

PUBLIC AFFAIRS REPORT



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Todd Hauptman is the public affairs director at the Trial Lawyers Association of BC. His public relations work has involved him in a variety of sectors, including government, tourism, technology, non-profit and small business. He has extensive experience in politics, having managed two provincial election campaigns, and has worked for several government officials. Todd is a recipient of the Queen's Jubilee Medal for his longtime community volunteer work.

Shawn is the CEO of TLABC. He has spent more than 15 years in senior management positions in the nonprofit and private sectors including the Vancouver Botanical Gardens Association, Edelman PR, CharityVillage.com, WWF-Canada and the Huntington Society of Canada. A Chartered Director (C.Dir.), Shawn is in his third term as a director with Mountain Equipment Co-op, where he also chairs the Governance Committee. He is a past director and chair of Vantage Point (formerly Volunteer Vancouver) and a past director and Treasurer of Gardens BC. Shawn lives in East Vancouver with his wife and two young daughters, a Bernese Mountain dog, and a cat.

Full has been a strategic and productive season for the advocacy agenda of the Trial Lawyers Association of BC. Following our annual spring strategic planning retreat with the board of governors, our priority has been two-fold: 1) re-engage on the full spectrum of issues that TLABC has traditionally advocated for; and 2) invest time and energy in deepening our relationships with legislators, media and other influencers.

MINOR INJURY CAPS & REGULATIONS FOR BILLS 20 & 22

The regulations finally came out late fall and were disappointing, to say the least. Previous commitments by the Attorney General to not include concussions, for example, in the definition of "minor" injury, were ignored. Please see Nick Peterson's excellent summary of the regulations further on in this issue. Since their release, we have met with the Attorney General and members of all parties on the issue and made the feelings of our members known. More to come on this in the months ahead.

LEGAL AID

TLABC has provided funding to the Association of Legal Aid Lawyers as part of our continuing efforts and support for a properly funded legal aid program in British Columbia. We have been busy preparing various tools that help our advocacy efforts. We have also met with members from all parties reminding them of the underlying issues, and pressing them for their support for better funding. We also participated in the Law Society's second Colloquium on Legal Aid held in September. Traction on this issue would have a significant positive impact on our members in the family and criminal bar, and we continue to advocate accordingly. TLABC also made a presentation to the Legal Aid review conducted for the Attorney General's office by Jamie McLaren QC.

WRONGFUL DEATH LEGISLATION

Having gained and lost momentum on this issue with previous Liberal governments, we have taken it up once again with the NDP government and senior staff at the Attorney General's office. We have also received positive feedback from members of the Liberal and Green caucuses who are open to further dialogue. While we don't anticipate a sudden solution to emerge, we intend

to continue to press all parties on the need to amend legislation that is more than 170 years old!

JURY FEES

TLABC recently had our application for leave to appeal to the Supreme Court of Canada only to have the court choose not to grant that leave. It is clear to us that the only option to address the issue is a political one. Having previously won in court the right of plaintiffs for relief from high court fees, the current policy on jury fees – fees to be paid by litigants should they wish to have a trial involving a full jury vs. a trial considered by a judge alone – can still be changed by government.

ALTERNATE LEGAL SERVICE PROVIDERS

Informed by the work of our Family Law Committee, TLABC has adopted two complimentary positions on the issues of Unified Family Court and Alternate Legal Services Providers. If the objective is to streamline process, improve accessibility and reduce costs to clients, then it is TLABC's position that provincial adoption of Unified Family Court is the most appropriate, comprehensive approach to start down that path. The proposal for Alternate Legal Service Providers – touted by the Attorney General and most recently rejected conceptually by members of the Law Society at its most recent Annual General Meeting – is not a scheme that TLABC supports at this time.

CONCLUSION

Our overarching purpose as an Association continues to be the promotion and defence of a healthy tort system in British Columbia, on behalf of British Columbians. We would like to encourage each member to reach out to their local MLA to remind them of the importance of the rule of law and our tort system, and to inform or encourage them to take action on the issues we've outlined here. If you don't know who your MLA is then please find out with your postal code by going to www.leg.bc.ca and clicking the "Find Your MLA" icon on the homepage. If you don't have time to meet with your MLA then please email them your concerns. By engaging with your local provincial representative, it highlights active members like you are throughout BC. V