



Special Student Edition 2006

Fall 2006

## Welcome to the First Ever IBA Student Newsletter!



By **Koren Lightning-Earle** and  
**Emma Taylor** (Student Reps to the  
IBA Board)

Welcome to the first ever Special Student Edition of the IBA Newsletter.

This edition of the IBA Newsletter is the product of numerous discussions within the IBA about the importance of ensuring that all Indigenous law students across Canada have access to information; not just information about the IBA but also information about the various opportunities that exist to enhance their legal education.

Too often we have heard that students missed an opportunity because they were unaware of it. We hope that this newsletter reduces the risks of that happening.

The newsletter is also another effort to increase communication with Indigenous law students across Canada.

Over the past year, we have developed the foundation for an Indigenous Student Council, which will serve as the key communication network for Indigenous law students in Canada. We hope to have this Student Council functioning in the coming months to ensure information flows, both to and from Indigenous student bodies

and the IBA.

The IBA provides excellent opportunities for Indigenous students to meet Indigenous lawyers, judges, and academics through the IBA annual fall conference.

This year's conference will mark the 10 year anniversary of RCAP. The conference is in Saskatoon, in partnership with the University of Saskatchewan, College of Law; October 19-21, 2006. IBA Student Members are entitled to a special subsidized registration fee of \$60. Indigenous students are encouraged to approach their law school or other potential benefactors for assistance to attend.

IBA Student Day, a student focused event coinciding with each fall conference, will take place on October 19th, at Wanuskewin Heritage Park, just outside of Saskatoon. Our agenda for Student Day focuses on *Law School and Beyond*. All Indigenous law students are invited to attend.

Whether you are a first year law student, or pursuing your graduate studies in law, we hope that you will find this newsletter a useful resource in your studies. There are many opportunities out there to ensure your legal education is dynamic and grounded in Indigenous community. We hope you take advantage of them. ■

IBA NEWSLETTER SPECIAL STUDENT EDITION 2006

Indigenous Bar Association

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The IBA is seeking feedback from Indigenous law graduates and law students on how we can improve our programs and services.

### MEMBERSHIP SURVEY

Complete survey and enter to win!

Complete a survey and enter your name to win a \$300 credit against your 2007 IBA conference fees. For more information visit our website at: [www.indigenousbar.ca](http://www.indigenousbar.ca)

# President's Message

By Jeffery Hewitt, IBA President

**D**ear Students:  
On behalf of the IBA Board of Directors, welcome to the first ever special student edition of the IBA newsletter. We hope that you will find it informative and useful as you proceed through your legal education. This is the first of what we plan to be an annual tradition of issuing a special welcome to all new and returning Indigenous law students across Canada.

As the national organization of Indigenous people trained in law in Canada, the IBA has always welcomed the participation of Indigenous law students. In fact, the IBA came to be as a result of the organizing of Indigenous law students in the 1980's; those founders and early members are now the most senior members of the Indigenous bar.

Our numbers have grown from a handful of lawyers in the late 1970's to over a thousand legally trained Indigenous people in Canada today. With the passage of time, and in spite of our growing numbers, the IBA remains as important and relevant as it ever has been, bringing together First Nations, Métis and Inuit law grads to address critical issues facing our various communities.

Unfortunately, however, isolation continues to be a challenge for some of our members, as it does for our student



members. Some Indigenous law students have the benefit of being part of a large body of students at their law school; while others pursue their studies in isolation.

We hope that through this annual welcoming newsletter to new and returning students, that we will ensure greater communication with Indigenous law students across Canada, regardless of the size of Indigenous student bodies; and also that we will increase the level of awareness among students about the IBA and the numerous other opportunities available to Indigenous law students to enhance their legal education.

It is often said, life is what you make of it. The same can be said of your legal education.

This newsletter provides information about important initiatives open to Indigenous students, such as Kawaskimhon — a national Indigenous rights focused moot; or the Osgoode Intensive Program in Lands and Resources.

It also provides information about IBA initiatives. IBA Student Day continues to be an invaluable experience for students each year. Our annual conference provides opportunities to learn from leading experts within the Indigenous bar and beyond. The IBA Law Student Scholarship, established in memory of Ronald Peigan, is open to all Indigenous law students currently engaged in legal studies. The IBA continues to provide an important sense of community to Indigenous law students and law grads across Canada.

Welcome and best of luck as you pursue your legal education.

Yours truly,

*Jeffery Hewitt, President*

## IBA BOARD OF DIRECTORS 2005-2006

Jeffery Hewitt, President  
Judy Daniels, Vice-President  
Kathleen Lickers, Treasurer  
Margaret Froh, Secretary

### Members-At-Large:

Brian Calliou  
Denise Lightning  
Lee Schmidt

### Student Representatives:

Koren Lightning-Earle (Western Rep)  
Emma Taylor (Eastern Rep)

## Indigenous Bar Association Special Student Edition Newsletter 2006

### Editors:

Margaret Froh; Koren Lightning-Earle; and Emma Taylor

### Contributors:

Koren Lightning-Earle; Emma Taylor; Jarvis Googoo; Stephanie Whitecloud; Sara Jane Souliere; Karen Drake; Jesse McCormick;

Jessica Wolfe; Andrew Kirk; Nicole Diane Onawa Richmond; Tiffany Murray; Tracy Coates; Shaunna Kelly; Lori Mishibinijima; Kelly Doctor; Brian Calliou; Judy Daniels; Lee Schmidt; Denise Lightning; Wanda McAslin; Jeffery Hewitt; Margaret Froh

### Next Special Student Issue:

September 2007

For more information contact:  
[mfroh@indigenousbar.ca](mailto:mfroh@indigenousbar.ca)



# Indigenous Peoples' Counsel (I.P.C.)

The Indigenous Peoples' Counsel designation (I.P.C.) is awarded each year to an Indigenous lawyer in recognition of outstanding achievements in the practice of law. In particular, the I.P.C. award takes into account the manner in which the individual pursues the goals and objectives of the Indigenous Bar Association and serves his or her community and the Creator with honour and integrity.

In order to be eligible for an I.P.C. designation, nominated persons must be Aboriginal (i.e. First Nations, Inuit or Métis), and a law school graduate. Those nominated do not need to be paid members of the IBA, but they must meet the I.P.C. criteria. Also, only members of the IBA can nominate persons for this award.



Top Photo: (left to right) David Nahwegahbow, I.P.C., Roberta Jamieson, I.P.C., Paul Chartrand, I.P.C., Delia Opekokew, I.P.C., Former IBA President Dianne Corbiere, and James Youngblood 'Sakej' Henderson, I.P.C. Recipient for 2006 (Photo: Margaret Froh)

Bottom Left: Photo: (left to right) David Nahwegahbow, I.P.C., Roberta Jamieson, I.P.C., Paul Chartrand, I.P.C., and James Youngblood 'Sakej' Henderson, I.P.C.

I.P.C. designations are not awarded posthumously.

Nominations must be accompanied by a concise curriculum vitae of the nominee and two letters of support from members of the IBA stating the reasons for the candidate's nomination. Articles and testimonials will be considered, but are not required.

The current I.P.C. members are: J. Wilton Littlechild, Roberta Jamieson, Paul L.A.H. Chartrand,

David C. Nahwegahbow, Delia Opekokew and James [Sákéj] Youngblood Henderson. Along with the IBA Board, I.P.C. members form the selection committee for this award.

The deadline for nominations is June 30th of each year and the award is presented each October at the IBA Annual Conference. The recipient will receive a framed and embossed I.P.C. Certificate, along with a small gift. ■



## IBA Indigenous Law Student Scholarship

### Established in Memory of Ronald Peigan

The IBA Law Student Scholarship Foundation is a non-profit charitable foundation established by the IBA in support of scholarships for Indigenous law students in Canada. The Foundation administers an annual scholarship award of \$2,000 to be presented to an Indigenous law student that best demonstrates financial need, academic merit and commitment to Indigenous legal matters.

To be eligible, candidates must be an Aboriginal/Indigenous law student currently enrolled in an accredited law school, having demonstrated an interest in serving the Indigenous community and the Creator with honour and integrity.

The Foundation welcomes donations and invites IBA members and Friends of the IBA to make donations in support of the Scholarship. Tax receipts are available.

For more information visit the IBA website at: [www.indigenousbar.ca](http://www.indigenousbar.ca)

# Get Involved in the IBA!

By Emma Taylor

## Students! Get Involved....

The Indigenous Bar Association provides a number of excellent opportunities for students to learn about Aboriginal legal issues and make connections with other Indigenous law students and legal practitioners from across Canada. Here are a few ways that YOU can get involved this year!

### As....Eastern/Western Student Representative to the IBA Board of Directors

These two students are elected representatives for the Eastern (Ontario-East) and Western (Manitoba-West) regions. Student representatives serve as a liaison unit for Indigenous law students across Canada for the dissemination of information. They also provide a forum through which Indigenous law students can discuss issues of concern to them and bring these issues to the attention of the IBA Board.

The main responsibilities of the Eastern and Western Student Representatives are:

- Fundraising and supporting student activities, including the Student Day portion of the IBA Annual Conference;
- Coordinating the Student Day component of the IBA Annual Conference;
- Establishing and maintaining contact with existing Indigenous law student organizations at Canadian law schools;
- Providing a forum for Indigenous law students to discuss issues that they face;
- Acting as liaison and to disseminate information between the IBA

Board of Directors and Indigenous law students;

Ensuring that issues of importance to students are brought to the attention of the Board of Directors.

The Eastern and Western Student Representatives are elected each year at the IBA Student Day. This year, the election will be held on Thursday October 19th, 2006 in Saskatoon, Saskatchewan. In order to become a student representative, and to participate in the student elections, you must be an IBA student member in good standing. If you are not planning to attend IBA Student Day, you may participate in the selection of student representatives by proxy. For more information about the role of Eastern and Western Student Representatives, or the selection process, please contact either Koren Lightning-Earle ([klightning-earle@indigenoubar.ca](mailto:klightning-earle@indigenoubar.ca)) or Emma Taylor ([etaylor@indigenoubar.ca](mailto:etaylor@indigenoubar.ca)).

### As....Indigenous Student Council Members

The Indigenous Student Council is comprised of student representatives from law schools across Canada. Student Council members are responsible for:

- Assisting the Eastern and Western Student Representatives with the planning and coordination of IBA Student Day;
- Ensuring that issues of concern and importance to Aboriginal students at their law school are brought to the attention of the Indigenous Student Council;
- Disseminating information from the Indigenous Student Council to other Aboriginal law students at their school;

- Arranging for Aboriginal students at their law school to attend the Annual IBA Conference;

Participating in teleconference meetings of the Indigenous Student Council.

Indigenous Student Council members are informally selected at the IBA Student Day. You must be an IBA student member in good standing in order to sit on the Indigenous Student Council. For more information, please contact either Koren Lightning-Earle ([klightning-earle@indigenoubar.ca](mailto:klightning-earle@indigenoubar.ca)) or Emma Taylor ([etaylor@indigenoubar.ca](mailto:etaylor@indigenoubar.ca)).

### As.... IBA Committee Members

The IBA has several active committees and each welcomes student members. Sitting on an IBA committee is a great way to contribute your skills to the organization and a fantastic opportunity to gain practical experience and knowledge about legal issues affecting Aboriginal peoples. These committees usually meet once a month via teleconference. The time commitment is definitely manageable for law students.

#### Ethics Committee

The IBA Ethics Committee was created in 2001 out of an ongoing discussion within the

IBA membership about the importance of ethics, and in particular the need to develop and articulate an Indigenous grounded ethical guide for members.

Indigenous lawyers must balance their Indigenous duties and responsibilities, as Indigenous people, with their professional duties and responsibilities as members of law societies. This results from time to time in a conflict be-

*(Continued on page 5)*

# Get Involved in the IBA!

(Continued from page 4)

tween Indigenous ethics and legal ethics. The Committee seeks to identify these conflicts and provide supports to members in light of these conflicts.

The core responsibilities of the Ethics Committee are:

- To coordinate and facilitate where possible discussion forums with IBA membership on ethics within the Indigenous legal community;
- To develop resources, including discussion documents and reports, to assist membership in the dialogue on ethics;
- To develop a culturally appropriate dispute resolution policy for the IBA;
- To develop an ethical guide for members in an appropriate format. Possible formats include a code of ethics, a statement of principles, or a set of ethical guidelines;
- To present reports to the IBA Board of Directors and to membership on the work of the Committee, and to present the ethical guide once it is developed for discussion and ratification by the membership;

To include Elders and other Indigenous knowledge holders in the work of the Committee.

If you are interested in joining this committee, please contact Margaret Froh: [mfroh@indigenousbar.ca](mailto:mfroh@indigenousbar.ca).

## Membership and Outreach Committee

The Membership and Outreach Committee is responsible for increasing the number of IBA members, ensuring the retention of members and promoting an active and vital

membership.

The Committee's responsibilities include the following:

- Accepting membership applications for all categories;
- Developing a plan for membership development and retention;
- Recommending ways to make prospective and current members aware of the resources, services, and membership benefits of the IBA;
- Recommending ways to acknowledge new members and encourage participation in IBA activities;
- Acting as Ambassadors to welcome and assist new members;
- Contacting all non-renewals either to recruit them back to the IBA or to discern and report the reason(s) for non-renewal of their membership; and

Issuing and disseminating the IBA newsletter on a regular basis.

Please contact Judy Daniels, Chair, if you are interested in joining this committee:

[jdaniels@indigenousbar.ca](mailto:jdaniels@indigenousbar.ca)

## International Committee

This committee was established by the IBA Board to deal with issues at the international level such as international law developments concerning Indigenous peoples and also to establish links with Indigenous lawyers from other countries.

The core responsibilities of the International Committee are:

- Working with Canadian Indigenous lawyers and academics who work in the field of international law or the international forum on Indige-

nous issues;

- Establishing links with Indigenous lawyers from other countries;
- Coordinating conferences or symposia on international legal issues;

Monitoring how international events or trends may affect local Indigenous communities.

To join, please contact Brian Calliou, Chair: [bcalliou@indigenousbar.ca](mailto:bcalliou@indigenousbar.ca)

You may also be interested in the Justice or Communications Committee. Visit [www.indigenousbar.ca](http://www.indigenousbar.ca) for more information.

## **As....Newsletter Contributors**

The IBA produces a quarterly newsletter for Aboriginal lawyers and law students. Students are encouraged to submit articles related to case law, student issues, or Aboriginal initiatives at their law school. In addition, each September, a student edition of the newsletter will be published. This edition will focus on student issues and the opportunities and resources available for Aboriginal law students.

To contribute, please send submissions to Margaret Froh at [mfroh@indigenousbar.ca](mailto:mfroh@indigenousbar.ca) or the Eastern/Western Student Representative. The Eastern and Western Student Representatives will also request student submissions for the newsletter via email throughout the year. ■



# Student Profiles



## Koren Lightning-Earle

Ancestral Community:	Samson Cree Nation, Hobbema, Alberta
Law School:	University of Alberta
Year:	Entering 3 <sup>rd</sup> Year
Potential Practice Area:	Family Law/Aboriginal Law

### Advice/tips to incoming law students:

**BALANCE!!** Learn to balance your school life and your home life. It will help keep you grounded and focused. It's very easy to get caught up in the law school whirlwind and forget why you came to law school. It's important every now and then to reflect on your journey thus far. For myself I turned a lot to my culture and my family during the stressful times.

Balance became very important to me for my first two years of law school and I am positive it will be the key factor in my third year. Life doesn't automatically halt because you're in law school. During my first of law school my father was diagnosed with cancer and began chemotherapy in my second year. Also during my second year my husband spent a lot of time in the hospital with stomach complications. It was difficult but with the help of my friends and family I was able to survive both years of law school. Now I know I can overcome anything, no matter how hard it gets. Now I am preparing to enter my third of law school 5 months pregnant and I plan to complete my third year the same way I did my first and second, with all the determination in the world.

When it comes down to studying, no one else is going to do it for you. Know your study style and stick to it. Time management is critically important, get an agenda or use your outlook express and learn to embrace managing your time. When it comes down to five 100% finals in 2 weeks and you have yet to do your summaries it will be a blessing.

You will get the law school motto in your first couple weeks of school, "look to your left, look to your right, these will be your friends for the rest of your life." Odd as it seems it becomes true. I have met some of my very dear friends in law school and in the pre-law program. Join clubs and take part in activities it's part of the law school experience and you will meet some amazing people. Not to mention all the free pizza opportunities the first month of classes. Take the time to find out what your school has to offer. Becoming involved in Student Legal Services, Aboriginal Law Students Association, Law Show and the Kawaskimhon Moot are some of the best choices I made in law school.

Law school truly is what you make it. I encourage all law students to take advantage of all the IBA has to offer and all your law school has to offer. Make sure you own one good suit, do your readings and get plenty of sleep before your 100% finals and have a safe journey. ■



Left to Right: Lori Mishibinjima, Koren Lightning-Earle, Sara Jane Souliere

# Nbwaakaawin—Wisdom

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My name is Brian Calliou. I am Cree from the Sucker Creek First Nation in northern Alberta, Treaty 8 territory. I attended the University of Alberta Faculty of Law and graduated with my LL.B. in 1995 and was called to the Bar in 1996. I articulated with Mr. Tony Mandamin, now His Honour, Judge Tony Mandamin, in Edmonton as part of an Aboriginal law practice. In the fall of 1998, I began graduate studies at the University of Alberta and completed my Masters of Law in the spring of 2000. My thesis was a legal history of early game laws in western Canada and how local game laws came to apply to First Nations. I later relocated to Calgary and ran a solo solicitor's practice, focusing on real estate, corporate law, personal injury, and Aboriginal law. I have since moved into management, and am currently the Program Director of Aboriginal Leadership and Management at The Banff Centre. These continuing education programs assist leaders in the knowledge, skills and tools to lead change in Aboriginal communities, organizations and businesses.



My advice to incoming law students is to get involved in the law school that you are at – in the law school newspaper; committees; sports teams; law students' associations; etc. Make an impact at your law school. Let other law students know that there are Aboriginal law students at this school. Now, I am not advocating that each law student get involved in all of these extra-curricular activities, but that all Aboriginal law students split up into these areas. Furthermore, I think that being involved in social and other events during studies actually makes you a better and more effective student and keeps you from getting too bogged down in the weeds, and from isolation during your law school experience. I realize that law schools have people who are not too open to the idea of Aboriginal students being there, but it seems that only about a third feel that way. Another third are usually open to diversity and accepting of Aboriginal students. That leaves a third of the law student population who ride the fence. These are the people you need to convince that Aboriginal people belong in law school. You and your fellow students can make a collective splash while you are there. For example, at the University of Alberta, a couple of other Aboriginal guys and I played on the law hockey team, while others sat on various law school committees. We also wrote articles on Aboriginal legal issues to appear in every issue of the law school newspaper. Of course, you still have to pass your courses, so you need to balance this effort.

Keep your eye on the bigger prize, the betterment of Aboriginal peoples and the betterment of society. This will always keep you motivated to work hard and make it through all your struggles along the way. I found that taking at least one “enjoyable” option per term, made it easier slogging through all the bread and butter courses that you need to get your law degree and to ground you enough to pass your Bar Admission courses. Show all those detractors who don't think Aboriginal law students should be there they are wrong, by successfully completing your studies and graduating.

Brian Calliou

Director, Indigenous Bar Association ■

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## “Debwewin” (Truth)

**“The only limits are those which you set for yourself.”**

- Jesse McCormick, L.L.B. (Anishnaabe/Oneida, ON)

1L, LL.M., Harvard Law School

**“Join your Native/Aboriginal Law Student Association and stay connected to family and community for emotional support.”**

- Jessica Wolfe, J.D. (Anishnaabe, Brunswick House First Nation, ON)

# Nbwaakaawin—Wisdom

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Hello to Indigenous law students!

I was a law student at the University of Alberta and graduated in 1996. The first year was particularly difficult because of a small group of students who felt compelled to harass the Indigenous law students. They claimed that we were receiving "special treatment" and weren't being treated "equally". Of the twelve students who started first year law, four of us graduated from the U of A, and one transferred to the U of Calgary and graduated there. Luckily for me, we had a strong Aboriginal law student association. The friends gained there, as well as their connections to several Aboriginal communities, their tips on how to write exams, and of course, their great Condensed Annotated Notes (CANS), were enormously helpful to me, such that I managed to get through law school. Fortunately for me, I also had a supportive husband at the time. I must admit that he and chocolate were the fundamental cornerstones of my law school sojourn. JD. ■



Judy Daniels at Eiffel Peak, Alberta

Judy Daniels

Vice President, Indigenous Bar Association

## The Graduate

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**By: Nicole Richmond**

This spring, I graduated from law at the University of Toronto and the past three years have been like a roller coaster. I have experienced elation, boredom, humility, satisfaction, awe – sometimes all in the same week. I entered law school with a firm direction: to gain tools to help my community. I also dedicated most of my extra-curricular activities to my community and this reminded me of the tremendous responsibility Aboriginal lawyers have in constructing bridges between worlds.



I am most proud of the work of our Aboriginal Law Student Association. We held socials and brought in elders who would pray in the traditional language; we danced in our powwow regalia and we brought law students together in a way that was usually quite new to them. Our work inspired our classmates and reminded them that our ways are very alive and are not simply academic fodder for Section 35 debates.

The networks amongst the Aboriginal students were also a very important source of social support for many of us. Two fellow students and I became best friends during law school, and we called each other the Law School Sisters – three Anishinabek women with a shared legal “raison d’être”. We also had a terrific “continuing legal education” function for our fellow students, which was made easier because there were three of us. Thus, it’s important to connect with your fellow Aboriginal students because often, they are having experiences similar to you.

In summary, be true to who you are – even if that can mean standing in stark contrast to many of your fellow students. As you go along in your education, you will naturally gain more responsibility for teaching others and a signal of maturity is being able to share your knowledge and understanding. ■

# Nbwaakaawin—Wisdom

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Greetings to all Indigenous law students!

This is an interesting path that you have chosen. Law school can be challenging, as can grad studies. But they can also be very rewarding. There are countless options for you to choose from as you proceed with your legal education and enter the profession.

Here are some thoughts which I hope you find useful.

**Balance.** As with all things in life, it is so important to keep in balance. Challenge yourself but make sure to get the help and supports you need; and do what you need to do to take care of yourself physically, emotionally and spiritually.

Remember that you are not alone. There are many others standing with you as you navigate your way through law school: your community; your family; the Indigenous legal community. There is always someone you can call to talk with who has gone through what you are going through. That's one thing about the IBA that is so special – it is filled with Indigenous law grads who want to help, and who remember what it was like to be in law school.

Get involved! Whether its in your student association, legal clinic, community centre, etc. What you are learning in class takes on whole different meaning when you can apply it in a real life community based context.

Finally, focus on your studies. There are always going to be important initiatives that will call to you. These can take up your life if you let them. While putting your time and energy towards community issues is important, so are your studies. Don't let your extracurricular activities consume you – it is also really important for you to read, go to class and study. What your community needs is an effective advocate. In order to be that you need to focus on getting your education and staying healthy and strong. ■

M. Margaret Froh is a Métis lawyer from Saskatchewan; Director/Secretary of the Indigenous Bar Association; and Director and former President of Aboriginal Legal Services of Toronto (U of Toronto, Class of 1996). She is currently working in-house with the Rama Mnjikaning First Nation in Ontario.



Left to Right: Margaret Froh and Denise Lightning

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Here is my advice to new students:

1. Never forget what is important to you, where you come from and what you stand for.
2. When faced with overwhelming pressure to believe someone else's truth, go back to that place inside you that knows who you are and stand firm.
3. Don't forget that we are not taught Aboriginal law in university - we are taught Common Law (or Civil Law) - our laws predate that and we know that from our own traditions and ancestry and teachings.
4. Make sure you have a support system, and don't be afraid to use it. If you don't have one - check the number for the IBA and make a call, we have all been there.

If you start feeling all important about being in law school - go home, they will bring you back down to earth. If they don't, call me - I will. (Just kidding, you are important, just not for that reason). ■

Denise L. Lightning (Samson Cree Nation, AB)

Director, Indigenous Bar Association

U of T (Class of 1994)

General practice, Lightning Law Office

Mascwacis Cree Territory near Hobbema AB

# IBA Fall Conference & Student Day

By: Koren Lightning-Earle

The Indigenous Bar Association (IBA) 18th Annual IBA Conference will be held in Saskatoon, Saskatchewan on October 19-21, 2006. This year marks the ten year anniversary of the release of the RCAP Final Report. The conference theme is "Making Aboriginal Policy: A Conference Ten Years After the Final Report of the Royal Commission on Aboriginal Peoples." Over the course of three days, we will be exploring the impact of public commissions on the development of law and policy affecting Aboriginal Peoples, with a particular focus on RCAP.

The conference features plenary presentations and keynote speakers, as well as practice focused workshops wherein conference delegates will have the opportunity for more in-depth discussion of the various issues.

In combination with the conference the IBA holds its annual Student Day. **This year Student day will be held on October 19, 2006.**

IBA Student Day 2006 is a unique opportunity for students to connect with other dynamic Aboriginal law students from across Canada. The Indigenous Bar Association is a non-profit professional organization for First Nation, Inuit and Métis persons trained in the field of law. As law students comprise a significant and vital portion of the IBA's membership, a day is dedicated to Indigenous law students and student issues at each annual conference. Student Day is open to all Aboriginal students who are attending law school or who



**Indigenous Bar Association Conference (Calgary 2005)**

L to R – Natasha Tom (U of M), Kimberly Stonechild (U of S), Sara Jane Souliere (Windsor), George (U of M), Miguel Mejia (U of S), Koren Lightning-Earle (U of A), Stephanie Whitecloud (U of S) and Gerry Jamieson

are completing their articles. The day consists of small



**Indigenous Bar Association Conference (Rama 2006)**

L to R – Koren Lightning-Earle (U of A), Sara Jane Souliere (U of Windsor), Stephanie Whitecloud (U of S), Lori Mishibinijima (Osgoode), Miguel Mejia (U of S), Sandy Boucher (Queens), Leslie Dawson (U of S) Veronica Burns (U of Windsor).

We encourage all Aboriginal law students to attend the fall conference along with Student Day. The IBA is able to host the annual Student Day through fundraising efforts, which usually provides some funding for students' conference fees, flights and accommodations. While some law schools can afford to send Aboriginal students to this important event, others cannot. In the past, successful fundraising has allowed the IBA to fund at least two Aboriginal students from each law school across Canada to attend. Students are strongly encouraged to approach their law schools as well as other agencies for sponsorship.

The benefits of attending the fall conference are tremendous. Students have the opportunity to meet other law students and to take in an entire day designed especially for them. Also the fall conference draws Aboriginal lawyers and scholars from across Canada. It is a great networking opportunity. Overall the IBA Annual Fall Conference is a unique experience that you cannot obtain anywhere else. ■

# Studying in Canada's Capital

**By: Jesse McCormick**

Class of 2006; Faculty of Law, University of Ottawa

The University of Ottawa is an excellent place to pursue legal studies. Students benefit from a bi-juridical and bilingual learning environment and many opportunities unique to Ottawa. At the beginning of my first year, the faculty hosted a special event for incoming Aboriginal students. We had the opportunity to meet other people in similar circumstances and we formed friendships that will endure beyond our three years of legal boot camp. Those friendships were fostered by the Aboriginal Law Students' Association which organizes events and helps to develop a sense of community within the school. The faculty actively seeks the involvement of Aboriginal students in many initiatives and if you encounter difficulties they are willing to help you address them.

There are quite a few course offerings in both French and English for those students who would like to learn more about the legal treatment of Aboriginal Peoples within the Canadian legal

system. One favorite is the Advanced Aboriginal Law course taught by Prof. Brad Morse. Satellite communications are used to allow shared teaching between the United States, Australia, New Zealand and other parts of Canada.

Of course, many of these benefits are available to law students across the country. What sets the University of Ottawa apart are the institutions and people that students may access in the capital region. Many students work part-time on Parliament Hill or at the Supreme Court of Canada. You can do internships with the Assembly of First Nations, the Métis National Council, the Indian Claims Commission, the Department of Justice and many other national institutions. There are always exciting political events taking place within walking distance of the school and many of the people shaping the country can be found dining on sidewalk patios or having drinks at the local pubs.

Ottawa is also a very fun place to be. While the winters are long and cold, there are plenty of activities to keep

you warm. You can skate on the canal, ski in the Gatineaus or find a pickup hockey game at almost anytime of day on one of the cities many outdoor ice rinks. Blues fest in the summer is fantastic and there may be no harder location to study for the Solicitor and Barrister exams! With live music, plenty of park space and outdoor dining available throughout the downtown core it requires a lot of effort to read about corporate business transactions. Like all things in life, law school is what you make of it. For active students interested in learning more about the systems that govern this country, there may be no better location than the University of Ottawa. ■

## Outside the Classroom: The International Human Rights Clinic in Belize

**By: David Thompson**

This summer I made my second trip to Belize to work with a group of Mayan farmers, helping them develop a domestic litigation strategy to protect their traditional land rights from government encroachment. These are sustenance farmers who live on a reserve and who have worked the land they are on for decades in order to feed large families. They are threatened by a government leasing program which would see the land parceled off to others, cutting off

parts of their farmlands. In addition to economic loss, our clients fear that this leasing program will erode traditional culture and language in their community, dividing its members and likely bringing in outsiders with no loyalty to the community.

I had been working on this case during the school year with the International Human Rights



Clinic. Continuing the work of students who had worked on it during two previous years, I drafted key legal documents and made a trip in November 2005 to help obtain some affidavits from our clients. This second trip was made for a few different purposes.

I was accompanied by Sarah Perkins, a young lawyer who worked

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# Outside the Classroom: The International Human Rights Clinic in Belize

(Continued from page 11)

on the case a few years ago, as a student, when the clinic first took it on. One of our purposes was to obtain further affidavits. Another was simply to communicate with our clients and inform them of our progress in preparation for filing in court.

The most exciting part about this trip was that we brought along a film crew who is making a television documentary about the case. We hope to use this documentary to place pressure on the Belize government. This is a country with a large tourist industry and one that markets Maya culture as a major tourist attraction. Over ex-

tremely hilly terrain and terrible rocky and muddy dirt roads (we pierced our gas tank), we traveled to many Maya villages in the deep jungle so that people could tell us their stories on camera. Some showed us their cornfields and how they clear the fields with a simple machete. In humble grass huts in the middle of a village, they explained their fears about not being able to feed their families if their lands were taken away. We spoke with village leaders who say that traditional village structure is breaking down. Traditional language is threatened, as children are not allowed to speak their language in school.

The land leasing program is not the only problem confronting the people of this region, but it greatly divides some communities. It is symbolic of the larger problem of non-recognition of Aboriginal rights to their land in the territory.

I started working on this case while I was taking Professor Darlene Johnston's Aboriginal Peoples and Canadian Law class. It is interesting, and incredibly sad, to see the similarities between what is happening in Belize and the struggle faced by Canadian Aboriginal peoples in getting their rights fully recognized. ■

## Renewed Vision for the IBA

The IBA Board of Directors met with Indigenous Peoples' Counsel (IPC) members over two days in March 2006, to discuss the current and future direction of the IBA. The first ever IBA Board/IPC Retreat was a great success, generating critical discussion regarding the vision of the IBA, and our relationships both within and external to the IBA. A report has been prepared from the Retreat which will be presented to IBA membership at the upcoming Fall Conference in Saskatoon, SK.

A new and concise Vision Statement was created by the IBA Board and IPC at the Retreat which reflects the core values and purpose of the IBA. "*Enriching Canada with Indigenous Laws and Teachings*".

Further to the long established IBA Objectives, an IBA Mission Statement was also developed at the Retreat, identifying essentially why the IBA exists and setting out our tasks. The IBA Mission is to:

Stronger and revitalized collectives and communities through the promotion of Indigenous laws and teachings

Codify, record and make available Indigenous laws

Promote respect for Indigenous rights including Treaty and Aboriginal Title

Promote recognition, respect and protection for the interests and rights of Indigenous people

Speak out to effect law and policy reform to ensure more room for Indigenous laws and traditions in Canada

Support the Indigenous Bar through Indigenous laws and teachings

Increased representation throughout institutions in order to promote Indigenous laws and teachings including: law schools (students and faculty); practitioners; governing

bodies (law societies, tribunals, courts, etc.); political agencies and entities.

The Board and IPC reflected further on the Vision and Mission to develop a work plan, identifying key priorities for the IBA in the coming years; which will be continuously reflected and expanded upon through the work of the IBA's Board and various committees, guiding the IBA over the years to come. Together the IPC, the Board and the Membership will give life to the Vision established at the Retreat through implementation of the work plan.

A detailed report, including specifics of the proposed work plan will be presented to the IBA membership at the Annual Fall Conference in Saskatoon, on October 19-21, 2006; and will be discussed in detail at the IBA AGM on October 22, 2006. ■

# Old School

By Andrew Kirk

**“The first years are hard years... much more than you know.”**

This was the opening line to the theme song to the television version of the movie, *The Paper Chase*. The movie and the TV series chronicled the Harvard Law School experiences of first-year student Hart. I first saw the movie when I was 10 in 1974 and the TV series followed not long after it. I was a fan, a young fan and I admit that at the time I probably understood very little of it. Fast-forward 30 years and the idea that Law School might be the thing for me finally boiled to the top. I quickly tried to find out as much as I could about it. Re-watched *The Paper Chase*, read Scott Turrow's *One L* and asked my friends who had already been through school what it was like. I also hunted down BLAWGS relating present students' experiences.

But nothing would prepare me fully for what was about to happen. I entered Law School at Dalhousie University in Halifax as a mature person and was immediately thrown into a world unlike any other. I had heard about the comparison of Law School to high school (one building, small classes with the same people) and it had been a long time since my undergrad years. I was now a husband, business owner and father of two, with a mortgage and greater responsibilities beyond myself.

What I found was a whole new world of smart, talented, witty people with diverse backgrounds. Most were half my age. Where does a 42 year-old aboriginal student fit in the student body? — Right in the middle of things.

There was very little available to pre-

pare me for the onslaught of work and information thrown at our first year class. It was just work, lots of work. But that was all it was— not nearly as Socratic or scary as I had originally thought. Some concepts were complex and layered, but hard work to gain understanding was the essence of Law School. There was also so much more than classes, and that is what makes Law School so exciting; ProBono Society, new friends, The Law Students Society, The Aboriginal Law Society, The Indigenous Bar Association Annual Conference, so many opportunities to be involved in a positive, meaningful way. It was the motivation to be involved in something that I believe will be meaningful and important, not just to me, but also to my children, my community and those around me.

John Borrows in the forward of the first issue of *The Indigenous Law Journal* summarized my feelings about why and how I want to affect change.

*Until our ideas-our ideologies-are part of any intellectual exchange, we are just rearranging deck chairs on the Titanic. Nothing much changes in the law if we just add a few more issues, individuals and institutional variations to the mix. Profound legal change requires that questions be examined from perspectives that partially emerge from sources outside western legal discourses, motivated by considerations from Indigenous normative orders. Standards for judgment must not only flow from the common law, but should also spring from Indigenous legal values. Precedent should not be confined to dusty old law books, but should be alive to the authority of our Elders, teachings and life-ways.*

Professor Borrows is correct. Law is about each of us and encompasses the perspectives we bring. Studying law is a chance to begin exploring opportunities available to us. It is fun, exciting, frustrating and tiring, but good things flow from what the Haudensaunee call the good mind and nothing can begin without first finding that within us that desires a positive move forward. Perhaps it took me a bit longer to find that which ultimately motivates me, or perhaps it is just the next stage of my good mind either way, I look at the opportunity to study and participate as a gift to embrace. ■



# Scholarships

## Scholarships

By: Koren Lightning-Earle

### Indigenous Bar Association Law Student Scholarship

An award of \$2,000 presented annually to an Indigenous law student that best demonstrates financial need, academic merit and commitment to Indigenous legal matters. *In memory of Ronald Peigan*

#### ELIGIBILITY CRITERIA:

In order to be considered for an IBA Law Student Scholarship, an applicant must:

- ✦ be an Indigenous law student (i.e. First Nations, Métis or Inuit) currently enrolled in law school who, at a minimum, has substantially completed their first year of legal studies; and

have demonstrated interest in serving the Indigenous community and the Creator with honour and integrity.

In addition to completing this application form, applicants must also provide two letters of reference including:

- ✦ one reference letter from either an Aboriginal lawyer or a community Elder; and

one reference letter from an academic reference such as a professor

DEADLINE: June 1<sup>st</sup>, annually

TO APPLY: <http://www.indigenousbar.ca>

### National Aboriginal Achievement Foundation (NAAF)

NAAF is a nationally registered charity with a mandate to provide financial support to First Nations, Inuit and Métis individuals who are pursu-

ing education and professional development. Bursary awards for Post Secondary Education are made possible by the generous support of government and corporate partners who are currently working with NAAF in delivering financial assistance.

#### ELIGIBILITY CRITERIA:

In order to be considered for a NAAF award, an applicant must be:

- ✦ A Canadian resident Aboriginal individual who is either First Nation status or non-status, Métis or Inuit;
- ✦ Enrolled as a full-time student at the post-secondary level in a program of study that is a minimum of two academic years – at an accredited university, college or CEGEP and pursuing a certificate, diploma or degree; and

Studying in the fields of business, science, law, engineering, information technology, technical studies, education, social work and social sciences.

DEADLINE: June 1<sup>st</sup> each year

TO APPLY: <http://www.naaf.ca>

### Foundation for Advancement of Aboriginal Youth

The Foundation for the Advancement of Aboriginal Youth (FAAY) is dedicated to developing future generations of Aboriginal leaders through higher education.

#### ELIGIBILITY CRITERIA:

Aboriginal students (Status, Non-Status, Métis and Inuit) who are Canadian citizens, enrolled full-time in a Canadian school located in Canada.

DEADLINE: October 13, 2006, 5pm.

TO APPLY: <http://>

[www.ccab.com/faay\\_application.htm](http://www.ccab.com/faay_application.htm)

### Native Law Centre of Canada

HARVEY BELL MEMORIAL PRIZE (for Native Graduates in Law)

This prize was established in memory of the late Harvey Bell, Q.C. It provides one or more awards up to \$1,000 (at the discretion of the committee) to be paid each year, to one or more students of Native Canadian ancestry receiving his or her LL.B. degree in Canada.

#### ELIGIBILITY CRITERIA:

The criteria which the committee is to apply in arriving at its decision are as follows:

- ✦ The probable contribution which the individual student might be expected to make, as a lawyer, in establishing the rights of Native people in Canada and towards the solution of problems faced by Native persons and their communities within the Canadian legal system.

- ✦ The student's academic record in his or her law studies.

In the event that the committee, in considering the above criteria, is unable to reach a decision in judging between two or more eligible students then the committee may give preference to a student who is a Saskatchewan resident.

DEADLINE: July 31<sup>st</sup> annually

TO APPLY: Students interested in applying for the prize should apply in writing to:

The Research Director  
Native Law Centre  
University of Saskatchewan  
101 Diefenbaker Place

(Continued on page 15)

# Scholarships (continued)

(Continued from page 14)

Saskatoon, SK. S7N 5B8

<http://www.usask.ca/nativelaw/programs/scholarships.html>

## ROGER CARTER SCHOLARSHIP AWARDS

This Scholarship was established by the Native Law Students Association of Canada in 1981. It provides four awards of \$250 each, to be paid each year to students of Native Canadian ancestry entering second or third year of law school in Canada.

### ELIGIBILITY CRITERIA:

The criteria which the committee is to apply in arriving at its decision are as follows:

- ✦ The students' academic record in his or her law studies.
- ✦ The student's past and expected contribution to furthering the needs, concerns and aspirations of native people and their communities in Canada.

The student must be entering second or third year law.

DEADLINE: July 31<sup>st</sup> annually

TO APPLY: Students interested in applying for the prize should apply in writing to:

The Roger Carter Scholarship Trust Fund Committee

[Native Law Centre](#)  
[University of Saskatchewan](#)  
101 Diefenbaker Place  
Saskatoon, SK S7N 5B8

<http://www.usask.ca/nativelaw/programs/scholarships.html> ■

## More Scholarships

By: Jarvis Googoo

There are various third party scholarships available for aboriginal students. The criteria and eligibility for these scholarships varies from organization to organization. For example, some scholarships are only available to Nova Scotia Mi'kmaq status Indians, whereas others are available to Aboriginal students (First Nations, Inuit, and Métis) in general, regardless of being status or non-status. The following lists are online sites that offer financial help for aboriginal students with a brief description of the eligibility and or criteria.

<http://www.mns-firstnet.ca/DMarshall.pdf> The Donald Marshall Senior Memorial Scholarship. This is open to Nova Scotia Mi'kmaq status Indians. There are only two available, but there is one for graduate/professional students. The deadline for this is usually late-August, but you can get a head start for next year.

<http://www.afn.ca/article.asp?id=771> This one is challenging to win because it is a national scholarship for aboriginal students regardless of status. But there is a particular category for law students. The deadline for this one is around June 1.

[http://www.mnpp.com/canada/first\\_nations.html](http://www.mnpp.com/canada/first_nations.html) No detailed financial information is needed here, but it is only open to Mi'kmaq status people of Nova Scotia. The deadline for this one is usually mid-June.

<http://web.uvic.ca/ablo/documents/>

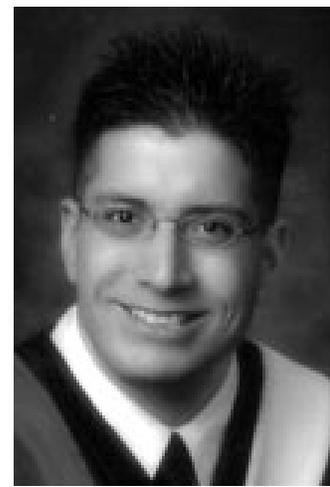
[AwardsandBursariesmerged\\_000.pdf](#)

<http://www.ammsa.com/ammsabursary.html>

<http://www.mns-firstnet.ca/>

These last two are general information on many more sites for aboriginal scholarships.

Don't worry if you passed a deadline for some of these scholarships. Some applications are due in the spring while others are due in the fall. Most scholarships require one or two letters of recommendation, a personal essay, and transcripts. ■



Jarvis Googoo is a Mi'kmaq law student from We'koqma'q First Nation, Nova Scotia. He is currently in second year law at Dalhousie Law School, Halifax.

# Kawaskimhon 2006: Aboriginal Moot

**By: Koren Lightning-Earle**

I along with many other students across Canada had the opportunity to participate in the Kawaskimhon Moot this past March. I was a part of the University of Alberta Team representing Big Mountain First Nation.

The Kawaskimhon Moot was set up as a negotiation in order to settle a current dispute. The issue facing the Moot participants was an issue that is at the forefront of many First Nations communities in Canada. Do First

Nations have the right to regulate labour on their reserves? Each of the schools brought something new and different to the table in their proposals. All arrived with enthusiasm and a little nervousness.

The content and subject matter of the Kawaskimhon Moot, as opposed to the Jessup Moot, had a more personal connection. The issues that were being dealt with at the Moot were issues that I would face on a day-to-day basis in the Aboriginal Community. The situation could happen on any reserve in Canada.

Having a problem that was similar to one that was contested in the courts, and failed, provided the teams with a challenge (see *CAW-Canada, Local 444 v. Great Blue Heron Gaming Co.*). The teams were forced to look beyond the court system, because it was expected we would not find a favourable precedent. It required us to bring something new and dynamic to the table. In real life this is what is needed. New ideas are required to solve disputes without having to rely

on costly and time-consuming court proceedings. This was a real issue in Canada and made our work more meaningful. It was interesting because we were involved in a real situation and were further permitted to provide the stakeholders with a

fresh outlook. The facilitators of the Moot were Kim Murray (Executive Director of Aboriginal Legal Services of Toronto), Ward Laforme (formerly a facilitator with the Indian Commission of Ontario), Kathleen Lickers (lawyer at the Six Nations Reserve and former Senior Counsel with the Indian Claims Commission), and Jeffery Hewitt (in-house counsel for Mnjikaning First Nation and President of the Indigenous Bar Association).



Kawaskimhon 2006 Student Mixer

The facilitators fashioned the Moot into what it became. Rather than a lot of small discussion groups and bargaining, they encouraged us to think. We had to analyze our own arguments and positions and further justify them. They

pushed us further in our analytical thinking by challenging us with many thought provoking questions.

The facilitators set the tone of the Moot to be non-threatening which enabled everyone to feel that they

*(Continued on page 17)*

fresh outlook.

The Facilitators of the Moot were Kim Murray (Executive Director of Aboriginal Legal Services of Toronto), Ward Laforme (formerly a facilitator with the Indian Commission of Ontario), Kathleen Lickers (lawyer at the Six Nations Reserve and former Senior Counsel with the Indian Claims Commission), and Jeffery Hewitt (in-house counsel for Mnjikaning First Nation and President of the Indigenous Bar Association).



Kawaskimhon 2006 Facilitators: (left to right) Kathleen Lickers, Jeffery Hewitt, Kimberly Murray, and Ward LaForme.

## Kawaskimhon (continued)

*(Continued from page 16)*

had an equal stake in the negotiations. Even though, in the end we may not have come to a complete resolution, we did accomplish many great things. I left the Moot feeling satisfied and fulfilled rather than worrying about if I gave in too much for my client. The bigger picture of the Moot was about building relationships and trust. We achieved the goal and gained so much more.

Overall the Moot was a great experience. It was an uplifting and empowering experience. It was great to see all of the different schools and the students that comprised their teams. It was interesting to see how dynamics formed between schools based on the roles they were playing. For example the schools that were chosen to represent the governments frequently spent their break times together discussing strategies.

Participating in the Moot did a lot for me. It provided me with a chance to see old friends and make new ones. We commented on how much easier it was to be at the negotiating table when there was a friendly face across the table. Which was completely true, knowing that



my friends were on the other side of the table made it less intimidating.

The Kawaskimhon Moot was rejuvenating in the sense that it reaffirmed why I was in law school. This experience helped me to direct my focus and reenergize my spirit to finish out the year. I promote the Moot to all I meet and all that are willing to listen. It has been one of my best experiences and most rewarding one of law school thus far. ■

## Kawaskimhon: Speaking With Knowledge

Kawaskimhon means "speaking with knowledge". Created by the Native Law Students Association of the University of Toronto in 1994, the aim was to create a forum where Aboriginal law students from across Canada could debate Aboriginal rights. The vision of KAWASKIMHON is to offer Aboriginal students a culturally appropriate learning environment to legal education. It is based on a belief that students would bring a unique perspective, analysis and understanding to the issues debated. Students would "speak with knowledge".

The Native Law Students Association of the University of Toronto held the first Aboriginal Rights Moot in 1994. The second Moot was also held at the University of Toronto in 1995. The third Moot was held at the University of British Columbia (1996). In subsequent years, the Moot was hosted by the University of Ottawa, University of Alberta, University of Windsor, the University of Victoria, McGill University and the University of Calgary and the University of Saskatchewan. Most recently, in 2006, Osgoode Hall, York University held the Moot with 11 schools from across Canada participating. In 2007 it will be the first time University of Manitoba will host the Moot and in 2008 the University of Alberta will have the honour of hosting the Moot.

Each school has different eligibility requirements and processes to select the students who will represent the school in the Moot. For example most schools grant students credit for participating. It is important to get in contact with your school's Kawaskimhon Aboriginal Moot coordinator early in the year if you are interested in participating. ■

# Ekandasowin: Knowledge

By Emma Taylor



There are many resources that provide information on legal and policy issues affecting Indigenous Peoples. Here

are some websites that may be useful to you during your studies.

## Federal Government Sites

### **Aboriginal Canada Portal**

Description: The Aboriginal Canada Portal is a window to Canadian Aboriginal on-line resources, contacts, information, and government programs and services

<http://www.aboriginalcanada.gc.ca/>

“First Peoples”

### **Canada’s Digital Collections**

Description: Canada's Digital Collections is one of the largest sources of Canadian content on the Internet. The First Peoples section includes information on languages, culture, history, law, traditional teachings, medicine and education.

[http://collections.ic.gc.ca/E/SL\\_FirstPeoples.asp](http://collections.ic.gc.ca/E/SL_FirstPeoples.asp)

“Indian Affairs Annual Reports 1864-1990”

### **Library and Archives Canada**

Description: The *Indian Affairs Annual Reports (1864-1990)* collection contains the complete annual reports for the department from 1867 to 1990. It also contains the annual reports for the Indian Affairs portfolio

for the years 1864 to 1966. The annual reports for Northern Affairs are not included.

<http://www.collectionscanada.ca/indianaffairs/>

### **Royal Commission on Aboriginal Peoples**

Description: This report concerns government policy with respect to Canada’s Aboriginal People. It investigates the evolution of the relationship among Aboriginal peoples, the Canadian government, and Canadian society as a whole. It proposes specific solutions, rooted in domestic and international experience, to the problems which have plagued those relationships and which confront Aboriginal peoples today. The Commission also examines all issues which it deemed to be relevant to any or all of the Aboriginal peoples of Canada.

[http://www.ainc-inac.gc.ca/ch/rcap/index\\_e.html](http://www.ainc-inac.gc.ca/ch/rcap/index_e.html)

“2001 Aboriginal Peoples Survey”

### **Statistics Canada**

Description: This site contains free information on adult and child Aboriginal identity population for selected communities in Canada where the Aboriginal identity population is 200 or more according to the 2001 Census. These communities include First Nations, Métis settlements, Inuit communities, urban centres and rural areas.

<http://www12.statcan.ca/english/profil01aps/home.cfm>

### **Provincial Sites**

#### **British Columbia Archives**

Description: The archival holdings

include: government documents and records; private historical manuscripts and papers; maps, charts and architectural plans; photographs; paintings, drawings and prints; audio and video tapes; film; newspapers; and an extensive library of publications with a strong emphasis on the social and political history of British Columbia and the Pacific Northwest.

<http://www.bcarchives.gov.bc.ca/index.htm>

### **Ipperwash Inquiry**

Description: The Ipperwash Inquiry was established by the Government of Ontario on November 12, 2003, under Public Inquiries Act. Its mandate is to inquire and report on events surrounding the death of Dudley George, who was shot in 1995 during a protest by First Nations representatives at Ipperwash Provincial Park and later died.

<http://www.ipperwashinquiry.ca/>

### **Report of the Aboriginal Justice Inquiry of Manitoba**

Description: In April 1988, the Manitoba Government created the Public Inquiry into the Administration of Justice and Aboriginal People, commonly known as the Aboriginal Justice Inquiry. The site contains three volumes: Aboriginal peoples and the justice system; the death of Helen Betty Osbourne; and, the death of J.J. Harper.

### **International Sites**

“Native American Law Project”

### **Washlaw: Legal Research on the Web**

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# Ekandasowin: Knowledge (continued)

(Continued from page 18)

Description: This American site contains links to Native American legal organizations, student organizations, arts and culture, government agencies, education, tribes, national organizations and institutes, news, and research guides.

<http://www.washlaw.edu/doclaw/subject/nativ5m.html>

“Aboriginal Studies”

## Virtual Library

This Australian site contains information on Aboriginal title, history and languages. It also provides links to general and Koori resources.

<http://www.ciolek.com/WWWVL-Aboriginal.html>

## Other Sites: Aboriginal Law and Policy

### Aboriginal Law and Legislation

Description: This site contains links

to both domestic and international law and legislation pertaining to Indigenous peoples.

<http://www.bloorstreet.com/300block/ablawleg.htm>

### Aboriginal Legal Services of Toronto

Description: This is a multi-service legal agency serving Toronto’s Aboriginal community. The site contains information on significant Aboriginal cases, Gladue, law reform and advocacy, inquests and victims’ rights.

<http://www.aboriginallegal.ca>

### Indigenous Law Journal

Description: This is a student-run journal at the University of Toronto and the first Canadian legal journal to focus exclusively on domestic and international Indigenous legal issues.

<http://www.indigenouslawjournal.org/>

[www.indigenouslawjournal.org/](http://www.indigenouslawjournal.org/)

“Aboriginal Governance”

### Institute on Governance

Description: This organization provides policy advice and research on issues related to Aboriginal governance.

[http://www.iog.ca/knowledge\\_areas.asp?pageID=2&area=1](http://www.iog.ca/knowledge_areas.asp?pageID=2&area=1)

“Discussion Paper Series on Aboriginal Health: Legal Issues”

### National Aboriginal Health Organization

Description: A timely series devoted to examining legal issues in Aboriginal health. Topics include: a constitutional rights analysis of Aboriginal health; the Crown’s fiduciary obligation to First Nations, Inuit and Métis

(Continued on page 20)

# “Debwewin” (Truth)

**“Don't panic. Ask for help. Participate. Remember, everyone is in the same boat.”**

- Andrew Kirk (Tuscarora/ Onondaga, Six Nations, ON) 2L, Dalhousie Law School  
Potential Practice Area: Aboriginal Law/ Teaching

**“At the end of the day, don't worry -- everything is going to make sense.”**

- Nicole Diane Onawa Richmond, J.D. (Anishnaabe, Pic River First Nation, ON)  
Student at Law, Thomson Rogers  
Potential Practice Area: Aboriginal law - environmental, economic development, municipal, civil litigation

**“Remember you who are and why you came to law school. Whatever the reason, know it's the right one as long as it's yours.”**

- Tiffany Murray (Six Nations of the Grand River)  
3L, University of Toronto  
Potential Practice Area: unknown

## Ekandasowin: Knowledge (continued)

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(Continued from page 19)

healthcare; the international right to health for Indigenous peoples in Canada; and, First Nations, Inuit and Métis Women's health.

[http://www.naho.ca/english/research\\_briefs.php](http://www.naho.ca/english/research_briefs.php)

### National Centre for First Nations Governance

Description: This site contains publications related to First Nation traditions, customs, laws and inherent governing powers.

<http://www.fngovernance.org>

"Canadian Native Law Cases"

### University of Saskatchewan

Description: This site contains all reported Canadian court decisions, as well as those that went to the Privy Council on appeal from Canada, that relate to Aboriginal peoples. There is also a selection of previously unreported cases. The period covered is 1763-1978.

<http://library.usask.ca/native/cnlch.html>

"Diana M. Priestley Library"

### University of Victoria

Description: This site contains links to First Nation organizations and programs, comprehensive and specific land claims, treaties, case law, statutes, journal and newspaper articles.

[http://library.law.uvic.ca/Free\\_Legal/linksnative.html](http://library.law.uvic.ca/Free_Legal/linksnative.html) ■

## "Debwewin" (Truth)

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**"When you feel discouraged, take time to acknowledge what you have accomplished so far -but not too much time! Those books won't read themselves! Also, appreciate your family, friends and partner. They will be lifelines during the crises and your biggest cheerleaders when you succeed."**

- Emma Taylor (Anishnaabe, Curve Lake First Nation, ON)  
2L, University of Toronto  
Potential Practice Area: Aboriginal law and policy

**"Pick your Profs carefully - teaching styles make a big difference!"**

- Tracy Coates (Haudenosaunee, Mohawk Nation, QC)  
3L joint MES/LL.B, Osgoode Hall Law School  
Potential Practice Area: Environmental Law

**"Make connections! Getting to know the people around you will prove to be the most useful tool you have!"**

- Shaunna Kelly (Métis)  
2L Queen's University

**"It really helps if you can review/organize/summarize your class notes and readings after every class, or at least at the end of each week, instead of trying to do everything at the end of the year, right before exams. I know this is much easier said than done, but if you can make it a priority, it'll really pay off in the end."**

- Karen Drake (Métis Nation of Ontario)  
3L, University of Toronto  
Potential Practice Area: Aboriginal law and litigation

# Nbwaakaawin—Wisdom

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Advice for incoming law students:

Get involved with the faculty or university First Nations organizations or clubs to ground yourself while in law school - make time to go to meetings and participate. It will lead to a feeling of community and long term contacts and friends.

Get involved with small group activities or sub small group activities including study groups and sessions to create cans with other students, etc. I suggest this be both broad and narrow. For example, study with one or two people you get along with well, who are loyal and dedicated. In addition, make time to join larger sessions to can cases or have discussions, even if other students don't seem to be compatible with you. A range of colleagues and friends you have during law school will assist you in understanding concepts or cases in a different way and will provide a range of long term contacts when you are practicing.

If you are confused about one concept, one case, or a whole course, never hesitate to go see a professor, tutor, advisor during law school. Sometimes these folks are busy and difficult to schedule, but it is always worth the effort and may lead to epiphanies of understanding, or just an ear to hear where you are struggling. It may also lead to work or research study, moot work, etc. in the future, and will make you more comfortable with that particular professor's teaching style.

Ask questions in class. This is the ultimate advice. Don't let yourself feel pressured into pretending that you 'get' everything. The lawyer you want to represent you will be the one who is informed and 'gets' your legal issues. This type of lawyer is the law student who was prepared for class, and prepared to ask questions when they misunderstood a concept or principle or the applicability of a case.

Make briefs that can be used for CANS while you read the cases. Don't wait to CAN cases after you read a case through. You simply don't have time for this kind of thoroughness. Use a highlighter for phrases or paragraphs you need to remember or for questions you will ask in class, but don't put your notes on the case itself. You will need the CAN for exams, not the cases.

In second and third year take courses that fit your interests, not the bar course. You have to take required courses already. You have to get through law school first, before you have to worry about the bar course; make sure you get some enjoyment out of your classes, as you will need the motivation.

Know yourself and the way you study, both for efficiency and realism with scheduling. For example, if you are awful at exams, practice with a tutor or other students, ask the professor for tips, and in second and third year, avoid exam based courses. If you are a morning person, take early classes, but if you hate mornings, try to schedule afternoon or evening courses.

Summering at a firm in second year is a good way to motivate yourself to finish third year, and to realize that the practice of law is actually interesting and not as scary as lots of folks seem to make out. However, don't stress yourself out finding them to the detriment of your studying. Also, don't stress yourself finding summer articles in first year. The summer of first year try to work in something completely different, it looks good on a resume that a person actually has interesting our outside interests. If need be, select something which may include transferable skills or contacts which may be helpful. That said, if you have kids and/or family commitments, and can afford not to work in the summer of first year, try not to. Spending time with your family that summer after first year may be the last chunk of time you get to spend with them in a long time.

Lee Schmidt (Sandy Bay, SK)  
Director, Indigenous Bar Association  
UBC Law School (Class of 2002)  
Associate, Peter Grant & Associates, Vancouver  
Practice Area: Aboriginal Law/ Negotiations & Consultations ■

# The Best Thing About Law School

By Karen Drake

There are a ton of great things about law school: all of the free pizza, having Fridays off, and being at a campus that is a 30 second walk from the best shopping district in Canada. Nonetheless, there is something else that I have enjoyed at law school even more, namely, being a part of the University of Toronto's *Indigenous Law Journal (ILJ)*.

The *ILJ* is the first and only Canadian legal journal to exclusively publish articles regarding Indigenous legal issues. Its central concerns are Indigenous legal systems and legal systems as they affect Indigenous peoples.

One of our main goals at the *ILJ* is to showcase the voice of Aboriginal authors. Over the past year, I have been delighted to serve as the editor for an excellent article by a Kwakwaka'wakw author. Not only did I learn about Kwakwaka'wakw laws regarding protection of property, but I also came to appreciate what it means to respect Aboriginal voice. Initially, my instinct, based on my academic training, was to try to make the article fit all of the conventions of a scholarly journal. Thankfully, the author patiently explained how some of my suggestions were artificially restricting the voice of her interviewees. I couldn't help but agree. You can read this article in our fifth volume, due out this fall.

Another great aspect of the *ILJ* is the forum it can provide to develop dialogue in the field of Indigenous legal issues. I firmly believe that in order for positive change to take place in our society, the support of the wider Canadian public is crucial. Education is the key. It

might be naïve, but I still have faith in the power of reasoned debate and dialogue. My vision for the *ILJ* is that it will provide a forum for this dialogue.

To this end, the *ILJ* is planning a conference, with the theme "Indigenous Legal Systems," to take place on January 26 and 27, 2007 at the University of Toronto. Please mark the dates on your calendars. We want to provide an opportunity for Aboriginal law students and legal scholars to connect, and to move the dialogue forward. If you are interested in presenting a paper, please contact us at [indiglaw.journal@utoronto.ca](mailto:indiglaw.journal@utoronto.ca).

The *ILJ* publishes both professional and student papers – please consider submitting your papers to us! We use a double-blind review process, which means that none of our editors know the identity of the authors, unless and until the paper is accepted for publication. Also, for those papers that we are unable to publish, we provide as much feedback and constructive criticism as possible. The idea is to encourage and foster scholarship on Indigenous legal issues, and we sincerely hope that authors will use our comments to develop their research further. The fall deadline for submissions is September 8, 2006, and the winter deadline will be January 12, 2007. Check out our website for more details about our submissions guidelines: <http://www.indigenouslawjournal.org/submit.htm>. ■

Karen Drake is a third year law student at the University of Toronto, and a citizen of the Métis Nation of Ontario. She is the Co-Editor-in-Chief of the *Indigenous Law Journal* for 2006-2007, along with Kathryn Bird.

Indigenous Law Journal



University of Toronto



## The IBA is On-Line!

For more information about the Indigenous Bar Association, visit our website at:

[www.indigenousbar.ca](http://www.indigenousbar.ca)

Watch for:

- News, Announcements and Publications
- Job postings and volunteer opportunities
- Media releases
- Upcoming conferences
- Newsletters, and more!

# Student Profiles



## Stephanie L. Whitecloud

Ancestral Community: Standing Buffalo Dakota First Nation, Saskatchewan

Law School: University of Saskatchewan

Year: Entering 3<sup>rd</sup> Year

Potential Practice Area: General

### Advice/tips to incoming law students:

Organizational skills and time management are key elements to success in any profession. Effectively organize your time to accommodate both, your academics and other priorities. This may function to alleviate a lot of the pressure and stress that law school can present. Once you discover a system that works best for you and you are working your way through classes, try to maintain your focus on what brought you to law school. A continuous review of your goal(s) will assist you in remaining centered and dedicated to the task at hand.

Although a great amount of commitment is required, it is also very important to take time away from the legal realm when it becomes necessary. Originally from the Standing Buffalo Dakota First Nation, I remain closely connected to my family and other members within my home community. They are a great source of support and encouragement. Returning home on an occasional basis to participate in our traditional activities rejuvenates my spirit and helps to keep the various aspects of my life balanced.

Most importantly, as with anything else you encounter in life, try to approach attending law school with an open mind and a great attitude. The law is not always clear cut and this can be frustrating. Professors may not have all of the answers but they can definitely work with you in an effort to get close to an answer, or simply refer you to a source that can. Take advantage of some of the extra-curricular activities that your law school may have to offer. Volunteering some of your time outside of the classroom for work or play is a great way to apply your knowledge, meet other people and simply unwind. It can be extremely comforting to know that others are experiencing the same anxieties as you may be experiencing. Although you may not become best friends with all of your classmates, it is important to maintain friendships with those who you *do* get along with. Whether you need one another to act as legal sounding boards or simply for moral support, you will likely know one another for the rest of your legal careers and this is what can make law school such an amazing experience. Essentially, attending law school can be everything you want it to be! ■

## Unclaimed Balances

On the Bank of Canada website, there are a number of unclaimed balances for Aboriginal Law Students' Associations (also Indigenous law and Native law).

An "unclaimed balance" is a Canadian-dollar deposit or negotiable instrument, issued or held by a federally regulated bank or trust company. When there has been no owner activity in relation to the balance for a period of 10 years, and the owner cannot be contacted by the institution holding it, the balance is turned over to the Bank of Canada, which acts as custodian on behalf of the owner.

If there is an unclaimed account for your law school, your ALSA may want to consider applying to claim the balance. For more information, or the application for claims, please visit: <http://www.bankofcanada.ca/en/ucb/> ■

# Student Profiles

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## Sara Jane Souliere

Ancestral Community: Wikwemikong Unceded Indian Reserve

Law School: University of Windsor/Osgoode Hall

Year: Entering 3<sup>rd</sup> year

### Advice/tips to incoming law students:

I was asked to give advice or words of wisdom about my law school experience as a mother of 4. I feel I am still too young to have all this wisdom or to give advice. However, I will talk about some of my most memorable law related experiences and mistakes. In this field I have made many mistakes and have learned from them very quickly.

Six years ago I began working as a Native Court worker in busy downtown Toronto. My experiences there were extremely fulfilling, I enjoyed working and assisting Native people who came into contact with the law. While working in the criminal justice field I noticed there was a need for Native legal representation as many Aboriginal, Métis and Inuit accused requested a Native lawyer. With so few Native lawyers to refer, I felt there was a hole. I knew this was something I wanted to change and could achieve. I became very passionate about the situation and thus applied to law school.

I applied to two Ontario law schools; I was not accepted right away. However, I persisted and finally after another application process was admitted to University of Windsor Law School. The caveat to me being accepted was conditional upon completing the University Of Saskatchewan Program Of Legal Studies for Native People. So off I was with my mother and two babies in tow, a 2 year old and a 3 year old. My two older children a 10 year old and a 4 year old were still in school and had to stay home with dad. Those days were the hardest of all my law school experiences. We had to leave home and separate from my husband and two other children for two months.

The University of Saskatchewan program not only prepared us for law school but also enabled us to meet other Aboriginal law students across the country and maintain lasting friendship. We all survived and off I was to Windsor. Another bump in the road came when there were no relocation options to the Windsor area for my husband employment. So once again I had to separate for 8 months. Taking our two youngest children with me, I was the only first year law student with two babies, driving four hours back home every two weeks.

With the support of family, friends, University of Windsor law administration, professors and the most wonderful and supporting husband ever, I survived my first year of law school. The following year my mother quit her job and begun caring for all four children at home where they could all be together. I continued my studies at Windsor with the relief of knowing my children were being cared for by their grandma at home. I continued to commute to Windsor every week for my four days of classes. This set up was easier as I was able to get all my studies done while I was alone in Windsor for three nights a week. When I returned home on weekends I did not open books as that time was strictly for family. In hindsight I can say that the most challenging part of law has not been the readings or memos, for me it has been the juggling of family and school, finding a happy medium for my whole family.

This coming year I received a letter of permission to attend Osgoode Hall law school to complete my third and final year of law school and never again have to worry about commuting or separating from my family. I've come to realize that the law school process starts out with many ups and downs; it's figuring out how bad you want this and making it all happen.

Throughout the process I have made many mistakes such as writing an exam while extremely ill and waiting for someone to tell me to appeal. No one told me to appeal and I never did. Now I have to suffer the consequences of a poor grade. If I were to do it over again, I would have done what my gut told me to. Another mistake I made was assuming dates and times. To the new students, know exactly when and where. This goes for exams and eventually court appearances.

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Lastly, this past summer I have had the opportunity to work for two criminal lawyers, as a result of a meeting this past May at an Aboriginal lawyers meeting in Toronto. I asked a number of lawyers if they knew of anyone who maybe looking for a law student for the summer. By word of mouth one lawyer called me and needed a student part-time. She was unable to hire me full-time but asked another lawyer if he needed a student, this resulted in a full-time job share. This experience has been so rewarding, challenging and extremely educational, while allowing me to balance family and work. Networking in this field is tremendously important as you never know what opportunities it may lead you to.

Balancing personal life, education and learning from your mistakes have been the corner stone of my development into a career in law. Knowing your strengths can be used to your advantage and building on your weaknesses are all apart of the process. ■

## “Debwewin” (Truth)

**“Grab yourself an Irwin Law text of *Essentials of Canadian Law*. They are way better than CANS, easy to read, and super helpful.”**

- Jarvis Googoo (Mi'kmaq, We'koqma'q First Nation, NS)  
2L, Dalhousie Law School  
Potential Practice Area: Aboriginal, business, IP, and/or entertainment

**“Be your lovely selves.”**

- Lori Mishibinijima (Anishnaabe, Wikwemikong First Nation, ON)  
3L, Osgoode Hall Law School  
Potential Practice Area: Aboriginal, administrative, family, or criminal.

**“Don't worry about what everyone else is doing with their careers, do what is right for you and what makes you happy.”**

- Kelly Doctor (Cayuga, Six Nations, ON)  
4L, McGill Faculty of Law  
Clerk at the Supreme Court of Canada for Madame Justice Charron (2007/08)  
Potential Practice Area: Public Law

## Up to Date: Osgoode

**By: Lori Mishibinijima**

Boozhoo! My name is Lori Mishibinijima; I am wolf clan from Wikwemikong. I am in third year at Osgoode Hall.

The 2005-2006 year has been a very busy for Osgoode Aboriginal students. In September, a few students took the time and effort to re-establish the Osgoode Indigenous Students' Association (OISA). Our major task for the year was to participate in the planning of *Kawaskimbon 2006*. Along with Ben Richardson, Shin Imai, and Kent McNeil, the students of OISA were able to have an Aboriginal student from each year of study participate in the planning of this event.

The Moot was a successful event bringing together Aboriginal students and allies from across Canada. One student had emailed me and wrote "It was a truly wonderful experience, the highlight of my law school career." While members of the planning committee put much time and effort into the Aboriginal Moot, it was well worth it to experience students coming together with a Good Mind.

In addition to the planning of the moot, our five active members were also able to host three small speaker events with much work on the part of Tracy Coates. While it was a very busy year, the Aboriginal students at Osgoode were able to form a more cohesive connection with one another. Our promotional efforts led to an increased number of active members. OISA also recently elected a new executive; I am pleased to announce our executive for the 2006-2007 school year: President: Lori Mishibinijima; Vice President: Jon Davey; Vice President Finance: Rami Shoucri

The position for our First Year Representative will be filled in September. Nominations will be accepted until September 22, 2006. Next year, we are planning to have more speaker events and a First Year Orientation. We also have ongoing initiatives to improve recruitment and retention for Aboriginal Students at Osgoode Hall. Chi-Miigwetch! ■



# Opportunities

## **Intensive Program in Aboriginal Lands, Resources and Governments**

Osgoode Law School, York University Toronto, Ontario

Over the last 20 years, issues relating to Aboriginal peoples and Aboriginal rights have entered the mainstream of Canadian political and legal life. Today, in important areas including constitutional law, environmental law, land use planning, resource management, and criminal law, it is necessary to know basic principles of law which define the relations with Aboriginal peoples and Canada, as well as the law of the Aboriginal peoples themselves.

The Intensive Program in Aboriginal Lands, Resources and Governments is open to law students from across Canada and provides a unique opportunity for students to learn how the law operates in the context of dynamic working environments. The program is the only one of its kind in North America. It combines a rigorous academic experience with challenging placements in the field. A full term worth 15 credits is awarded. This program is national in scope, attracting students from nearly all Canadian law schools.

The objectives of the program are:

To produce a new generation of Aboriginal and non-Aboriginal lawyers better able to address issues related to the partnership of Aboriginal peoples in confederation;

To create a new clinical legal education program with significant multi-disciplinary and interdisciplinary features;

To provide accurate description of how current negotiations on

lands, resources and Aboriginal governments are currently conducted;

To provide opportunities to acquire practical and theoretical information and skills on how to address legal issues relating to Aboriginal people in a more open and creative way, giving more emphasis to the historical, economic, cultural, linguistic and spiritual differences that are not addressed in conventional law school classes;

To provide a relevant legal education to students interested in both the legal (constitutional, formal, customary and other) and important non-legal issues that arise in the fields of lands, resources and Aboriginal governance.

Rather than being taught the basics of new areas of the law, students are taught how to use law in creative ways to solve problems. The importance of this issue-based approach to the law is particularly evident in addressing problems Aboriginal peoples encounter within the Canadian legal context. Because of the distinctive history, culture and political situation of Aboriginal peoples, a distinctive approach to identifying and utilizing laws must be developed. Laws of Aboriginal nations themselves play an important part in determining the law applicable in certain contexts and the course employs an approach which respects the laws of those nations.

The program can place students with Aboriginal organizations, environmental organizations, on reserves, with law firms and with government departments to work on applied legal issues. Clinical field placements are important because they provide a variety of experiences and perspec-

tives that would be impossible to simulate in the classroom. Examples of placement work include land claims research, analyzing new legislation, assistance in preparation for litigation, attending negotiation sessions, making presentations to Chief and Council and accompanying Crown Attorneys on a fly-in circuit court. ■

For more information on the program and application process visit: <http://www.osgoode.yorku.ca/intensives.htm>

## **Native Law Centre: Young Professionals International Project**

**By Wanda McAslin**

The Young Professionals International Project (YPI) is an initiative of the Native Law Centre of Canada, at the University of Saskatchewan. The goals of the project are to capture Indigenous Diplomacy, Build Dignity and development of Shared Capacities. With these goals in mind, the project approaches issues within an inclusive holistic communal model that incorporates the gifts of individuals amongst the international Indigenous communities participating, and organizations striving to protect the heritage of the Indigenous peoples of the world. It is through the use and respect of traditional Indigenous ecological knowledge that the project anchors its goals.

Indigenous knowledge cannot be viewed as a body of knowledge that must or can be categorized and shaped into boxes then moved and shifted when ever needed. Rather, indigenous knowledge does not fit mainstream boxes and resists the confinement. Instead traditional

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# Opportunities (continued)

*(Continued from page 26)*

views are based on both combined human knowledge and ecological order. Moreover, there is no uniform Indigenous knowledge across all Indigenous peoples. Instead, it is diverse knowledge that is spread in many different ways and layers. There are, however, strands of connectedness and similarities that do exist among Indigenous thoughts. It is through this connectedness that we support and encourage each other in our endeavors and our understanding, traditions, practices, customs and cultures. The Young Professionals International project builds upon these connections to share our cultures and promote dialogue and relationships in a global society.

## **Indigenous Diplomacy**

As a conceptual vehicle, the development of Indigenous Diplomacy is critical to ensure Indigenous young people have an opportunity to participate fully in today's global society. The project strives to foster the development of a number of Indigenous professionals to begin filling the need at the international level for expertise in Indigenous peoples' development. Through an inclusive approach, the project aims to build respectful relationships between non-Indigenous and Indigenous peoples that showcase the talents of our young peoples who work toward advancement of their Aboriginal sensibilities, creativity, reasoning and grasp of international Indigenous peoples perspectives.

Past participants of the Young Professionals International have been actively involved in the research and development of Indigenous Human Rights. Through their presence, activities, work and research, numerous projects have been assisted and papers generated that strive to ensure

the dialogue of the global community is ongoing.

Our projects have provided an opportunity for our young people to participate in worthy Indigenous Human Rights endeavors in Europe, USA, New Zealand and Guatemala to name a few locations.

There has been a slow shift towards the recognition for the need for projects to protect the traditional ecological knowledge and practices of Indigenous peoples. The shift has been assisted by our young people that have focused their international work in the area of protection of traditional ecological knowledge.

Through the urging of Indigenous voices, there has also been a resurgence of cultural profiles in the past years. The rising international profile creates a growing interest in and discussion of the preservation of Indigenous cultures. Increasingly, governments, international institutions and organizations are recognizing the benefit of celebrating, respecting and protecting Indigenous cultural heritages, policies and properties. International conferences and bodies are now calling on their members to undertake work in the area which our participants have gladly stepped up to assist.

## **Building Dignity**

The building of dignity is connected to Indigenous Diplomacy but is the performance or programmatic goals. As such, through international work exposure Indigenous issues and people interact and build relationships amongst other peoples and cultures.

Indigenous Peoples have been historically displayed as unworthy or less than other human beings. These thoughts and views are unacceptable and through the exposure and work

experience of our young people, the idea of Indigenous dignity and character are animated. The experience shows the respect of the young people to the peoples and struggles in different countries. Our participants have given numerous presentations and lectures on a variety of subjects including Ethical Research practices, traditional ecological knowledge, land use and management, traditional justice systems, etc. In addition our participants have published articles within Indigenous, legal and education journals.

## **Shared Capacities**

Through the shared capacities and exchange of knowledge amongst the students, communities and organizations participating in YPI projects, the issues important to Indigenous people continue to be dialogued. Each participant gives and shares some of their knowledge and experiences to the overseas participants while receiving the benefit and wisdom of the overseas expertise.

## **Conclusion**

The Native Law Centre of Canada's Young Professionals International Project, takes its direction and guidance from internationally respected Indigenous scholars such as Marie Battiste, Sakej Youngblood Henderson and Kathleen Makela. Guidance is also provided by international professionals such as Rob Norris, Brian Foreman, administrators Marg Brown, Diane Kotschoreck and of course, the overseas partners and the youth participants themselves.

The Young Professionals International Project, is a component of the Career Focus Program of the Government of Canada's Youth Employment Strategy and funded by Canada's Department of Foreign Affairs and International Trade. ■

# Articling and Licensing Programs

By Margaret Froh

It is not that uncommon to hear from Indigenous law students that they have self-selected out of the process of securing an articling position. For most students, the search for articles is a pressure-filled and stressful process fraught with nerve wrenching anxiety; but that doesn't mean you should avoid it.

Here are some things you might want to keep in mind as you approach your search for articles...

If you find what you think is the perfect articling job for you - that's great. If you haven't found that dream job - do not sweat it. Your articles are about ensuring you have the practical training to succeed as a lawyer and there are often many skills-overlaps between different areas of law. For example, learning to litigate properly in one area of law will serve you well in others. What is important is finding a Principal (supervising lawyer) and an environment that is going to teach you how to be a good lawyer.

Don't confine your search to places where you can see yourself practicing 40 years from now. The reality is that lawyers move around. The old days of staying in one practice for your entire career are long past. We are a highly mobile profession. With the advent of inter-jurisdictional mobility, your practice is not even confined to jurisdictions where you are licensed. Remember, generally speaking, there is great flexibility in your decisions of where to practice law, and even in what kind of law to practice. A good lawyer's skills are highly transferable.

Remember as well that the legal profession isn't really that big. Your reputation will carry you (or sink you) as you carry on through your articles and into profession.

Just because you're not sure that you want to practice law for the rest of your life should not stop you from articling and getting your license to practice law. The fact is that once you decide not to pursue your articles and the licensing process, it becomes harder and harder to return to it later. While there are many things you can do with a law degree, being a lawyer provides even more opportunities. Lawyers find themselves in the most interesting places, including as elected leaders, policy advisors, decision-makers, entrepreneurs, etc. Like CityTV, we are everywhere!

If you're having trouble finding articles, remember to be creative. Each law society determines the rules about what qualifies as "articles" for the purposes of

their licensing program and often times provides great flexibility. For example, in Ontario you can structure your articles in many different ways. You can do "joint articles" under the supervision of two or more Principals in two or more placement locations. Perhaps you have someone who is willing to be your Principal but cannot afford to hire you for the whole 10 months...if you find other Principals you can split your time accordingly. The rules also permit articling outside of Ontario, or even internationally, so long as at least four months of your 10 month term is served under the supervision of an Ontario Principal dealing with laws that apply within Ontario.

Speak with your law school's career development officers and ask for their assistance.

Each law society's rules are different on what qualifies as articles. For more information about articling, contact the law society in the jurisdiction in which you are interested in articling.

If you still haven't had any luck finding articles, think about creating your own opportunities. If you can find a lawyer who would qualify as a Principal and who is willing to supervise your articles, but who doesn't have the money to be able to hire you, look for funding sources to support you. There may be funding sources open to you under employment and training initiatives in your community or from the government. Remember, your articles are a mandatory component of a training program (i.e. the licensing program).

Finally, if you have made every effort to find articles but have not succeeded, and you can demonstrate that you have exhausted every option available to you, you should then consider approaching your law society to assist you in securing articles. The law society is the body that requires you to obtain articles; arguably then they have a responsibility to assist you if you can demonstrate that you have done everything in your power to secure articles but have failed.

Once you're in your articles, work hard, watch and listen. Don't forget to keep some balance in your life. Rely on your support network to get you through the busy and stressful times. If you have problems, speak with your Principal. If your Principal is the problem, then speak with your law society; if necessary you can always move your articles.

Soak up every bit of guidance you can on how to be an excellent lawyer; these are skills and knowledge that you will carry with you throughout your career – regardless of what you end up doing with your legal education.

Best of luck in your articles and bar ads! ■



**IBA NEWSLETTER SPECIAL  
STUDENT EDITION 2006**

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**We're on the Web!**

[www.indigenousbar.ca](http://www.indigenousbar.ca)

## Volunteering with the IBA

The IBA relies on volunteers to do the things we do. As a non-profit organization without core funding and only one part-time staff person, the IBA functions thanks to thousands of volunteer hours each year. Whether you are an Indigenous law graduate or a current law student, there are many opportunities for members to volunteer with the IBA.

### Committees:

The work of the IBA occurs largely through the activities of our Board of Directors and our Committees. IBA members are invited to participate.

### Public Speaking:

We are routinely asked to provide names for potential speakers for law schools, conferences and career fairs. Put your name on a speakers' list.

### Mentoring:

Newly called Indigenous lawyers, law students or pre-law students who have not yet entered law school often seek the guidance of a mentor.

### Newsletter:

We are now publishing a quarterly IBA newsletter which will feature articles from members regarding new case law, cutting edge legal and policy initiatives, practice points, etc.

For more information or to volunteer with the IBA, visit our [website](http://www.indigenousbar.ca).

## Learn the Language! *Anishnaabemowin*

Agindaasowigamig	Library
Dakoniwewinini	Police officer
Dibaakonigewinini	Lawyer (male, singular). Also dibaankonigewininiwag (m. plural), dibaakonigewininiikwe (female, singular), dibaakonigewininiikweg (f. plural)
E-naadziyang	The culture, practices and customs of Anishnaabeg
Eniigaanzijig	The executive decision making body of a First Nation (chief and council).
Gügdoonini	Councilor (male singular). Also gügdooninwag (m. plural), gügdooniniikwe (female singular) and gügdooniniikweg (f. plural).
Gikinoo'amaagan(wag)	Student(s)
Gimaakwe	Chief (female). Also Gimaa (male).
Inaakonigewin	Law
Kinomaagegamig	School

If you would like to add to this wordlist for the next newsletter, or include words in another Aboriginal language, please contact Margaret Froh: [mfroh@indigenousbar.ca](mailto:mfroh@indigenousbar.ca).