

Step up to the school of moot

Law students get real world experience when U of M hosts Laskin Moot

BY DALE BARBOUR
The Bulletin

The 2008 Laskin Moot brought competitors from 19 law schools across Canada to Winnipeg from Feb. 28 to March 1 to battle it out in the city's Law Courts building.

It's the first time the University of Manitoba has played host to the Laskin Moot and for third-year law students Kathrine Basarab, Roxanne Gagné, Meghan Campbell, and Courtney St. Croix, it was a chance to test their legal skills in front of some of the toughest judges in the country.

"We have 39 judges participating from all across Canada," Faculty of Law special events coordinator Rosa Muller said. "Most come back every year."

As with all moot courts, the cases aren't real. But the questions being considered still have legal merit. For the judges, it's a chance to give back to the law schools that helped launch their careers. It's also a chance to meet the next generation of advocates.

The Laskin Moot is named in honour of the late Right Honourable Bora Laskin, Chief Justice of Canada from 1973 to 1984. It's in its 23rd year and deals with constitutional law. The legal question at the heart of this year's Laskin Moot focused on whether it was appropriate for the federal government to discontinue funding for a minority-language preschool education program. Each school entered four participants, with two appellants acting on behalf of a fictitious English-language Quebec parent's group and two respondents arguing the point from the government's perspective.

Law professor Darcy McPherson said it's critical to nail down the legal argument, which meant students had to spend weeks wading through Canada's constitutional law books to see what's required of the government and what's been done in the past on similar questions.

"But there is also what I would call the emotional appeal," McPherson said. "Ideally, you can lead a judge to do what they would choose to do even if they were not constrained by the law. You're arguing that this is the right thing to do.



Photo by Dale Barbour

From left, third-year law students Kathrine Basarab, Meghan Campbell, Roxanne Gagné and Courtney St. Croix were the home-team when the University of Manitoba hosted the Laskin Moot competition over Feb. 28 to March 1.

It's the difference between the law and justice."

In the Laskin Moot students argue their cases directly to a three-judge panel. The judges are more than willing to give the students the gears if the arguments aren't sound.

"The students get real world experience that the classroom just can't provide," McPherson said.

No question about it, said U of M student Courtney St. Croix.

"This gives you a chance to argue in front of a judge. It's just not something you can experience in the classroom," St. Croix said. That experience includes everything from dealing with real judges looking to penetrate and dissect an argument to just getting a feel for the chemistry of a courtroom. And the upside, of course, is that it is moot court, and if they fail in their argument a client won't have to suffer the consequences. But the fact that

it isn't real doesn't mean the judges or the students take it any less seriously.

"It was fun. The judges asked a lot of questions. It felt like machine-gun fire up there. One question after another," Campbell said. But she wouldn't have had it any other way.

"The judges asked a lot of questions. It felt like machine-gun fire up there. One question after another. But hope you get a judge that's engaged. If they're not asking questions, it means they're not engaged."

Meghan Campbell,
Faculty of Law student

to 22 minutes to argue their case. But, again, that's assuming they won't be interrupted by judges looking to prick holes in their statements.

"You know they're going to interrupt," Basarab said. "So you have to balance getting your argument across and fielding questions."

One of the challenges of the Laskin Moot is that at least one member of

each team must make their submissions (both oral and written) in each official language. In fact, the liberal use made of both official languages is part of what makes the Laskin Moot competition unique.

For Gagné, a franco-Manitoban and used to working in an English-language setting throughout most of her studies, it was a pleasure to head into court and work in her first language.

"To compete at that level and argue the case in French was great," Gagné said.

McGill University was the overall winner for the competition, but the U of M team could claim bragging rights of their own.

Their factum, a written document produced by all four team members which includes both the appeal and respondent arguments, was ranked third at the competition. The respondent side of their factum, however, received the highest marks ever at the moot giving all four team members something to brag about.

OTHER MOOTS

The Laskin is one of many competitions that the Faculty of Law is involved in every year. Students also compete in the Western Canadian Trial Moot, the Wilson Moot, the Sopinka Cup National Trial Moot, the Negotiation Moot and the Aboriginal Moot. Robson Hall has a solid reputation at national competitions, winning the Western Canadian Trial Moot 15 times in the past 40 years and the Sopinka Cup three times in its nine year history.

Most recently, the Robson Hall Team took home the top prize for written advocacy at the national Wilson Moot in Toronto, Feb. 22 to 23. The prize is based on the cumulative score for the appellant's and respondent's factum for each team.

The team of Meaghan Daniel, Kevin Westell, Maegan Richards, and Karen Poetker was coached by Tony Kavanagh of Manitoba Justice and professor Debra Parkes. The award was presented to the team by Justice Marshall Rothstein of the Supreme Court of Canada, an alumnus of Robson Hall.

Immunology grows

The Immunology Research Facility at the University of Manitoba's Faculty of Medicine will be expanded and enhanced with a \$1.6 million contribution through the Winnipeg Partnership Agreement. The new facility will give students and researchers access to new technologies and increased commercialization opportunities.

The announcement was made last week by Vic Toews, president of the Treasury Board, Marilyn Brick, MLA for St. Norbert and deputy mayor Brenda Leipsic.


"The Government of Canada is working to enhance Canada's international reputation for research excellence and to strengthen scientific expertise," said Toews. "Today's announcement will enable researchers, innovators and businesses to improve Canada's productivity performance, create high-quality jobs and enhance Canadians' quality of life."

The immunology department has outgrown its current location in the Basic Medical Sciences Building. To be

located on the fourth floor of the Apotex Centre at the Bannatyne Campus, the new facility will lead to the expansion of existing and new research programs, and to increased commercialization from these programs. This will enable the university's immunology department to attract, train and retain the highly qualified personnel required to support the growing immunology and infectious disease research cluster in Manitoba.

"This new funding will further advance the immunological research conducted at the University of Manitoba," said president Emőke Szathmáry. "It will build upon the university's excellent reputation in the area of immunology and infectious diseases, and enhance research and teaching opportunities for faculty and students."

The department of immunology was established in 1969 and is credited as the first immunology department in Canada. Currently the department has 25 professors, of which six are on-site professors located at the Basic Medical Sciences Building.



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