

DEER FRASER

THE WORD IN THE WOODS AT UVIC LAW

VOLUME 1 / ISSUE 18

CAPTION CONTEST



Submit your entries (and anything else you want to see in Deer Fraser) to lss@uvic.ca

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HOT ON THE DOCKET

JUSTICE, OR JUST US? UVIC STUDENT WALKOUT

On March 14th, join UVic's Indigenous Law Students' Association for a student walkout, protest march around Ring Road, and demonstration in front of the Faculty of Law.

The LSS calls on all law students to support ILSA by attending the Day of Action. As law students we have an obligation to address the injustices perpetuated onto Indigenous peoples. The Day of Action is one way we can respond meaningfully to these injustices and in a way that is important to ILSA. This is your opportunity to show your support as allies for Indigenous peoples and reconciliation. Please see the event page at <https://www.facebook.com/events/159969354723878/> for more information.

YEARBOOK SUBMISSIONS

The end of the year is fast approaching and we are looking for content for the 2017-18 Yearbook! Please upload your photos at www.HJeSHARE.com with the school code uvic2018.

LSS AWARD NOMINATIONS

LSS award nominations are live! Recognize the do-gooders in our community and the #uvicdifference by submitting your nominations at <http://uvic-lss.ca/annual-events-clone/>.

SLAUGHTER CUP

The most anticipated event of the year is rapidly approaching: the Slaughter Cup (aka the rugby grudge match between the law faculties of UVic and UBC) will be on Saturday March 17th at Gerald McGavin Rugby Centre (UBC). Kick-off will be at 1 pm, followed by an after party at 7:30 pm. UVic is the defending champion, so come cheer on the teams as they look to continue the domination of UBC!

APPEAL LAUNCH EVENT

The Appeal Law Journal is proud to announce the launch of Volume 23! Help us celebrate another successful year for Appeal, and recognize the exceptional work of the authors featured in this Volume! The Launch will be held on Thursday March 22nd, 3:30-5:30pm in the Diana Priestly Law Library. Food will be served and drink tickets provided!

GAMES NIGHT

Come kick it old school in the law school! Join the Indigenous Law Club and the Wellness Volunteers in the Student Lounge on March 15th at 4pm, for an afternoon of fun and board games. Entry is FREE, and includes tea, hot chocolate and healthy snacks (bring your own mug!) There will also be a bakesale and 'Jukebox' song requests. All proceeds from the event will go to this year's Elders Gathering hosted by the Cowichan Tribes. For more information:

<http://eldersgathering.ca>



University of Victoria
Law Students' Society



If you had as many bucks in your wallet as you did outside your classroom, you'd have give or take six bucks

IDEAS FOR NEXT WEEK?

If you have an event you want to advertise, information to disseminate, hilarious content to entertain your fellow students, or cool photos to share, please don't be shy to send it in for inclusion in next week's issue.

Contact Maleika Jeewanjee

General Secretary lss@uvic.ca

PLEASE SUBMIT CONTENT BY SATURDAY NIGHT



HOT ON THE DOCKET

ENVIRONMENTAL LAW CLUB SCREENING: ALBATROSS

The Environmental Law Centre and Environmental Law Club would like to invite you to attend a special screening of Albatross, a story of love and renewal against the stark backdrop of marine plastics. The evening will include a special guest stream from the filmmakers, and discussion advancing a national strategy to reduce marine plastics. Please join us March 14th, 7 PM, in Room 159 of the Fraser Building for a thought provoking and inspiring event. For more information about the movie, please visit <http://www.albatrossthefilm.com/about/>. The Facebook event page is here: <https://www.facebook.com/events/153175755477975/>.

FACULTY POSITION VISITS

Over the next 2 weeks there are 4 candidates visiting to interview for 2 faculty positions. Students can meet with the candidates from 3-3:45pm in room 209, ask candidates questions about their work and teaching styles, and provide feedback to the Faculty's Appointments Advisory Committee. The CVs of all candidates are available for viewing at the library front desk. Dr. Sarah Morales will be visiting March 12 and Professor Andrée Boiselle will be visiting on March 16th.

MESSAGES FROM YOUR EXEC

.LSS EXECUTIVE AND FACULTY NOMINATION FORMS UP

Get involved and have some good times by signing up to run! See below for more information and feel free to reach out to any current Exec members with questions! You can find descriptions of the roles [here](#) (you may want to check your e-mail and note proposed amendments to the roles), and a list of the current members [here](#).

AGM MARCH 19TH

The LSS Annual General Meeting is next Wednesday March 19th. Join us to hear candidate speeches, vote on bylaw and constitution amendments (see below and check your e-mails). Your incentive: delicious samosas and raffle prizes of noise-cancelling headphones or Visa gift cards.

WARM FUZZIES

Another well deserved thank you to our wonderful and hardworking social coordinators, Jordyn and Lisa, for pulling off Bonspiel!



University of Victoria
Law Students' Society

THIS WEEK AT A GLANCE

MONDAY

Sports Law Career Panel
12:30pm
Room 142
OCI Prep Session
2:00-5:00pm
Room 152

TUESDAY

WEDNESDAY

ELC Clothing Swap
12:00 pm
Lounge

Justice, or Just Us?
UVic Student Walkout
11:00am-1:00pm

THURSDAY

WEEKEND

FRIDGE CLEANING FRIDAY
Label yer tupperwares!

SLAUGHTER CUP SATURDAY

LAST WEEK'S CAPTION CONTEST WINNER



“There are this many people who submit content for Deer Fraser...and that’s including Ian.”

- Keenan Miller

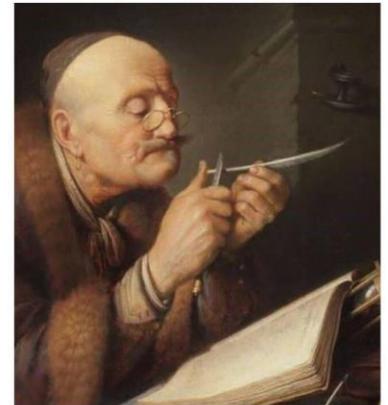
WHAT DOES IT ALL MEME?

Content of varying degrees of hilarity, related to the law school experience

When the teacher asks a question and you're trying to avoid eye contact



When someone starts an argument with me about something I know a lot about



👩👨 **Law school** is all fun and games until you eat 100 dominoes, McDonalds, cookies, brownies, milkshakes & put on 50 pounds in one week



University of Victoria
Law Students' Society

Constitution & Bylaw Amendments

Proposed for the 2018 General Meeting

Introduction

The following motions will be voted on by Members at the 2018 general meeting of the Victoria Law Students' Society ("The LSS"), on March 19, 2018. There are five proposed amendments, each of which has its own rationale, as discussed in this document. Check your UVic e-mails to see the specific bylaw amendments proposed.

Amendment 1 – Change to the LSS Constitution

Motion: That the LSS update its constitution to reflect the changes contained in Appendix 1 of the Constitution and Bylaw Amendment Proposals document, effective April 30, 2018.

Rationale

This constitutional amendment updates our purpose statement to include promoting wellness initiatives for our Members. This update is not just tied to the obvious importance of promoting the wellness of our members through our initiatives. Without the addition of wellness as a purpose in our constitution, it is difficult to justify the existence of a wellness representative on the current Executive Council, or any of the many wellness initiatives undertaken by the LSS through its regular events. To this end, the LSS Executive recommends that Members approve the proposed amendment to our Constitution.

Amendment 2 – Updates to reflect changes to the *Societies Act*

Motion: That the LSS update its bylaws to reflect the changes contained in Appendix 2 of the Constitution and Bylaw Amendment Proposals document, effective April 30, 2018.

Rationale

These bylaw amendments reflect general changes to the *Societies Act*, which came into force two years ago and replaces the *Society Act*, as well as changes to the bylaws to ensure the bylaws reflect how the LSS has operated for at least the past two years. The deadline for *Societies Act* compliance is this November, so these amendments are important.

The changes that are proposed for *Societies Act* compliance are non-controversial and include changing references to legislation in the bylaws and changing the name of the "Executive Council" of the LSS to the "Board of Directors". These changes bring our society more in line with the provisions of the *Societies Act* and are also reflected in the remaining three bylaw amendment proposals.

These changes also involve a change to the structure of the LSS that reflects the actual function of the Executive Council/Board of Directors. The current Executive Council is generally responsible for the operation of the society, and therefore all Executives should truly be considered Directors according to the *Societies Act*. Currently, only a small subsection of the Executive Council is considered Directors under the Bylaws, and it is very unclear what implications this has for governance of the LSS. A potential downside to this change is the increase to the number of Directors that must be reported with the Registrar of BC Societies. This small downside is more than justified by the fact that the proposed structure more closely reflects how the LSS has come to do business as a student-run society. For these reasons, the LSS Executive recommends that Members approve the proposed amendments to our bylaws.

Amendment 3 – Stable funding for ILSA

Motion: That the LSS update its bylaws to reflect the changes contained in Appendix 3 of the Constitution and Bylaw Amendment Proposals document, effective April 30, 2018.

Rationale

The intention of this amendment is to reflect the nature of the Indigenous Law Students' Association (ILSA) as a parallel student organization to the LSS. This amendment was developed in close consultation with ILSA members over multiple years and establishes predictable funding for ILSA while encouraging cooperation between the LSS and ILSA with respect to fundraising activities. Importantly, this amendment also fulfills a commitment made by the LSS to work with ILSA to develop a student-led response to the Truth and Reconciliation Commission's Call to Action 27 and 28.

Under the proposed amendment, of the \$10 collected by the LSS from each student in each term, \$1 will continue to be dedicated to a student bursary fund. From the remaining \$9, \$4.5 will be allocated to ILSA, and the remaining \$4.5 will continue to make up a small part of the LSS general revenue. As well, this amendment will allocate 10% of funds raised through orientation week fundraising efforts to ILSA.

Based on numbers from 2016-2017, this amendment would result in funding ILSA with approximately \$6800 in future years. This is an increase of around \$4500 to previous years' funding, however ILSA has identified significant areas for growth in their activities, particularly with the addition of the JD/JID program starting next year, so the funding increase is justified in the opinion of the LSS Executive.

The LSS executive is also confident that our budget is sustainable with the proposed funding increase to ILSA. First, the LSS budget has resulted in a surplus greater than the proposed increase in funding to ILSA in each of the past five years, resulting in a significant amount of cash on hand. Second, additional student fees collected by the LSS with the addition of the JD/JID program over the next four years will result in an increase of over \$1000 to LSS revenue. Third, LSS revenue sources have not been evaluated for sustainability in over five years. For example, an increase in locker fees to \$20/year at some point in the next four years is easily justified and would make up for half of the additional funding allocated to ILSA. Finally, the addition of the JD/JID program allows our student fundraising efforts an opportunity to increase their reach and impact beyond previous years' abilities. Along with a renewed approach to fundraising, it is reasonable to expect that orientation fundraising can sustain a moderate increase to the LSS budget over the next four years.

For these reasons, the LSS Executive recommends that Members approve the proposed amendments to our bylaws.

Amendment 4 – Executive positions

Motion: That the LSS update its bylaws to reflect the changes contained in Appendix 4 of the Constitution and Bylaw Amendment Proposals document, effective April 30, 2018.

Rationale

The bylaw amendments relating to executive positions reflect the work that is currently done by the LSS Executive Council and allow for flexibility in how future LSS Directors approach their duties. The amendments also add the position of ILSA 1L Rep to the Board of Directors of the LSS. The proposed changes to Executive/Board position descriptions were completed in consultation with existing LSS Executives to ensure that all positions are described accurately to reflect the work that has been done by the LSS over the previous two years. As well, these changes remove references to non-existent committees and events that have not been undertaken by the LSS in recent years, in favour of placing such specifics in a separate, stand-alone document that can be updated by future LSS Boards to incorporate flexibility into how the LSS Board approaches its various duties. Important details relating to governance have been kept in the Director descriptions to ensure the LSS continues to be accountable to its Members and adheres to the structure set out by the *Societies Act*.

The proposed ILSA 1L Rep position was generated through consultation with the Indigenous Law Students' Association, and the existing 1L Reps. Past 1L Reps identified a need for greater support in their fundraising and orientation week planning work, and both ILSA and the LSS identified an opportunity to promote inclusivity at orientation week events through enhanced involvement in the planning of these events by ILSA. The ILSA 1L Rep will work alongside the other two 1L Reps to plan orientation and re-orientation events, as well as to leverage our orientation week for fundraising purposes. It is expected that all three 1L Reps will work together to enhance our fundraising efforts to communicate the increase in class size and unique opportunities for exposure associated with the first of its kind JD/JID program beginning this fall. As well, funds raised through the work of the 1L Reps will be more clearly designated to support the important year-round work of ILSA and the LSS.

For these reasons, the LSS Executive recommends that Members approve the proposed amendments to our Executive structure.

Amendment 5 – Election Bylaws

Motion: That the LSS update its bylaws to reflect the changes contained in Appendix 5 of the Constitution and Bylaw Amendment Proposals document, effective April 30, 2018.

Rationale

The purpose of the proposed amendments to the election bylaws is to streamline the LSS election process and to reduce the potential for future controversy relating to elections. First, the bylaw amendments reduce the nomination and voting period for LSS elections from seven days to five. This change will allow elections to be concluded from start to finish in approximately two weeks. Currently, due to the length of the nomination and voting periods, as well as the associated work done to complete the election, most elections take over three weeks from start to finish. This length of election requires significant effort and planning from the LSS Executive and can mean that elections are not practical to fill Executive vacancies that arise from time to time. As well, LSS Members are inundated with communications relating to the elections due at least partially to election duration. The expectation is that if elections can be concluded in two weeks, the number of emails associated with elections will also decrease. Five-day elections are still two days longer than the UVSS allows for elections and referenda, and since LSS elections now use the WebVote platform, the time required to vote has substantially decreased since our bylaws were drafted.

The proposed amendments also require future LSS Boards to maintain an election rules document that can be changed by the Board at a Board Meeting. Previously, the bylaws permitted such a document, but no such document has been created. In the absence of such a document, election rules are at the discretion of Chief Electoral Officer (usually the Vice President, Student Affairs). This responsibility has led to concerns in the past relating to the application of rules to elections and can be easily reconciled by forcing the LSS Executive to draft election rules that will be made available to all candidates during an election.

For these reasons, the LSS Executive recommends that members approve the proposed amendments to our election bylaws.

UVic Law Students Attend Public Interest Environmental Law Conference



From Thursday March 1st to Sunday March 4th, nine UVic law students attended the 36th annual Public Interest Environmental Law Conference in Eugene, Oregon. Calvin Sandborn, legal director of the ELC, and Renata Colwell, ELC Articling Student, were also in attendance. The Conference is the premier annual gathering for environmentalists in the world and unites thousands of activists, attorneys, students, scientists and community members.

The conference alternates each year between an international focus and an American domestic focus. This year the conference was focussed on American environmental legal issues and addressing environmental protection in the Trump-era. The UVic students attending were able to go to a variety of panels and workshops over the course of the weekend, which allowed students to compare American environmental legal issues and litigation strategies with Canadian ones.

Some themes and topics discussed in the conference included:

1. **Legal Issues in Activism and Civil Disobedience:** defending against SLAPP and RICO lawsuits in the USA initiated by corporations to frighten environmental activists and drawdown their resources; using the necessity defence for defending activists charged criminally; tactics and strategies behind interlocutory injunctions; and building networks between environmental lawyers to coordinate strategies.
2. **Indigenous lands, rights and governance:** hearing from Indigenous lawyers from South American discussing how they apply their Indigenous laws and culture to defend their lands against extractive industries (including a lot of Canadian mining companies); the Nez Perce tribe's success in expanding their governance capacity to increase their ability to act as stewards over their lands; tribes in the US being concerned about losing National Monuments with cultural significance and working respectfully with tribes.
3. **Endangered species:** learning about how wind farms pose a risk to endangered bats and birds in Hawai'i.

4. **Climate change and GHG emissions:** using public trust doctrine to hold government accountable for failures to implement progressive climate change policy; a non-profit helping municipalities force state regulators to enforce fracking laws by documenting methane leaks through special cameras; challenging and addressing problematic carbon accounting in environmental impact statements; climate litigation strategies
5. **Agricultural environmental issues and land use:** using law in transforming food systems (e.g. procurement, sustainable agriculture); problematic sprawl into agricultural and forest land.
6. **Urban sustainability:** reaching renewable energy targets for municipalities; utilities regulation to facilitate community level renewable energy generation; how to advocate for better planning of more public and active transportation over single occupancy vehicles and highways; managing marine plastics at the source and at the municipal stormwater level.
7. **Environmental justice:** inability to separate environmental issues and inequitable impacts on frontline communities; empowering communities by diversifying local economies (i.e., away from carbon intensive development); the inequity of pollution impacts on communities of colour; reducing adversarial approaches in order to identify common values and achieve common goals in environmental issues in communities; how environmental groups should allow frontline communities to lead; the ability for “sustainable” projects to also have inequitable impacts on historically marginalized communities

All of us found attending this conference incredibly valuable. Attending the conference offered an opportunity to learn about environmental law from a comparative perspective. In addition to learning through the panels, workshops and keynote speakers, we also had the opportunity to meet environmental law and science students from Vermont, Montana, Florida, and Oregon. As some of the few international attendees to the conference, the conference was a chance for us to stand in solidarity with our colleagues in the USA as they address a particularly troubling time in the history of environmental and social justice in the USA.

The 1Ls and 2Ls in attendance left the conference with an interest in returning next year and hopefully hosting a UVic law student panel of our own. In addition to learning a lot about environmental law, we also all picked up a great theme song at the end of conference party when we danced to a song called “Dancing on the Ruins of Multinational Corporations” – what more could you ask for?

If any students want to learn more about the conference or any topic we heard about, feel free to post on the Environmental Law Club Facebook page or contact the attendees individually. We would be happy to share our new knowledge!