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By Email

The Supreme Court of British Columbia
Civil Law Committee
800 Smithe Street
Vancouver, BC V6Z 2E1

**Attention: The Hon. Mr. Justice Ronald Skolrood,
Chair**

Dear Justice Skolrood:

Re: Junior Counsel Initiative

I write to you as Chair of the Advocates' Society's British Columbia Regional Advisory Committee.

As you will know from your generous support of the Society, its mandate includes (among other things) working with stakeholders in the justice system on matters of access to justice, the administration of justice, and the practice of law by advocates.

The enhancement of advocacy skills is, of course, essential to the proper functioning of our court's process. As we all know, it is increasingly difficult for junior counsel to find opportunities to develop their courtroom skills. While skills-based training is valuable, as are opportunities to observe more experienced counsel, one's own experience with witnesses and submissions is an essential part of an advocate's development.

Our Committee believes the Bar does not take full advantage of opportunities for junior counsel, when appearing with someone more senior, to participate in submissions and questioning witnesses. This is often an ideal situation to gain experience because senior counsel can assist should difficulties arise.

In our view, senior counsel should seek more opportunities for junior counsel to take witnesses, motions, or discrete portions of argument, always of course with due regard to the client's interests and the Court's process. We are not suggesting such things as, for example, the evidence of a witness being divided between two counsel. Rather, that a more straightforward witness be given to junior counsel on the understanding that senior counsel might assist in the

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background if necessary, such as by a short break in the proceedings. In our respectful view, affording such opportunities within appropriate bounds can only benefit the administration of justice in the long term.

If this perspective is shared by the Court, our Committee believes it would greatly assist for this perspective to be communicated to the Bar. We believe that such a communication would encourage more opportunities for junior counsel and thereby serve the administration of justice.

We therefore wish respectfully to raise the possibility that, if the Court supports this approach, perhaps a note to the profession or other suitable communication of the Court's view would be appropriate.

Thank you very much for your consideration of this matter.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP



Simon Coval, Q.C.

SRC/bpc

cc: Vicki White, Chief Executive Officer, The Advocates' Society
Guy J. Pratte, President, The Advocates' Society
J. Kenneth McEwan, Q.C., Director, The Advocates' Society