocate BC. This legal research will support the work of the Office of the Seniors Advocate and will entail drafting internal legal research memos to inform the organization about the state of the law around the following research topics:

1. Consent in long term care facilities surrounding medication decisions. It seems that seniors/their representatives are signing off and giving consent for a physician to make medication decisions. What is the state of the law surrounding medical consent and can it be given for an indefinite period of time? What limitations are placed on those administering medications based on this initial consent and what are the rights of the seniors being impacted.
2. Research Topics may be added pending approval: New legal research questions will be submitted from the Office of the Seniors Advocate Director of Research or designated alternative to the Lawyer Supervisor prior to circulation to the student volunteers to ensure they are appropriate and can be addressed by the student volunteer researchers.

Students will conduct legal research to address the topics outlined above. They will meet with their organization contact and lawyer supervisor and conduct the research to answer these research questions. They will draft internal research memos for the staff at the Office of Seniors Advocate BC that explain the legal landscape surrounding the topics above.

Required: 2 students volunteers, with at least 1 upper year student. Experience with Health Law and Admin law are assets.

Project 20-10: COVID-19 and Canadian Psychiatric Facilities Research

Project Type: Legal Research and Writing

Organization: Health Justice

Area of Law: Health, Human Rights, Constitutional

Project Details: COVID-19 has had significant impacts on the patients at psychiatric facilities across Canada. Students will research and create a library of materials, such as cases, reports, and academic articles, which will ultimately be used to assist with patient advocacy. This research will have both legal and scientific aspects as students will be looking into the impacts of COVID-19 transmission risk and human rights law.

Students will devote 3-5 hours each week on this project and keep the organization contact and lawyer supervisor apprised of their progress throughout the duration of the project. Students are required to meet (remotely) with the organization contact after PBSC training in order to gain a better understanding of the organization's needs and expectations for this project. Students will develop a work plan with the guidance of their lawyer supervisor and reach out to the lawyer supervisor or research support coordinator if any research issues arise. Students will complete research and create a library of materials to assist with patient advocacy by March 31, 2021.

Required: 2 student volunteers (First year or upper year). Health law, Human rights law and Mental health law/policy would be assets to have but not required.

Project 20-11: Mental Health Law and Legislative Reform Monitoring

Project Type: Legal Research and Writing

Organization: Health Justice

Area of Law: Health, Constitutional, Human Rights

Project Details: Mental Health and substance use treatment is an area largely governed by provincial legislation. There are multiple relevant and intersecting statutes and regulations that authorize detention and coercive health care within these systems. We would like a student to monitor emerging legislative initiatives, track the progress of bills, and review Hansard debates for content relevant to Health Justice's work. The student's research will help inform Health Justice's policy and law reform initiatives.

Students will devote 3-5 hours each week on this project and keep the organization contact and lawyer supervisor apprised of their progress throughout the duration of the project. Students are required to meet (remotely) with the organization contact after PBSC training in order to gain a better understanding of the organization's needs and expectations for this project. Students will develop a work plan with the guidance of their lawyer supervisor and reach out to the lawyer supervisor or research support coordinator if any research issues arise. The student will conduct monitoring activities on a weekly basis and will provide summaries of those developments to Health Justice. The student's research may also be incorporated into Health Justice's public legal education, social media, letters, submissions, law reform reports, among other things.

Required: 1 upper year student volunteer. Advanced Legal research and writing, health law, human rights law and mental health law would be assets but are not required.

Family Law

Project 20-12: Child Custody and Support Resource

Project Type: Legal Research and Writing, Public Legal Education

Organization: Artemis Place

Area of Law: Family

Project Details: This project will focus on the development of a public legal educational document which will be created as a resource for young mothers. It will address the legal landscape around gaining full custody and child support for the care of their children and will address the legal processes required to attain these supports, including current and basic terminology definitions. The document will address the legal landscape for young mothers under and over the age of 18 and will highlight any procedural differences between the two age groups. This document should be approachable for a general audience and use plain language to explain the legal concepts.

The final document should include:

- Plain language legal information about custody and child support in BC for young mothers presented in an accessible format (eg. Brochure)
- a visual flow chart with a focus on being accessible to all clients (possibly with arrows leading to next steps depending on specific circumstances of each client, for example if they were ever living together, age, etc.)
- legal resources for people to access, particular youth legal resources

Students will perform legal research and draft the plain language resources. They will work with Artemis Place and with their supervising lawyer to understand the necessary legal components and how they will research this topic. The students will liaise with Artemis Place coordinators if their research reveals new topics that could be included in this document.

Required: 1 student volunteer (first or second year). Family law would be an asset.

Project 20-13: MCFD Child Protection Resource

Project Type: Legal Research and Writing, Public Legal Education

Organization: Artemis Place

Area of Law: Family

Project Details: This project will focus on the development of a public legal educational document which will be created as a resource for mothers involved with Ministry of Children and Family Development (MCFD) child protection. Those accessing the resource may be mothers who are involved with MCFD child protection and may have a supervision order being put in place, or in place, or being managed. They also may be facing child removal or have had their child apprehended and would benefit from understanding the legal processes around this situation and what their rights and responsibilities are in this situation.

The resource will address the legal landscape of child protection in BC and will summarize the legal processes involved in child protection (including supervision orders and child removal). It will outline the rights and responsibilities for mothers involved in different aspects of the MCFD child protection process. The document will address the legal landscape for young mothers under and over the age of 18

and will highlight any procedural differences. This document should be approachable for a general audience and use plain language to explain the legal concepts.

The final document should include:

- Plain language legal information about Ministry of Children and Family Development child protection in BC presented in an accessible format (eg. Brochure, one page infographic)
- Diagram illustrating the different aspects of MCFD procedures
- Clear legal rights and responsibilities for mothers at different stages of MCFD child protection processes
- Links to legal resources would be helpful to include

Students will perform legal research and draft the plain language resources. They will work with Artemis Place and with their supervising lawyer to understand the necessary legal components and how they will research this topic. The students will liaise with Artemis Place coordinators if their research reveals new topics that could be included in this document.

Required: 1 student volunteer (first or second year). Family law would be an asset.

Project 20-02: Live Help

Project Type: Client Assistance, Public Legal Education

Organization: Legal Services Society of British Columbia (Legal Aid BC)

Area of Law: Access to Justice, Family Law, Housing, Alternative Dispute Resolution

Project Details: LiveHelp is an instant messaging service available through the Family Law in BC website. It allows users to ask questions and receive legal information online regarding family law issues.

Students involved in this project will provide remote online support, providing legal information to these users. In addition, students will also provide research support to ensure the information used by LiveHelp is current and up-to-date. In particular this year we expect this work to be focused around the upcoming Divorce Act and changes to Provincial Court regulations. Students will provide remote online support to users of LiveHelp during weekly scheduled shifts. The volume of client work will be based on the number of calls during their shifts. If students are not busy with client work, they will focus on research support to ensure the information used by LiveHelp is current and up-to-date. The research projects will be clarified at the start of the project by the organization and lawyer supervisors, and students will draft a work plan to address their particular research question(s).

Required: 5- 6 student volunteers, with one volunteer as the Project Lead (first year and upper year). Preference for student volunteers who have a background in social justice or family law related work/education, but this is not a strict requirement.

Environmental Law

Project 20-14: Climate Change Litigation Research

Project Type: Legal Research and Writing, Public Legal Education

Organization: Environmental Law Club UVic

Area of Law: Environmental Law, Constitutional, Human Rights

Project Details: The Environmental Law Club is spearheading an undertaking to develop a website explaining ongoing climate change litigation, which is meant to be understandable by those who have a

legal background and by the general public who want to learn more about climate change litigation. The goal is to create a 'beginners' page which serves as a starting point for students or the general public who know little about climate change litigation. Several existing websites already provide original court documents and summaries of climate litigation cases (for example <http://climatecasechart.com/> and https://climate-laws.org/cclow/litigation_cases). These websites contain very useful information for researchers looking for a specific case, but do not provide an introduction to and/or systematization of climate litigation cases and can thus be difficult to navigate. The Environmental Law Club's project therefore aims to complement existing databases by providing an introductory overview.

The website will begin by explaining what climate change litigation is and then expand into different types of litigative settings, claims, different jurisdictions etc. The purpose of this project is to educate and highlight that climate change is not only a political matter but also engages legal rights. The many examples of climate change litigation around the world demonstrate that climate change raises various legal issues, such as human rights violations, intergenerational responsible, compensatory claims under tort law, etc.

The project will also include the creation of an 'impact primer' that addresses why climate change litigation is important for communities and expands on how climate change litigation can impact communities. It will focus on linking the outcome of climate litigation to community effects and how these cases may shape our lives. The case summaries/content and impact primer will be created for the general public and those who are interested in learning about climate change litigation (ex. law students, environmental organizations).

Required: 3 student volunteers (at least one upper year student). Experience conducting legal research is an asset, as is fluency in other languages.

Human Rights Law

Project 20-15: Trans ID Clinic

Project Type: Client Assistance

Organization: Island Sexual Health and Trans Care British Columbia

Area of Law: Human Rights, Identification

Project Details: Student volunteers will work to expand access to rights for trans individuals in South Vancouver Island. They will accomplish this through two main tracks: Trans ID Clinics and Trans Rights Resource Support.

Trans ID Clinic: Students will run 5 clinics throughout the school year to help trans individuals in the community to obtain government-issued identification with their correct gender markers and names. Students will work directly with clients (remote or in-person) to help them through the process of applying for the requested documents. All training will be provided, and a lawyer will supervise the process, review written materials where appropriate (i.e. if an affidavit needs to be submitted), and commission documents as needed. Students and lawyer supervisors will be available to staff clinics at the following dates and times:

Date	Location	Mode of Delivery *pending relevant regulations
October 29, 2020	Zoom	Remote
November 23, 2020	Island Sexual Health Victoria	In-person
January 25, 2021	*pending	*pending
February 22, 2021	*pending	*pending
March 15, 2021	*pending	*pending

Training: All PBSC student volunteers must attend the General Training session and the Anti-Oppression training. All volunteers will also be required to attend four training sessions: Changing name and gender marker, working with trans folks and marginalized populations, conducting client interviews in emotionally charged settings, consent workshop.

Clinic Delivery 2020-2021: In light of the current COVID-19 Pandemic, we will be offered a mixed model of clinic delivery with some in-person clinics at Island Sexual Health and some remotely conducted clinics. This will allow for increased accessibility and flexibility to pivot to remote delivery if required.

- 1. Remote Clinics:** We will host some of our clinics remotely and will pivot our in-person clinics to this model if required under the relevant regulations and procedures relating to the pandemic. Please see our **Clinic Delivery** document and **COVID Action Plan** for full details.
- 2. In-Person Clinics:** The in-person clinic delivery will only proceed if it abides by Provincial Health Regulations, University of Victoria Regulations about student participation in co-curricular activities, PBSC Regulations, Island Sexual Health Procedures and if the student is comfortable with working in this capacity. If regulations prevent in-person delivery, all clinics will be delivered using the remote model above.

Trans Rights Resource Support: On weeks when no Trans ID Clinic session is scheduled, students will provide resource support for Trans Care BC and for the continuation of the Trans ID Clinic. With the assistance of the lawyer supervisor when necessary, students will develop the following resources:

For PBSC Trans ID Clinic:

- 1) A one-page document that summarizes the processes outlined in the volunteer guide. It should use accessible language and will be used by volunteers as a reference and be distributed to clients to help illustrate the process of obtaining ID.
- 2) Developing a brochure that accurately and succinctly lists the documents and order of steps required to changing your name and/or gender marker on all BC identification (i.e. Birth certificate, legal change of name, BC ID/Drivers/Health).
- 3) An advocacy memo summarising the requirements to legally change your name in the different provinces, including costs associated with the process.
- 4) Stemming from this site: <http://www.transrightsbc.ca/know-your-rights/important-legal-cases/>, an updated 2020 list summarising important legal cases, e.g. cbc.ca/news/canada/british-columbia/b-c-appeal-court-trans-teen-1.5423577

5) Prepare and lead a presentation for Foundry Campbell River about the ID name/gender marker change process. This presentation will be attended and pre-approved by a lawyer supervisor and delivered by zoom. Questions will be pre-submitted by Foundry Campbell River and circulated to Lawyer Supervisors before the presentation.

Required: 3 student volunteers (first year or upper year) and 2 Project Leads (upper year). Student volunteer assets include: experience with social work or professional interaction with BC Vital statistics and experience in front-line setting or with clinical work. Student volunteers must be trans allies, and a demonstrated commitment to trans allyship is an asset. Priority will be given to LGBTQ+ students, particularly transgender students, if they wish to self-identify.

Project 20-16: Legal Resources Addressing Discrimination in British Columbia

Project Type: Legal Research and Writing, Public Legal Education

Organization: Vancouver Island Human Rights Coalition

Area of Law: Human Rights, Immigration and Refugee, Indigenous and Aboriginal

Project Details: Students will research and draft plain language legal resources to support the work of VIHRC and address legal issues surrounding racism and discrimination in BC. This project will include conducting legal research and developing resources for VIHRC that address discrimination and racism in BC. The final product of this work may take the form of plain language, accessible guides, webinars or podcasts and will be guided by meetings with the Organization and Lawyer Supervisors, as well as any particular skillsets student volunteers have. The topics that this research can address are as follows:

- a. Gathering legal information about racial discrimination from the *BC Human Rights Code* perspective (discrimination based on race/place or origin/nationality/ancestry/colour). This will involve becoming familiar with *BC Human Rights Code* and being about to compare and contrast the *Code* perspective on racism to the phenomenon of racism more generally. It will involve investigating and articulating in plain language racial discrimination in intersection with other grounds and aspects of the *Code*.
- b. The legal landscape in BC around preventing and responding to Racism and Racial Discrimination. What types of processes are in place to do this work?
- c. Investigating the intersection between COVID 19 and Racism/Discrimination for BC communities. What legislative changes have been made relating to COVID-19 and how might they impact racialized communities? This work will involve researching the cases and information on the BC Human Rights Tribunal website and summarizing in 2-3 pages of plain language the state of the law and discrimination cases in BC, including how to make a claim and any COVID-19 specific information.

Required: 1 -2 student volunteers (at least one upper year student). Experience with human rights and creating podcasts/webinars/guides is preferred.

Project 20-17: Interpreting Anti-Racism Curriculum/Training within British Columbia Ministry of Education

Project Type: Legal Research and Writing, Public Legal Education

Organization: Coastal Research, Education and Advocacy Network

Area of Law: Human Rights, Criminal Law

Project Details: Implementing Anti-Racism Curriculum/Training within the BC Ministry of Education: This project will address expanding the curriculum for K-12 schools in BC to include black history and addressing racism in general. It will include proposals to implement mandatory anti-racism training for teachers and the creation of a provincial inventory tracking incidents of hate crimes in schools (K-12).

- This project will involve an investigation into the legal landscape surrounding hate crimes in schools (K-12) and researching relevant legislation (criminal code, Schools Act, etc.) and caselaw. It will involve the drafting of an internal research memo about the state of the law in BC, which could include an assessment of who has the legal authority in BC to implement curriculum changes and how to encourage the Province/Schools to carry out these changes on their own. It should also contain information which addresses the legal landscape of how to advocate for curriculum changes and make them mandatory across BC. The project will also involve an investigation into the rights of students and the steps in BC for reporting a hate crime.
- This project will also involve a plain language, accessible summary of the research memo in brochure format, which will be circulated to parents and community centres about reporting and the legal landscape (students rights). Student volunteers will work closely with the team at CREAN and their lawyer supervisor to draft a work plan outlining how they will address their assigned research. They will perform legal research in relevant caselaw/legislation, as well as policy research, and will draft a detailed internal research memo addressing the topic above. They will also draft a brochure including a summary of this memo using plain language which will be circulated to parents and community centres.

Required: 1-2 student volunteers (upper of first years).

Project 20-18: Office of the Seniors Advocate Information and Referral Line Support

Project Type: Legal Research and Writing, Public Legal Education

Organization: Office of the Seniors Advocate British Columbia

Area of Law: Human Rights, Housing (landlord/tenant), Health

Project Details: This project will support the Information and Referral Line at Office of the Seniors Advocate and the questions posed by those calling in. This project will address the legal questions that are fielded by the staff at Office of the Seniors Advocate BC and provide internal research memos for their staff to explain the state of the law about a given subject, as well as public legal educational resources for seniors.

This project involves (1) the creation of internal research memos/public legal education resources and (2) the creation of a comprehensive legal resource list.

1. **The creation of internal research memos/public legal education resources:** students will perform legal research to address the various research topics outlined below. The internal research memos for the staff at Office of the Seniors Advocate BC will inform the work and guidance provided by their team. The plain language public legal education documents will be an accessible resource for seniors and will be a simplified version of the internal research memos will clearly outline seniors' rights. This project will address two main legal research topics that have arisen from questions asked on the Information and Referral Line.
 - a. **Seniors Housing:** This topic will address different types of seniors housing and the legal landscape that governs each type. Research will focus on Independent living, privately

funded assisted living, seniors living in their own private condominiums, life leases, and any other congregate settings/private seniors' residences. The goal of this resource is to clearly define what is generally provided by each type of seniors housing (rent, other fees associated with health care or hospitality) and what laws/legislative frameworks/statutes/legal rights govern the seniors living in these different settings. This research memo and complimentary public education resource for seniors should include an assessment of the tenancy rights that impact seniors living in these different housing scenarios. The goal of the public legal educational resource is to provide seniors and their families a better understanding of their legal rights when it comes to seniors housing. This information should be in plain language with the goal of informing seniors who are considering living in these facilities about what their rights are and who owes them legal responsibilities.

- b. Public Health Orders:** This topic will address how public health orders are impacting seniors living in BC. This research memo will focus on how the BC COVID-19 orders (originating from the Public Health Act) are impacting seniors living in different types of housing. It will focus on the legal landscape surrounding the restrictions placed on seniors' (1) right of movement (leaving their home/residence) and (2) the restrictions on their right to have visitors. It could include a list of resources for seniors should they have a concern about the applicability of the COVID-19 restrictions. These Public Health Orders are consistently changing, so this topic should focus more broadly on outlining the legal landscape surrounding the rights of seniors when it comes to their right to movement/visitors. This will differ based on the type of housing they are living in and who owes the senior legal duties.
- 2. Creation of a Comprehensive Resource List:** This list will be provided for the team at the Office of the Seniors Advocate and will include a list of legal resources that can help address the questions raised. This component of the project will be built throughout the year and will build a list of resources and common responses to the legal questions that arise based on the research done for the Information and Referral line. Please keep track of resources that you find during your research and organize them under different topics, with the goal of creating this clickable flowchart of what resources to access based on different legal issues.

Required: 2 – 3 student volunteers (at least one upper year student who is comfortable taking a leadership role). Health law, admin law and knowledge of wills would be considered assets.

Project 20-19: Legal Research Education Support for Black Youth Helpline

Project Type: Legal Research and Writing, Public Legal Education

Organization: Black Youth Helpline

Area of Law: Human Rights, Education, Alternative Dispute Resolution

Project Details: The Legal Rights of Students and School Boards under Provincial Education Acts.

This research will focus on understanding and explaining the legal rights of students who are experiencing repeated suspensions or removal from their schools/school boards. The goal of this project is to clearly illustrate the state of the law around the legal rights and responsibilities of school boards to their students for the staff at Black Youth Helpline. This research will be carried out and analyzed provincially and will involve researching each province's Education Act and related legislation and, if

applicable, case law. This project will focus on the broader differences between provinces, however please make note of any school board specific guidelines for future research refining.

The Deliverable: A research memo for the staff at Black Youth Helpline that summarizes the governing legislation in each province and outlines the associated legal aspects of students facing repeated suspensions or expulsion from a school. This final material should be drafted using accessible language and any legal terminology should be defined. This research memo needs to take into account the broader context that this legal framework exists within and take note of the systemic issues that are contributing to the perpetuation of racism in education. This memo should account for both this broader context and the legal components. This link to a 2016 StatsCan report is a place to begin the policy research as it illustrates the gap in graduation rates of black students compared to non-black students still persists after accounting for socio-economic and family factors: <https://www150.statcan.gc.ca/n1/pub/75-006-x/2020001/article/00002-eng.htm>. This memo could include links to the governing legislation and legal resources (including Human Rights offices) that would help the staff at Black Youth Helpline understand this legal landscape.

This resource will be used to support the work of Black Youth Helpline in their work to support black youth and their families Nationally. The Black Youth Helpline is a resource that folks from across Canada can access and they provide a valuable service for many Canadians, including black youth and families in BC.

Required: 2 student volunteers (at least one upper year student). Experience with human rights law would be an asset.

Project 20-20: Legal Research Support for BCLI/CCEL

Project Type: Legal Research and Writing

Organization: British Columbia Law Institute/Canadian Centre for Elder Law

Area of Law: Human Rights, Housing

Project Details: The partner organization and student volunteer will choose at least two of the following three topics to work on:

- 1. Law Society Professional Development Credit Certification Requirements for Conference Participation.** The CCEL hosts a bi-annual Elder Law conference that draws members from across Canada, and from several different professional sectors. Of importance to our participants is the ability to claim professional development credit hours for attendance. The challenge is that each Law Society, and corresponding professional regulatory body, has its own set of credit certification criteria. Also, and depending on the conference agenda, there may be other sectors to consider. We would like a law student to do a cross-jurisdictional review of all Canadian law societies and select professional sector regulatory bodies to determine what the credit certification criteria is, and its corresponding application and approval process. We anticipate sectors to review may include, but not be limited to, the following professions:
 - a) Lawyers; Investment sector professionals; Nurse practitioners; Social workers; Insurance professionals; and Mortgage brokers.

There may be other sectors that could be added to the review. A student would conduct all the research for this task, and present their findings in a traditional legal memo, and perhaps develop a chart or table alongside it.

- 2. Research and summarize a collection of BC Human Rights Tribunal decisions that discuss age-based discrimination for older adults.** The CCEL carries out scholarly research, writing and analysis for law reform, collaborating with government and other entities, and providing materials and support for outreach and public information on legal issues that impact older adults. Part of this work requires review and updating of jurisprudence that address issues related to our work. A student would be tasked to research and review updated BC Human Rights Tribunal decisions that consider claims of age-based discrimination for older adults in BC. The student would develop a legal research memo that summarizes the updates. Time permitting, the student can turn the memo content into a shorter blog post, for publishing on CCEL's website.
- 3. Research memo that summarizes updated policy responses to COVID-19 in home and long-term care settings.** The CCEL has a strong interest in tracking the development of law and policy related to COVID-19 responses, and specifically in the context of home and long-term care settings. The task would be to prepare a legal research memo that summarizes updated policy responses to COVID-19 in this context. Time permitting, a student can turn memo content into a shorter blog post, for publishing on CCEL's website.

Required: 1 third year student or a student who is in their second semester of second year. The student volunteer must have completed Law 388 Advanced Legal Research and Writing or be taking it in the Fall 2020 term concurrently with their BCLI/CCEL placement. Student volunteers should have experience working on legal or non-legal cross jurisdictional research projects. Experience with blog writing would be considered an asset.

Project 20-28: RightsWatch Monitoring

Project Type: Legal Research and Writing

Organization: Canadian Civil Liberties Association

Area of Law: Human Rights Law, constitutional law

Project Details:

- CCLA has written an interim report on the extent of civil liberty and human rights concerns that have emerged as a consequence of government responses to COVID-19 and the emergency measures passed in response to the health crisis. Over the course of the year, students will assist us to create a more complete assessment with enhanced input from jurisdictions across Canada.
- CCLA will be using an online collaborative platform to facilitate a shared drafting and editing process. Students will be trained on the use of this platform at the beginning of the project. Other professionals and academics may also collaborate on the document, granting the students access to a wide range of viewpoints on civil liberties.
- The purpose of this report is to allow CCLA to monitor key COVID-related civil liberties issues in all jurisdictions across the country and consider issues and areas for future advocacy and or litigation.

- Students will be assigned a particular Canadian jurisdiction to monitor and will do so by conducting media scans, legal case scans and reviewing reports from public bodies. Students will be assigned to federal, provincial, territorial or Municipal jurisdictions.
- Students will be asked to research civil liberties incursions in their assigned jurisdictions using a range of research tools, and contribute clear, concise and nuanced descriptions in the shared document, supported by appropriate citations. Depending on how many external contributors sign up, it may also be possible for students to play an editorial role with respect to certain chapters of the report.
- CCLA may request further research on particular topics related to the report and reserves editorial privilege for all submissions.

Required: 1 Student Volunteer. Having experience with constitutional law would be considered an asset. Student volunteers must be able to clearly write in English and should have an interest in civil liberties, government accountability, the rule of law and CCLA's various program areas.

Project 20-29: Talk Rights

Project Type: Public Legal Education

Organization: Canadian Civil Liberties Association

Area of Law: Human Rights Law

Project Details: Talk Rights is a CCLA initiative to create well researched, accessible and engaging public education materials on current civil liberties and human rights topics for the CCLA website. Students will research and develop subject expertise in one or more timely civil liberties issue(s) in Canada and develop accessible information for the public:

- Students will confirm a topic assignment in consultation with the project supervisor, and will be asked to conduct preliminary background research and prepare a workplan. Past subject areas from which topics may be refined include national security, equality rights, privacy, free expression, protest rights and free assembly etc.
- Students will work with CCLA staff to determine the kinds of rights materials that would be useful to the public on the topic and will work on research and drafting those materials, under CCLA supervision.
- Depending on the nature of the agreed upon products (which may be in a wide range of formats, such as a short blog post or opinion piece, a resource list on a topic, an accessible case analysis on a topic of public interest, an infographic, a podcast or video on a rights issues or topic) students will be expected to produce from 3-5 pieces of work over the course of the year.
- CCLA will review the work and may request further research or revisions in order to ensure work is of sufficiently high quality to post on our website
- We welcome creatively, strongly encourage the creation of not just textual materials, but also graphics, video, podcasts, or other types of products that help to convey information about law, policies and issues in a simple, engaging manner.

Required: 1 Student Volunteer. Student volunteers should enjoy writing or other forms of creative communication and be engaged/interested in current events as they impact on civil liberties, government accountability, the rule of law and CCLA's various program areas.

Aboriginal Law and Indigenous Laws

Project 20-21: On the Record – Tracing Precedents, Mapping Impact

Project Type: Legal Research and Writing, Public Legal Education

Organization: Respecting Aboriginal Values and Environmental Needs (RAVEN)

Area of Law: Indigenous and Aboriginal, Constitutional, Human Rights

Project Details: Students will research the cases that cite RAVEN-supported legal cases, with the goal of illustrating the precedents that RAVEN trust has contributed to and the widespread reach of their work. Research will primarily be conducted using CanLii, but will also involve outreach to up to 5 lawyers who were involved in RAVEN-supported cases to gain narrative insight into the significance of precedents and on how these precedents are being used in the legal system in an ongoing way, influencing Aboriginal rights.

Students will build a database of the topics and outcomes of cases that cite RAVEN-supported cases, and craft narratives around up to 5 of these cases to describe how each contributes to the recognition of Aboriginal rights by the courts.

Sample cases (to be determined): Gitxaala, Wet'suwet'en, Squamish, Tsilqot'in actions vs Taseko, Beaver Lake Cree Nation. Research Process will include:

- Collecting language in judgement – bolded passages in CanLii
- Interviews with lawyers who can provide context – provide high quality recordings and transcripts, for possible future use on RAVEN podcasts

Required: 2 – 3 student volunteers (upper year or first year).

Project 20-22: Public Outreach Web Initiative

Project Type: Public Legal Education

Organization: Indigenous Law Research Unit

Area of Law: Indigenous and Aboriginal

Project Details: This is an outreach project for prospective community partners of ILRU as well as the general public. Students will be working on creating a series of creative and engaging plain language resources for ILRU. These resources will be aimed at enhancing public legal education in Indigenous law and communicating the work that ILRU engages in and how it is carried out. Students will be enhancing and expanding upon existing materials, as well as developing new material, subject to review and approval by the supervising lawyer. These materials may take the form of Prezi presentations, podcasts, brochures etc., and students are encouraged to be creative when developing new ways to convey information.

Required: 2 student volunteers, including at least one upper year student. Student volunteers should be familiar with Indigenous law and the work of the Indigenous Law Research Unit. Preference for someone who has taken the Indigenous Methodology course. Students should be comfortable working in a collaborative environment. An eye for or background in visual/artistic design, web-design or video

editing would be an added plus, but a combination of technical (computer/web) savvy (including the ability to learn those things) and a flair for creativity would be sufficient for this project.

Project 20-23: Aboriginal Social Work Curriculum Resources

Project Type: Legal Research and Writing, Public Legal Education

Organization: Indigenous Perspectives Society

Area of Law: Indigenous and Aboriginal, Family, Employment and Labour

Project Details: This project focuses on editing and adding information to the curriculum documents and resources for the IPS Aboriginal Social Work (ASW) training course. ASW is required training for social workers employed by the Delegated Aboriginal Child and Family Services Agencies in BC. This training combines best practice in Aboriginal child welfare with BC provincial legislation, policies and standards. The ASW curriculum is built upon a competency-based model of training which incorporates competencies and skills that an individual must possess in order to out the various responsibilities of a Voluntary services, Guardianship and Child Protection delegated worker. IPS is dedicated to improving the outcomes for Indigenous children and families and IPS upholds best practices for Indigenous communities. The ASW training is placed within the context of the First Nations and Aboriginal Child and Family Service Agency and Aboriginal communities and culture.

Child Welfare in BC is guided by several distinct pieces of legislation some of which are:

- The Child Family and Community Service Act
- the Representative for Children and Youth Act
- the Adoption Act
- the Community Living Authority Act
- the Infants Act
- the Youth Justice Act
- the Freedom of Information and Protection of Privacy Act (FOIPPA)
- the Public Guardian and Trustee Act (PGTA)

There are 5 modules that the students will review including (these can be finalized in consultation with the Student): Confidentiality Module, Youth Justice Act, Restraining Orders and Protective Intervention Orders, Family Law Act, Child Family Service Act

Required: 2 student volunteers (at least one upper year student). Experience with family law, Indigenous/Aboriginal law(s) would be assets. There is a preference for student volunteers who are Indigenous given the communities served by this project.

Project 20-24: Advocacy Resources for Indigenous Clients

Project Type: Legal Research and Writing

Organization: Together Against Poverty Society

Area of Law: Indigenous and Aboriginal

Project Details: This project will contribute to broader work at TAPS towards anti-racist and decolonizing provision of poverty law services. The project will begin with a focus on service to Indigenous clients and the organization's relationships with Indigenous organizations, governments and communities. The project will consist of research memoranda to assist TAPS staff and board understand more about the challenges currently faced by clients attempting to access our services, and what strategies have already

been developed by other advocacy organizations. As this work moves forward, TAPS will need to seek guidance and direction from Indigenous mentors, leaders and Indigenous-led organizations. This specific project is a starting point and partly preparatory to that larger community-building work. Student volunteers will research literature and existing practices concerning the provision of poverty-law services to Indigenous clients and communities, with a focus on BC and Canada. This will require library research as well as contact (with guidance from the supervisor) with other similar legal advocacy organizations. Students will also research the legal obligations that should guide the accessibility of services to Indigenous clients such as human rights law and the TRC Calls to Action. Students will create bibliographies and write memoranda to be shared with TAPS staff and board members who are working in this area.

Required: At least one upper year or first year students. Further qualifications pending further input from our Partner Organization.

Poverty Law

Project 20-25: Developing Legal Resources and Support for an ID Bank Clinic

Project Type: Legal Research and Writing, Client Assistance

Organization: Together Against Poverty Society

Area of Law: Poverty, Identification, Non-Profit Corporate

Project Details: The project will involve students researching and developing the legal resources to support a feasibility assessment for an ID Bank Clinic in Victoria, similar to what is being offered by The Kettle Society in Vancouver (<https://www.thekettle.ca/what-we-do/kettle-community-services/id-bank/>).

The goal of the ID Bank will assist low income, homeless and/or marginally housed individuals in obtaining and safely storing their ID. This project will involve supporting TAPS in the planning, research and if feasible, the establishment of a Victoria ID Bank. Project tasks may include:

- Drafting a volunteer manual that outlines the Provincial and Federal procedures for applying/filing for different types of Identification (ex. Birth certificate, BC photo services card, BCID card, Canadian Citizenship card, permanent resident card);
- Developing procedures for operating the clinic and filing systems that would safely house the various forms of ID;
- Liaising with local partners and non-profits, and communicating with existing ID Banks, to establish what is needed for an ID Bank in Victoria and where it can operate;
- Developing a clinic delivery model and ensuring that it is accessible for folks and meeting all necessary Health regulations (take into account COVID);
- Researching the legal landscape around running an ID Bank and keeping ID's on file – what are the associated rights of folks involved and those who want to access their ID?

Required: 2 student volunteers (first or upper year). Experience with Admin and Human Rights law an asset.

Project 20-26: Multiple Sclerosis Society Volunteer Legal Advocacy Program

Project Type: Client Assistance

Organization: Multiple Sclerosis Society of Canada, British Columbia & Yukon Division

Area of Law: Poverty

Project Details: The Volunteer Legal Advocacy Program (VLAP), partially funded by the Law Foundation of BC, assists individuals affected by Multiple Sclerosis with legal and/or advocacy issues. The program serves the entire province of BC and the Yukon. The majority of the staff Specialist's time involves assisting clients with end of work life issues. This includes applications and appeals for Short and Long-Term Disability, Canada Pension Plan – Disability Benefit, Persons with Disabilities Benefits, and the Disability Tax Credit. Many of these applications are time consuming, including the one for the Canada Pension Plan – Disability (CPP-D) benefit. Since MS is an episodic disease with multiple symptoms, it is often difficult for our clients to articulate their symptoms for their benefit application. For example, clients can find it difficult to put into words how their MS symptoms prevent them from working at any job. Volunteers will work with clients in a remote setting and help them draft documentation articulating their MS symptoms and functional limitations.

Student work will involve **telephone or video interviews** with clients living with MS where they assist the client to articulate their symptoms and functional limitations clearly and in detail, documenting the information in the client's voice. Depending on the application, the focus may be on how the client's MS leaves them unable to do their own job, unable to do any job, or requiring assistance with activities of daily living. The students will draft a typed addendum/attachment for the client's disability application. Volunteers spend anywhere from 1 to 10 hours with a single client to prepare their document, depending on the benefit application.

Volunteers start out learning how to **assist with the Canada Pension Plan – Disability (CPP-D)** benefit application. There are opportunities for volunteers to learn to assist with other disability benefit applications, if interested and as needed. Additional work includes communicating the client over email or phone to schedule appointments, as well as formatting and editing notes after interviews. In summary, the volunteers are assisting the client to make a strong application and increasing their chances of being approved by illustrating how their situation matches the eligibility criteria for the benefit set out in the legislation.

Volunteers will undergo MS Society Training. Volunteers will need to be comfortable with discussing sensitive topics with clients as it relates to their MS. Symptoms of MS are often both physical and cognitive. Some MS symptoms that require maturity and confidence to broach in interviews are bladder/bowel dysfunction and depression. Training provided by MS Society provides volunteers with the tools and language to have these conversations as they relate to the disability application. Resource manuals, training, and the staff Specialist are available to support the students. Training includes online modules, a training day, and experiential learning with a previous VLAP client over the phone (interview practice).

Required: 2 student volunteers (first year or upper year). Previous experience working with people with disabilities or chronic conditions as an asset. Experience in the mental health field is an asset.

Project 20-27: Research Support for CPP-Disability Cases at Federal Social Security Tribunal

Project Type: Legal Research and Writing

Organization: Disability Alliance of British Columbia

Area of Law: Poverty, Social Assistance, Administrative law

Project Details: This project involves providing research support for DABC's advocates working on CPP-Disability cases at the federal Social Security Tribunal. CPP-Disability is a federally administered income support program for CPP contributors under 65 with disabilities. DABC's advocates assist eligible people to apply for CPP-Disability benefits. Applicants and recipients can appeal most decisions related to their CPP-Disability benefits, and those appeals are heard by the SST.

The objective of this project would be to create an organised index of case law relevant to CPP-Disability benefits and appeals to the SST, for reference by DABC's advocates and Legal Clinic staff. Students will conduct the following research steps:

1. Identify and summarise the most important cases relevant to CPP in general and especially CPP-Disability from the Supreme Court of Canada, Federal Court of Appeal, Federal Court, and the Social Security Tribunal-Appeal Division;
2. Identify and summarise decisions of the SST-General Division that are relevant to specific issues, including CPP's Late Applicant Provision and Applications to Rescind or Amend a Decision of the Tribunal.
3. Organise case summaries for easy reference by advocates.
4. Prepare a memo that explains how the case summaries are organised, identifies what type of appeals are most likely to succeed at an early stage of the appeal process, and describes what arguments are most likely to be compelling at the SST-General Division.

Required: 1 upper year student volunteer. Preference for students who have taken or are concurrently taking Admin law. Experience working with people with disabilities, lived experience with a disability, and experience supporting marginalized communities are preferred but not required.