



# Keeping Tabs

Monthly News from The Young Advocates' Standing Committee

Justice Doody | Long-term Vision | Arnup Cup | TAS Awards | Interview | Upcoming Events

## Young Advocates' Standing Committee Call for Applications

The Young Advocates' Standing Committee is seeking energetic junior Society members to become part of the 2016-2017 committee. This is an excellent opportunity to build your profile within The Advocates' Society and your local bar.

Click here for the YASC application form ►

### CHAIR CHAT



BY: YASHODA RANGANATHAN

February's brief display of snow seems to already be thawing and spring draws nearer. Looking forward to unwrapping my four-month-old's warm layers so he can better see the world around him when winter is done, as we walk to farmers' markets, shops and baby programs around the city.

As we all unwrap our warm layers, the Young Advocates' Standing Committee will host a series of networking and mentoring events for young advocates. In particular don't

miss the Trivia Challenge for Charity at Hot House Café on March 22, [Wine and Cheese with the Bench](#) at Campbell House on April 21 and [Toronto Mentoring Dinner Series: Time is on Your Side](#) on May 16.

Throughout this term, the Young Advocates' Standing Committee has been busy participating in every aspect of The Advocates' Society's work—from interventions and publications to mentoring and networking events promoting the interest of advocates. If you are a Young Advocate (ten years of call or less), enthusiastic and interested in contributing to the important work of the Society please consider applying to YASC by April 1. The application form can be found [HERE](#). ▀

*Yashoda*

*The Young Advocates' Standing Committee ("YASC") is a standing committee of The Advocates' Society with a mandate to be a voice for young advocates (advocates who are ten years of call or fewer) within the Society and within the profession. We do this through networking/mentoring events, by publishing articles by and for young advocates, and by raising issues of concern to young advocates as we work with the Society's Board of Directors.*



## WHAT ADVOCATES HAVE LEARNED FROM MR. JUSTICE DOODY

Justice Peter K. Doody, the Vice-President of The Advocates' Society, was appointed to the Ontario Court of Justice, effective February 24, 2016. Justice Doody managed a large and varied litigation practice focused on arbitration, commercial litigation and public, administrative and insurance law. Justice Doody will be a great asset to the bench but he will also be greatly missed as an executive member of The Advocates' Society and as a partner at Borden Ladner Gervais LLP in Ottawa.



To commemorate Justice Doody's appointment, the *Keeping Tabs* team asked a number of young and young-at-heart advocates one question: "What have you learned by working with Peter Doody?"

### Michelle Doody

I learned these rules from my dad: work hard, be kind, stay humble and there is never any need to be a bully.

### Barbara McIsaac Q.C.

Peter Doody has always represented to me the 'ideal' lawyer. Whether it be a civil litigation issue or a criminal issue, he always asks that next question. There is always more to know or understand about the case. Peter always knows that there is more to be known. That will be a terrific attribute as a judge and I know that Peter will be a terrific judge.

### Natalia Rodriguez

Working with Peter has taught me so much about the importance of preparation. Every sentence in a factum must be necessary, every clause in a contract scrutinized, every piece of evidence considered. It is not enough to do "just enough". Diligence in

one's work is not an exercise in self-gratification; it is essential to be a successful litigator in whom the court places its utmost trust. It's how cases are won. And Peter should know. He has had an outstanding career indeed.

### Jon Doody

I have been very fortunate to have had the ability to call on my father's knowledge and expertise throughout law school and into my career. He has always been willing to stop whatever he was doing, no matter how important, to answer any questions I had, no matter how trivial. I have no doubt, however, that the patience he showed me was equally shared with anyone who asked him for help.

He has always shown a keen desire to help others to continue to learn and hone their legal skills. His love of the law is apparent, and he is always open to discussing and debating a different approach than his own. He has never been unwilling to admit he may be wrong, though granted he rarely is. Personally, I will forever cherish being able to share counsel table with him on a trial last year, especially since I will no longer be able to share a courtroom with him. He has always been, and will continue to be, my role model both in and out of the courtroom.

### Duncan Ault

I learned that the practice of law can be a joyful experience. Peter has an abiding love for the law and a passion for every facet of litigation. It is little wonder Peter relishes advocacy as he is so skilled at it. They say Magellan really liked exploring. Happily, for those fortunate enough to work with him, Peter's joy is infectious.

### Justin Mohammed

Peter Doody demonstrates the importance of curiosity in the practice of law, a rare attribute in a profession where people often feel compelled to give the illusion of knowing it all. He is always ready to learn more, never fears to ask questions, and takes a

genuine interest in the response.

### Braek Urquhart, Articling Student

Assisting Peter with a commercial arbitration has been a highlight of my articling term. By working with Peter and observing him in action, I have seen the level of hard work, preparation and professionalism he expects from himself and instills in others. I consider myself lucky to have learned from Peter's dedication to his profession and craft at the height of his career.

### Karen Perron

Peter was a great sounding board to consult for practical advice and to debate questions of law. His best advice to me can be summed up as follows: be clear and concise and stay out of the weeds! As litigators, we tend to want the last word on each issue raised by our adversary but effective advocacy is knowing when to stay focused in your argument.

### Tom Ozere

I had a civil trial against Peter. He made a successful objection based on the collateral fact rule. He is the only lawyer that I have ever seen make an objection based on the collateral fact rule in a civil case. He was clearly the only person in the courtroom who knew what the collateral fact rule was.

### Nadia Effendi

Through working closely with Peter at BLG for over a decade, I have learned the art of advocacy. Peter's dedication to the law and the clients he served has been something I have sought to emulate in my career. Peter is the epitome of a meticulously prepared lawyer who practices with integrity and has been an exemplary role model for many. He will be missed at BLG but our loss to the bench is the gain of the justice system as a whole.

### David W. Scott O.C., Q.C.

If you ask Doody to join you as a junior you will end up listening to him argue your case.

Congratulations Justice Doody on your appointment and thank you for your hard work on behalf of your friends at The Advocates' Society. ■

## FREE TIME: WRITING, SPEAKING, AND PRO BONO

JOHN ADAIR, ADAIR BARRISTERS LLP

DAVID CAMPBELL,  
ROGERS PARTNERS LLP



Young lawyers want to get ahead. They want to succeed. To achieve.

The most obvious, and the “easiest” path to doing so is to focus on billable hours (read: revenue generation) and client relationships. There is little doubt that those are a necessary part of any lawyer’s development; we cannot, after all, survive without clients and revenue.

There’s another way aside from billable work: give your time away. Like, for free.

This means writing, speaking, and *pro bono* work. Focusing on long-term vision over short-term targets has the added benefit of producing happier, more well-rounded lawyers. Both of us write, speak and participate in matters not related to billable hours as much as possible. One of the most enjoyable efforts for each of us was submitting articles for consideration for TAS’s Stockwood Prize (deadline March 31, 2016). Writing helps develop knowledge and expertise, and also builds profile, which in turn helps to get speaking or teaching engagements. Writing has worked for us, and we encourage you to invest your time in competing for the Stockwood Prize.

It may seem counter-intuitive to build your career by giving time away, but it works. Consider the excellent examples Lucas Lung and Rahool Agarwal have set in developing *pro bono* practices.

### Lucas Lung, Lerner LLP

Lucas Lung was called to the Bar in 2006 after articling at McCarthy Tétrault. Lucas then practiced at McCarthy’s for two years, before leaving for the Community Legal Clinic of Simcoe, Halliburton and the Kawartha Lakes as the Dickson Fellow and Clinic Staff Lawyer. Lucas’s decision to leave the towers of downtown Toronto for a community clinic in a rural setting seems like a counterintuitive career move. However, while at the clinic Lucas regularly appeared at all levels of court in Ontario, in a wide variety of proceedings. He returned to Toronto in 2010 to practice at Lerner LLP, where he has devoted a remarkable amount of time to *pro bono* matters. Lucas had the firm’s support, but he also understood that grinding out 2,000+ billable hours/ year wasn’t the only

way to build one’s reputation, skill set, or capital within the firm. The results bear this out: Lucas was named a Lexpert Rising Star in 2011 and won The Advocates’ Society’s Arleen Goss Young Advocates’ Award (2011), among other well-deserved accolades. Lucas was made a partner at Lerner in 2012 after just 6 years at the Bar and only 2 years at Lerner.

As it turns out, giving his time away for free—while generating precisely *zero dollars* of revenue for his firm—has allowed Lucas to build a profile and reputation that put him at the top of his cohort.

### Rahool Agarwal, Norton Rose Fulbright Canada LLP

Rahool Agarwal was called to the Bar in 2007, after articling at Blake, Cassels & Graydon LLP. He practiced as an associate at Blakes briefly before moving to Norton Rose in November 2007.

Rahool, remarkably, has appeared as lead counsel in the Supreme Court of Canada four times in nine years of practice, including on such diverse matters as *Cuthbertson v. Rasouli* (discretion of physicians to withdraw life-support) and *NS v. Her Majesty the Queen* (removal of niqab during cross-examination). Rahool developed a *pro bono* practice early in his career, and has worked hard to maintain it while building his commercial litigation practice at Norton Rose. Doing so has provided him with advocacy experience that is far beyond his years, while also being personally fulfilling. His efforts have contributed significantly to the career success that many young lawyers desire: he was admitted to the partnership at Norton Rose in 2014 after 7 years at the Bar.

### Law: It’s Not Just A Business

There is huge pressure on young lawyers today to service their firm’s clients and generate revenue via billable hours. Many young lawyers feel that the only way is to bill more hours than the person next to them. There is also an expectation in many firms, and that young lawyers place upon themselves, to attend client and firm events in order to build and foster relationships with clients.

This focus on revenue and client relationships may reflect a broader trend toward seeing the law as a business, not a profession. We are a helping profession. We help one another with research, and have a duty to serve the community as a whole. But we also need to pay the rent and our hard-working staff.

We would respectfully raise a note of caution about the focus on billable hours and client/ revenue generation to which it gives rise. We suggest that approaching the law as a profession, to which one has something more than billable hours to give, will not only better serve the public but also lead to greater personal success and satisfaction. So, don’t hesitate: give it away for free—write, speak, do *pro bono* work. ■



## ARNUP CUP



### ARNUP CUP 2016

SAMUEL GREENE AND  
MALINI VIJAYKUMAR,  
UNIVERSITY OF TORONTO FACULTY  
OF LAW, CLASS OF 2016

A car crash. A wedding reception gone horribly wrong. A secret affair. A child custody battle. All part of the facts of *R v. Julie Langis*, the mock criminal case for this year's Arnup Cup trial advocacy competition hosted by The Advocates' Society and sponsored by WeirFoulds LLP.

On February 5th and 6th of this year, students from six Ontario law schools—including, for the first time, Lakehead University—came together to compete for the right to represent Ontario at the Sopinka Cup national trial advocacy competition in Ottawa this March. We represented the University of Toronto and were fortunate enough to win and secure a spot in the Sopinka Cup, along with the second place team from Osgoode Hall.

It was a tremendous experience. Justice Clayton Conlan of the Ontario Superior Court of Justice presided over a series of half-day trials replete with drama, humor, and vigorous advocacy. Every team prepared intensely. Our competitors showed talent and creativity as effective cross-examiners and clever trial strategists. The witnesses—law students with acting backgrounds, for the most part—played their roles brilliantly as the seedy, rough-and-tumble cast of characters. Senior members of The Advocates' Society played the dual roles of assessors and jurors. The net



result? A resounding success, in our view, for all involved.

We learned a great deal during our weeks of preparation, as well as at the competition itself. Our coaches—Jonathan Shime and Megan Schwartzenruber of Cooper Sandler Shime & Bergman LLP—were invaluable teachers, helping us develop our advocacy skills beyond the foundation laid in our law school trial advocacy class: Finding the right theme and theory; dealing with chatty or uncooperative witnesses; effectively

using exhibits; developing a style that feels natural. All things that no doubt take years to master, but we think their mentorship has given us a solid head start on that path. The same is equally true of the other competitors at the Arnup Cup—all beneficiaries of a strong culture of professional mentorship. Thank you to The Advocates' Society for helping make this an experience we will never forget.

Overall, a fantastic competition and a great weekend. We're looking forward to competing in Ottawa in March! ▀



### *Wine and Cheese with the Bench*

*Mix and mingle with Judges and Masters.  
Tantalize your palate with wine tastings  
and artisan cheese pairings.*

**Thursday, April 21, 2016  
5:30pm - 7:30pm  
Campbell House, Toronto**

*Click here for more information* ▀

# The Advocates' Society Awards Call For Nominations & Submissions

## The Arleen Goss Young Advocates' Award

The Advocates' Society Arleen Goss Young Advocates' Award is presented biennially in recognition of distinguished advocacy to an individual demonstrating the following qualifications and characteristics:

A record of innovative and passionate advocacy; a demonstrated concern for and contribution to the advancement of social justice; a well-rounded person actively involved in and committed to his or her community; engaged in the practice of law for 10 years or less with a principal focus on advocacy, and a member in good standing of The Law Society of Upper Canada.

Arleen A. Goss passed away on December 10, 2002 at the age of 40, after a lengthy battle with cancer. She practised initially as a defense lawyer in the firm of Stern & Goss and then, for the last five years of her life, as an assistant Crown Attorney with the *Ministry of the Attorney General of Ontario*. She was an enthusiastic member of The Advocates' Society, active in educational and social events for young advocates. Arleen is remembered for her passion for the law and for the energy with which she lived her life.

Please include a brief outline of the candidate's activities that merit the award, a curriculum vitae, and at least two letters in support of the nomination.

The award will be presented at the End of Term Dinner on June 16, 2016 in Toronto.

Nomination deadline: March 31, 2016



## The David Stockwood Memorial Prize

The Advocates' Society and Stockwoods LLP established the David Stockwood Memorial Prize to honour the contribution of David Stockwood, Q.C., LSM, who served as the editor of *The Advocates' Society Journal* from 1991 - 2008.

The Advocates' Society will award a prize of \$1,000 to the author of a previously unpublished, advocacy-related article judged for its merit by a panel. The winning submission will be published in *The Advocates' Journal*. In recognition of the effort David made to advance the careers of younger members of the profession, we particularly encourage submissions from lawyers in their first 10 years of practice.

Articles must be a maximum of 3,500 words in length, submitted electronically in Word format. Please include name and contact information.

The award will be presented at the End of Term Dinner on June 16, 2016 in Toronto.

Submission deadline: March 31, 2016

Please forward nominations to:

The Advocates' Society, 2700-250 Yonge Street, P.O. Box 55, Toronto, ON, M5B 2L7

Electronic submissions are encouraged, to [rachel@advocates.ca](mailto:rachel@advocates.ca)

To learn more visit [www.advocates.ca](http://www.advocates.ca)

**EMILY KIRKPATRICK,**  
*Hunter Litigation Chambers*  
Vancouver, BC



**Why did you become a litigator or advocate?**

It was really a two-step stroll along the path of least resistance. I was finishing an undergraduate program in history, and I wasn't creative enough to think of anything other than grad school or law school to do next. Based on my research (read: vaguely created impressions), grad school required a lot of applications with original ideas (bad!) while law school just required me to do a long test filled with diverting logic puzzles (good!). Once I finished law school and had to pick what kind of lawyer to be, I liked litigators—they were smart, and they thought talking about ideas was fun.... Also, I don't think anyone offered me a solicitor job.

**Which word do you prefer: litigator or advocate?**

They are both lovely words. I don't use either very often to describe myself, if that's what you mean.

**What is your year of call?**

2009 in Ontario. 2012 in BC.

**What is your greatest fear in practice?**

Calls from the Law Society. Obviously.

**What is your idea of perfect lawyerly happiness?**

Finishing an argument and never thinking about it again.

**Which living lawyer do you most admire?**

I don't think this is what you're driving

at, but I'm going to say my mother. She used to be a lawyer, but hasn't been for nearly 30 years, and it's not really her lawyer-ness that I admire. What I do admire is that she's extremely disciplined and hard-working, and that she values the fact that she gets to have a legal career that is interesting and challenging and fun. She's also an amazing mother and grandmother.

**What is your greatest extravagance in your everyday life?**

Coffee. Specifically, from Thierry, the coffee shop in my office building. I would say the coffee is overpriced. In fact, I will say that. Except that it's better than anything I can make at any price. So, not really an extravagance, if you think about it.



**What is your favourite journey?**

Travelling from the mainland to my family's place on the Gulf Islands. And I'll be honest, doing that not-by-ferry or not-by-ferry-with-small-children improves it further still.

**Which words or phrases do you most overuse?**

Does eye-rolling count as a "phrase"? Also, I likely swear too much. Other than those, I'm sure I have catch-phrases that annoy those around me no end, but I don't know what they are. Probably because any time someone tries to point one out, I unleash a tirade of expletives and eye-rolling.

**What would you consider your greatest achievement?**

My kids. But not, like, the fact that they exist. Mostly, the times when they make legitimately well-timed, well-constructed jokes.

**What is your favourite case?**

The ones I work on. I'm really good at convincing myself of the entertainment value of all the cases I work on. Great for day-to-day

fulfillment at work. Terrible for cocktail parties.

**What do you dislike most about your appearance?**

I've been told that I don't hide my thoughts/feelings well. This has been expressed as having a baseline expression of disdain on my face at all times, among other phrases.

**Which talent would you most like to have?**

Any. I would like any talent.

**Who or what is the greatest love of your life?**

It makes me a bit nervous to answer this without the benefit of my whole life behind me, but my family seems like a safe bet.

**What is your favourite drink?**

I'm going to say red wine. I am pregnant and haven't had red wine for months, but I'm pretty sure I still really like it. Iced tea is also important to me. But I'm very picky about my iced tea and will not drink it if it doesn't meet my exacting standards. The same cannot be said for me and wine.

**From whom have you learned the most about the practice of law?**

I consider myself to have been enormously lucky to have worked with and to continue to work with some amazing lawyers. But great lawyers can be hard to learn from because they make it look easy. On balance, I may have learned more from observing poor advocacy. I'm grateful; so much so that I won't name those people.

**If you weren't a lawyer, what would you be?**

I don't know, paralyzed with indecision and writer's block, trying to come up with some original ideas to put into a grad school application?

**What is your most marked characteristic?**

An ability to say things that others find socially awkward to articulate.



## INTERVIEW cont.

Also known as not always keeping my mouth shut in the face of common sense. But who wants their most marked characteristic to be a negative?

**What do you most value in your friends?**

Humour, kindness, intelligence, courage, patience.... You know, all the things everyone answers that sound like they're objectively discernible qualities, but totally aren't, which is why everyone has different friends.

**If you could have one superpower what would it be?**

The ability to control time. And based on my incredibly nuanced understanding of quantum physics, I think all that stuff about the recent confirmation of gravitational waves means we're one step closer to making my superpower a reality. Thanks, science!

**If you were to die and come back as a person or thing, and if you could choose, what would it be?**

Whoever invented those standing desk situations. If my office is any

indication, that person is cleaning up these days. People seem really excited to shell out cash in service of the idea that they might possibly do some standing typing one day and need to be equipped accordingly.

**What is something that you said today?**

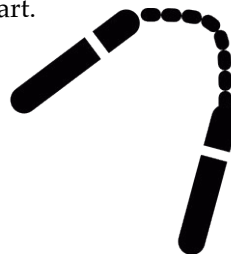
"It's nice to see you again."

**What is something someone said to you today?**

"Yeah, nice to meet you too. Oh, I mean of course—see you again. It's nice to see you again. Sorry, I've made this awkward. It really is nice to see you again though."

**What did you overhear today?**

"Hey man, remember those nunchucks I lent you?" Actually, I'll be honest, that wasn't today. It's just my favourite sentence I've ever overheard. I re-overhear it every day in my heart.



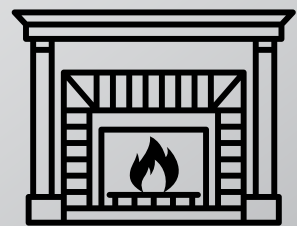
**What is your favourite legal word?**  
"Hot-tubbing". As applied to experts. Its use has never failed to bring me joy.

**What is your motto?**

I'm pretty sure people who claim to have mottos aren't being honest. ■

## YASC Fireside Chat on Advocacy:

with Stephen Grant, LSM  
and Sheila Block, LSM



Monday, April 11, 2016

5:30pm - 7:00pm

Campbell House, Toronto

[Click here for more information](#) ▶

## Upcoming Events



Trivia Challenge for  
Charity (Toronto)

March 22, 2016



YASC Pub Night  
(Barrie)

March 30, 2016



Wine & Cheese with  
The Bench (Toronto)

April 21, 2016



YASC Pub Night  
(Toronto)

May 12, 2016



Junior Counsel Forum  
(Toronto)

May 13, 2016