



# Community Legal Assistance Society

providing specialized legal assistance to promote social justice since 1971

## **JOB POSTING** **PUBLIC INTEREST & POVERTY LAW** **ARTICLING POSITION (2011-12)**

**(Closing June 30<sup>th</sup>, 2010 at 4:00 p.m. PST)**

### **I. Introduction**

The **Community Legal Assistance Society (CLAS)** is seeking an articling student starting **May 1, 2011**. There is some flexibility as to the starting date. All candidates must satisfy the articling qualifications prescribed by the Law Society of BC.

The articling student is an integral part of the staffing of CLAS and plays an important role in the delivery of our legal services. The work is challenging but extremely rewarding. The articling student will be introduced to the practical aspect of public interest law and poverty law. The articling student will be given significant responsibilities and have conduct of his or her own files. The student will also work on other files in corroboration with our experienced staff lawyers in a wide range of areas.

The rest of this posting will explain:

- the funding of the articling position;
- the nature of CLAS;
- what to expect from this position;
- the application process;
- selection criteria and our Equal Opportunity Policy; and

- testimonials from previous articling students.

## **II. Funding of the Articling Position**

This articling position is funded by a special grant from the Law Foundation of BC under its Public Interest Articling Fellowship Program. We thank the Law Foundation of BC for their continuing support of CLAS and this articling position. The purpose of the grant is twofold:

- to enhance justice by supporting public interest law; and
- to broaden public interest opportunities for articling students.

*Please follow the detailed application process described below to ensure your application will be considered. The closing for applications is June 30, 2010 at 4:00 p.m. (PST).*

## **III. Overview of CLAS**

### **General Description of CLAS**

CLAS is one of the oldest, most diverse and largest public interest law organizations in Canada. The organization runs six programs and has a staff of 35 people, including 15 lawyers who in total have over 200 years of experience in public interest law. The mission statement of CLAS is:

*The purpose of the Community Legal Assistance Society is to provide legal advice and legal assistance and to use and to develop the law for the benefit of people who are physically, mentally, socially, economically or otherwise disadvantaged or whose human rights need protection.*

### **Legal Activities**

CLAS as a public interest law organization carries on the following activities:

- service case work;
- *Charter* litigation;

- law reform;
- legal supervision of advocacy groups and law students;
- publication of legal materials designed to assist self-represented litigants;
- legal training and support to lay advocates, community groups, law students and lawyers doing pro-bono work.

CLAS believes you cannot effectively carry on test case litigation and law reform work unless you also provide service case representation.

### Test Cases Before the Supreme Court of Canada

CLAS has done numerous tests cases. In addition, CLAS has been involved in a number of cases at the Supreme Court of Canada. Listed below are some of our more notable cases.

#### CASES

1	<a href="#">Jove v. Canada (Unemployment Insurance Act Umpire), [1988] 2. S.C.R. 53.</a>
2	<a href="#">University of British Columbia v. Berg, [1993] 2 S.C.R. 353.</a>
3	<a href="#">Vancouver Society of Immigrant and Visible Minority Women v. Canada (Minister of National Revenue – M.N.R.), [1999] 1 S.C.R. 10.</a>
4	<a href="#">Law v. Canada (Minister of Employment and Immigration), [1999] 1 S.C.R. 497.</a>
5	<a href="#">Winko v. British Columbia (Forensic Psychiatric Institute), [1999] 2 S.C.R. 625.</a>
6	<a href="#">British Columbia (Superintendent of Motor Vehicles) v. British Columbia (Council of Human Rights), [1999] 3 S.C.R. 868.</a>
7	<a href="#">Bliss v. Canada [1979] 1 S.C.R. 183.</a>

#### INTERVENTIONS

	Case name and Citation
1	<a href="#">R. v. Conway, [2008] S.C.C.A. No. 477(on reserve). Video</a>
2	<a href="#">Mazzei v. British Columbia (Director of Adult Forensic Psychiatric Services), [2006] 1 S.C.R. 326.</a>
3	<a href="#">Rodriguez v. British Columbia (Attorney General), [1993] 3 S.C.R. 53.</a>
4	<a href="#">Kovach v. British Columbia (Workers' Compensation Board), [2000] 1 S.C.R. 55.</a>

5	<a href="#">Blencoe v. British Columbia (Human Rights Commission), [2000] 2 S.C.R. 307.</a>
6	<a href="#">R. v. O'Connor, [1995] 4 S.C.R. 411</a>

## Programs of CLAS

CLAS currently operates as an “umbrella” organization for six programs (described in more detail below): (1) the Community Law Program; (2) the Disability Law Program; (3) the Law Students’ Legal Advice Program; (4) the Mental Health Law Program; (5) the Human Rights Clinic; and (6) the Community Advocate Support Line.

Our **Community Law Program (CLP)** provides legal services in the areas of poverty law, residential tenancy, income assistance, workers’ compensation, employment insurance, equality law, and bankruptcy and foreclosure. The program’s activities include test case and *Charter* litigation, service case work, law reform, legal supervision for legal advocacy groups, legal support to community groups, community development and public legal education.

Our **Disability Law Program (DLP)** provides legal assistance and resources that support not only individuals with mental and physical disabilities but also organizations and advocates that effect social change leading to equality and independence for persons with disabilities. The activities of this program include test case and *Charter* litigation, service case work, law reform, legal support to community groups, community development and public legal education.

Our **Mental Health Law Program (MHLP)** provides legal services relating to detention issues of people with a mental illness. The program is comprised of three components: the provision of independent legal information on detention issues to persons detained under the *Mental Health Act* at Riverview Hospital and the Forensic Psychiatric Hospital; representation of persons who have been detained under the *Mental Health Act* at Review Panel hearings throughout the province; and representation of persons found not criminally responsible on account of a mental disorder or unfit to stand trial pursuant to the Mental Disorder Provisions of the *Criminal Code* at Review Board hearings in the Lower Mainland.

Our **Human Rights Clinic (HRC)** is operated in partnership with the BC Human Rights Coalition. Jointly, CLAS and the BC Human Rights Coalition provide legal representation to complainants whose complaints have been accepted by the Human Rights Tribunal. CLAS also provides legal representation on systemic human rights cases, judicial reviews and appeals.

CLAS also provides legal supervision to the **Law Students' Legal Advice Program (LSLAP)**, located at the University of British Columbia. Each year over 200 law students operate over 20 legal clinics throughout the Lower Mainland. The students provide legal assistance, referrals and follow-up services in a number of areas of law, including small claims, wills and estates, criminal law, employment insurance, employment issues, income assistance, workers' compensation, residential tenancy, and other legal issues. Finally, CLAS hosts the **Community Advocate Support Line (CASL)**. This program provides legal support by telephone and the internet to community advocates across the province. The areas of law covered include income assistance and benefits, residential tenancy and family, among other legal matters.

Please see our website at [www.clasbc.net](http://www.clasbc.net) for more information on CLAS. You can access our most recent Annual Report, which contains further valuable information, including the composition of our board of directors.

#### **IV. What to Expect From This Position**

##### **Description of Articling Student Position**

The selected articling student will receive well rounded articles in keeping with:

- the requirements of the Law Society of BC; and
- the grant provided to CLAS by the Law Foundation of BC.

The articling student will focus on poverty law issues, disability rights matters, income security matters, non-profit incorporation, administrative law issues, human rights complaints, constitutional law challenges and mental health cases. There will be supervised administrative tribunal work in such areas as residential tenancy, income assistance, human rights, and mental health law. CLAS articling students will have direct contact with clients and have their own files to work on.

In addition, the CLAS articling student will work in corroboration with staff lawyers on superior court matters. These assignments include developing strategies, drafting pleadings, preparing affidavits, doing legal research and writing legal arguments.

##### **Principal and Mentors**

One of the senior lawyers in the poverty/disability team will act as principal to the

articling student. However, all the lawyers at CLAS will be acting as mentors in their respective areas of law. The doors of the CLAS lawyers will always be open to the selected articling student.

### **Non-Traditional Opportunities**

The CLAS articling student will have opportunities not typically available in traditional law firms. These include:

- assisting CLAS lawyers with test case litigation;
- working with NGO's on legal issues that affect low income persons and persons with disabilities;
- assisting CLAS lawyers supervising community advocates, funded by the Law Foundation;
- assisting *pro se* litigants in judicial review applications in the BC Supreme Court [note: This is an excellent opportunity to learn about the unbundling of legal services and the role of a "McKenzie Friend"];
- assisting in the preparation of public legal education material;
- assisting in the preparation of training material for community advocates; and
- working with CLAS's non-profit Board of Directors, which is comprised of community representatives from the poverty, disability and mental health fields, along with legal academics, lawyers and law students.

This is a unique opportunity for someone starting his or her legal career and who has an interest in public interest law and social justice. CLAS's goal is to legally assist the disadvantaged in our community and not financial profit. We are, therefore, in a position to offer a unique articling experience while serving the community.

### **Poverty and Disability Law Experience (CLP/DLP)**

The articling student will spend most of their time working with our poverty and disability team of six lawyers. The three senior lawyers of this team have restricted their legal practice to their respective areas of law for decades. Additionally, three new associate

lawyers have quickly gained experience in the relevant poverty and disability law issues.

A unique aspect of these programs is the judicial review self-help clinic. We assist clients so they can represent themselves in BC Supreme Court in judicial review. The primary focus of the clinic is judicial review of decisions made under the *Residential Tenancy Act*.

Additionally, all of the lawyers in these two programs participate not only service case work but in judicial reviews and law reform activities. Overall, CLAS lawyers, including those in these programs, have, over the years, appeared in front of over 30 different tribunals and courts and have done thousands of tribunal cases and hundreds of superior court cases, as well as having prepared dozens of leave applications to the Supreme Court of Canada.

As a result, past articling students have found themselves spending the morning representing a client in front of the Mental Health Review Panel (see below) and the afternoon working on a leave application to the Supreme Court of Canada.

### **Mental Health Law Experience (MHLP)**

As mentioned above, the articling student will also spend some time with our Mental Health Law Program. This program provides representation in front of the review panels for those persons detained under the *Mental Health Act*. In addition, CLAS provides representation in front of the Review Board for those persons found NCRMD or unfit to stand trial under the *Criminal Code*. The articling student will thus gain not only tribunal experience, but acquire experience in handling mental health legal issues. The MHLP does close to 800 hearings every year.

### **Human Rights Experience (HRC)**

The articling student will also work with our Human Rights Clinic, comprised of five lawyers. This clinic provides representation for complainants in front of the BC Human Rights Tribunal. Our human rights lawyers have taken part in some of the leading human rights tribunal and court decisions in BC. This is a unique opportunity to obtain hands-on experience in this important area.

### **Working Conditions**

CLAS pays a competitive salary, including paying for the Professional Legal Training Course (PLTC) and continuing the salary of the student during PLTC. PLTC is a ten

week bar admission course sponsored by the Law Society that students must complete in order to be called to the bar. It is put on three times a year and the dates you take the course can be discussed after you have been selected for the articling position.

CLAS also provides a generous health, dental and prescription drug benefits plan after a brief waiting period. The student will have his or her own office and access to Quicklaw and other legal resources.

The CLAS main office covers 10,000 square feet near the corner of West Pender and Thurlow in downtown Vancouver. It is within a five to ten minute walk of the Burrard

Skytrain station, and the Skytrain Canada Line and West Coast Express Waterfront stations.

Our office is also within walking distance of:

- the courthouse housing the BC Superior Courts;
- the Federal Courts and the Tax Court;
- various tribunals, including the BC Human Rights Tribunal; and
- Stanley Park.

Our office building has a free exercise facility for tenants of the building, including a shower.

The atmosphere at CLAS is unique. The CLAS staff is friendly and collegial. We regularly have pot-luck lunches and we care for each other, both professionally and personally. Some staff members have been here for decades, including some lawyers, legal assistants, and administrative staff. There is very little turnover at CLAS compared to most law firms.

## **V. Application Process**

### **Application Materials**

The Application Materials should consist of:

- covering letter (please try to keep to one page) addressing:
  - where you heard about this position (i.e. our website, the CBABC articling registry, your law school career centre or other);

- why you want to article at CLAS;
  - what you can offer CLAS (including any unique skills, experiences or accomplishments);
  - your home address, email address, phone number and cell number;
  - the best way to contact you (i.e. cell phone or email); and
  - an indication on the heading of your covering letter that you are applying for articles for 2011-12.
- your resume;
  - at least two references with up-to-date contact information [*note: some candidates like to attach reference letters, but please provide the contact information for these references regardless*]; and
  - your law school and undergraduate transcripts [*note: if you are a second year law student, please do not submit your application until you have received your second year marks*].

### **Method of Transmission**

For the 2010-11 articling year, CLAS received over 75 applications. The handling of that number of applications is made a lot easier if you *provide your application by email attaching the required documents in pdf format. Please scan all your documents into one pdf file so that there is only one attachment to your email.*

This is the preferable method for submitting your application for the following reasons:

- We can easily acknowledge your application;
- We can easily forward your application to all the members of the selection committee; and
- We can easily print your application if it is in one attachment instead of five or six attachments.

If you cannot email, please mail, courier or drop off your application in person. In these situations, please try to remember not to staple all of the materials together. Instead,

fasten them with a clip. This will assist us in more easily copying the materials and circulating them to our selection committee.

Thank you in advance for your cooperation.

### **Specific Contact**

Application Materials should be addressed to:

**Ms. Rita Hatina  
Assistant Executive Director  
Community Legal Assistance Society  
300 - 1140 West Pender Street  
Vancouver, BC V6E 4G1**

**Email: rhatina@clasbc.net  
Fax: (604) 685-7611  
Phone: (604) 685-3425**

You may contact Rita directly if you have any questions or concerns about the articling position or the application process.

**CLOSING DATE FOR APPLICATIONS IS JUNE 30, 2010 AT 4:00 P.M. (PST)**

### **Second Year Students (Graduating in 2011)**

Second year law students are those students who have completed their second year by June 2010 and plan to start their third year in September 2010. As stated above, please do not submit your application until you have your second year marks.

Although the deadline for applications is June 30, 2010 at 4:00 p.m. local time, we strongly recommend that, if possible, you submit your application well before the deadline and as soon as you have your second year marks.

CLAS follows the articling guidelines published by the Vancouver Bar Association.

These guidelines set certain timelines. We will not be contacting students for interviews prior to July 15, 2010. The interviews will be held in the second week of August 2010.

### **Students Other than Second Year Students**

This category covers NCA candidates who have completed their certification, third year students and law school graduates. You can submit your application at any time prior to the deadline. However, the selection of candidates for interviews and the holding of interviews will follow the schedule set for second year students above.

### **Useful Articling Resources**

Many students would benefit from some guidance pertaining to their articling applications and interviews. What do you put in your covering letter/resume? What is expected at an interview? CLAS has compiled some links that may assist you.

This Articling Handbook from the University of Saskatchewan is useful:

[http://www.usask.ca/law/career\\_services/career\\_counselling\\_services/pdf/lsa\\_articling\\_handbook.pdf](http://www.usask.ca/law/career_services/career_counselling_services/pdf/lsa_articling_handbook.pdf)

The Law Society of Upper Canada has a website “finding articles.” This website contains useful information, including online videos on resume writing and preparing for an interview:

<http://rc.lsuc.on.ca/jsp/licensingprocesslawyer/articlingFind.jsp>

The Canadian Bar Association (Ontario) has also produced a brochure for students seeking articles that may assist you in your application:

<http://www.oba.org/en/pdf/CBA%20Articling%20Handbook.pdf>

This video might also be of assistance:

<http://www.youtube.com/watch?v=qi9pWdoos-k>

For a lighter look at articling, you might look at these videos from YouTube:

[http://www.youtube.com/watch?v=-\\_B\\_TKetlxs](http://www.youtube.com/watch?v=-_B_TKetlxs)

<http://www.youtube.com/watch?v=wFMgHVnKFCk>

## **Interviews**

*Candidates who are short-listed for an interview will be the only ones contacted.* This should occur after July 15, 2010. Please check your email and your phone regularly after this date for messages to determine if you have been selected for an interview. The interviews will be held the second week of August 2010. Every year or two, we have students who do not check their email or phone messages for various reasons and miss

the opportunity to interview. Don't let this happen to you. Check both your email and phone messages regularly.

In-person interviews are preferable, both from CLAS's perspective and that of the student's. However, CLAS recognizes that some students will be unable to attend for an in-person interview for financial or other reasons. Accordingly, CLAS is prepared to hold interviews over the Internet using Skype for out-of-town applicants.

Students selected for an interview may be asked to provide a paper they produced for academic studies at law school. Please be prepared to provide such a paper for the interview. However, do not include this paper in your Application Materials.

## **Important Notice**

Please note:

- Unfortunately, CLAS cannot cover any costs incurred for travel to interviews or for relocation to the Lower Mainland; and
- CLAS can make no commitment that the articling student will be kept on after the articling term is completed, no matter how successful the articles were, as this is always subject to available funding.

We look forward to receiving your application.

## **VI. Selection Criteria and Equal Opportunity**

The Community Legal Assistance Society hires on the basis of merit. CLAS welcomes applications from all qualified candidates including:

- students from a Canadian law school approved by the Law Society of BC; and
- students who have obtained a NCA from the Federation of Law Societies.

In determining merit, CLAS considers all relevant factors, including but not limited to:

- commitment to and participation in public interest law, *pro bono* and legal aid (i.e. what have you done on a practical basis?). If you have done little or nothing, then what is the reason for that?;
- courses chosen at law school (e.g. it is an advantage if the student has completed more extensive courses in administrative and constitutional law);
- academic achievement;
- community involvement;
- work and life experience;
- references; and
- how the student might fit in with our organization.

All these considerations will be weighed by CLAS before making a decision on the merits of the application.

We are also committed to the principle of equity in employment. We welcome diversity and encourage applications from all qualified women and men, including persons with disabilities, members of visible minorities, aboriginal persons and those from the LGBT community.

## **VII. Testimonials from Previous Articling Students**

Devyn Cousineau, who articulated with CLAS in 2008-09, had this to say:

*Articling at CLAS was a perfect complement to clerking. I was quickly given my own files, through which I gained practical experience in all aspects of practicing law, including client interviewing, negotiations, drafting contracts, running hearings and general file management. In only four months, I represented people before the Residential Tenancy Branch and the Pensions Appeal Board. I represented farm workers before the EI Board of Referees, and people found Not Criminally Responsible by reason of Mental Disorder before BC's Review Board. I worked on a judicial review of a human rights decision, and explored Charter challenges in the area of disability law. In all of these endeavours, I loved having ownership of my own work, which I undertook with the full support of senior lawyers in the office, who bring with them years of experience working in*

*the areas of poverty, human rights and mental health law.*

*CLAS's work is challenging, and one of the office's biggest assets is its warm sense of community and support. There is a lot of laughter at CLAS and, as the articling student, I quickly felt welcomed and comfortable with my co-workers. Every door in the office was open to me, and I happily walked through each one, taking advantage of the opportunity to ask questions, seek advice, share stories and commiserate. I relished a non-competitive atmosphere, where questions were asked if I stayed much later than 5:00 pm.*

*After I was called to the bar, I was thrilled to accept a position in CLAS's Human Rights Clinic, where I now practice exclusively human rights law. I strongly encourage anyone with an interest in public law to apply for this unique job where you are guaranteed hands-on legal experience that you can't get anywhere else.*

Kendra Milne, who articulated with us in 2007-08, states:

*I articulated with CLAS and I am now an associate lawyer here. I was attracted to CLAS because of an interest in social justice, and I certainly got the opportunity to work on interesting and compelling issues in housing, welfare, debt, disability issues, human rights, administrative law, and Charter litigation. Articling at CLAS is a unique opportunity to work on more service oriented cases to gain experience in a day-to-day legal practice, as well as junior on test cases at all levels of court and at all stages of litigation. Through this, you are supported by lawyers highly experienced in all types of social justice litigation.*

*Articling with CLAS also gives you a huge range of experiences. The first two tasks handed to me as an articling student were a residential tenancy tribunal hearing and a Supreme Court of Canada pleading. Throughout the year, I carried my own files and represented clients at the tribunal level. I got to draft pleadings for tribunals, Small Claims Court, BC Supreme Court, BC Court of Appeal, and the Supreme Court of Canada. I was also able to do a 10 week rotation at a tribunal to gain advocacy experience, where I was able to run 10-12 hearings myself.*

*The last thing I can say about articling with CLAS is that you will gain colleagues that genuinely want to teach you what they know, and they have an unbelievable amount of knowledge to pass on. Working in social justice law is a hugely rewarding opportunity, but it can be draining and frustrating. CLAS is filled with people willing to listen to these frustrations. We try to help each other see the humour in situations (there is often a lot of it), as well as to stay positive and*

*energetic about the work we do. Working at CLAS is an experience that I genuinely do not think you can get anywhere else.*

Kevin Love, who articulated with us in 2006-07, states:

*I joined the Community Legal Assistance Society (CLAS) in 2006 as an articling student. After I was called to the bar in 2007, I remained with CLAS as a staff lawyer in the Mental Health Law Program. I am now working in CLAS's Community Law Program, representing a diverse clientele from farm labourers to veterans.*

*From day one, I gained incredible experience working directly with clients and conducting several hearings a week. Having your own clients while still an articling student is challenging, but the amazing support from CLAS's senior lawyers ensures that it is never overwhelming. Our work may address systemic issues, or may simply help a client with their day-to-day legal problem. Either way, the experience is unmatched.*

*The combination of rewarding work, a great office atmosphere and work/life balance is what makes CLAS such a great place to practice. When you are just starting out in the legal profession, it is much easier to learn when you are surrounded by supportive people who genuinely want to help you along. Unlike many of my colleagues in other firms, I don't lie awake at night worrying about work, and I don't dread going to the office in the morning. And I've never had to bill a client!*