

# NEXUS

UNB LAW ALUMNI MAGAZINE



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## MARC MERCIER

*Receives 2026 Ilsa Greenblatt Shore  
Distinguished Graduate Award*

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# Dean's Message

## *The enduring impact of leadership*

Over the past few months, I have been reflecting a great deal on leadership.

That is perhaps inevitable. Earlier this spring, I announced that I will not be seeking another five-year term as Dean, although I will remain in the role until June 2027. Leadership transitions naturally invite reflection—not only on where an institution has been, but also on where it is headed.

As I think about the future of UNB Law, I find myself returning to a simple observation: one of the most important things we do is develop leaders.

I do not mean leadership in the narrow sense of titles or positions. Leadership is not confined to judges, managing partners, elected officials, or deans. Rather, it is the ability to exercise sound judgment, solve difficult problems, serve others, and make meaningful contributions to one's profession and community. By that measure, leadership can be found in courtrooms and boardrooms, but also in classrooms, community organizations, volunteer initiatives, and countless other settings.

What strikes me about the stories in this issue of *Nexus* is how clearly they demonstrate that leadership is being cultivated throughout the UNB Law community every day.

Consider the remarkable achievements of our students. This year, four UNB Law students were named Sir Howard Douglas Scholars, one of the University's most prestigious academic distinctions. Given the size of our faculty, that accomplishment is extraordinary. These students are being recognized not only for academic excellence, but also for their initiative, engagement, and contributions to the broader university community. Their success reflects the kind of well-rounded leadership that universities should aspire to develop.

The same theme emerges in the story about our students who have secured judicial clerkships across Canada. These highly competitive opportunities place our graduates alongside some of the country's leading jurists and provide an unparalleled opportunity to deepen their legal knowledge and judgment. The fact that UNB Law students continue to secure clerkships at courts across the country speaks to their talent, hard work, and



Michael Marin, K.C.  
Dean of Law

preparation. It also reflects the support, mentorship, and educational environment that help them succeed.

Leadership is developed through experience, and few examples illustrate that better than the Sport Law Clinic. Under the leadership of Kelly VanBuskirk, students are working on real disputes with real consequences. They are conducting investigations, assessing evidence, interviewing witnesses, and making recommendations that affect individuals and organizations. These experiences teach students that law is not simply about knowing legal rules. It is about exercising judgment in situations where the answers are not always obvious and where competing interests must be carefully balanced. Those are leadership skills as much as legal skills.

The same commitment to developing thoughtful and capable leaders can be seen in the work of our faculty. This year, Professor Hilary Young received UNB's Teaching Excellence Award, a richly deserved recognition of her outstanding contributions in the classroom. Great teaching is about much more than conveying information. The best teachers challenge students to think critically, analyze complex problems, communicate effectively, and approach difficult questions with intellectual curiosity and rigor. Those abilities are essential to successful legal practice, but they are equally important for leadership in any field. Professor Young's recognition reminds us that the foundation of leadership is often built one classroom discussion at a time.

Likewise, Professor David Matyas' work in international humanitarian law demonstrates that legal education extends well beyond the classroom. By connecting students with history, place, and lived experience through initiatives such as the visit to Internment Camp B/70, he encourages them to grapple with the broader social and human dimensions of law. These experiences help students understand that legal issues do not exist in the abstract. They affect real people, communities, and institutions. Effective leaders must be able to appreciate those connections.

Our alumni provide perhaps the clearest evidence of the enduring impact of this mission.

In this issue, we profile Judge Scott Brittain, recipient of the Proudly UNB Alumni Award of Distinction. Throughout his career—as a lawyer, public servant, volunteer leader, and now judge—he has demonstrated a deep commitment to public service and the administration of justice. His story reminds us that leadership is often expressed through steady service, thoughtful decision-making, and a willingness to take responsibility for difficult choices.

We also celebrate Marc Mercier, this year's recipient of the Ilsa Greenblatt Shore Distinguished Graduate

Award. Marc has achieved extraordinary success in one of Canada's leading law firms, but what makes his story particularly compelling is the way he has combined professional excellence with sustained service to amateur hockey and his community. His career illustrates an important lesson: leadership is not simply about achievement. It is about using one's skills and influence to strengthen the institutions and communities that make success possible.

The same spirit is reflected in the recognition of Professor Bruno Gélinas-Faucher for his commitment to pro bono service. Leadership often reveals itself through a willingness to help others, particularly those who may not otherwise have access to legal assistance. Service has always been one of the defining values of the legal profession, and it remains one of the defining values of UNB Law.

Taken together, these stories tell us something important about who we are.

They remind us that leadership is not produced by accident. It emerges from a community that values mentorship, service, intellectual rigor, experiential learning, and personal responsibility. It grows when students are challenged by exceptional teachers, supported by dedicated staff, mentored by alumni, and given opportunities to apply their knowledge in meaningful ways.

They also remind us that institutions thrive when people invest in them. Every accomplishment featured in these pages reflects the contributions of individuals who have helped build and sustain UNB Law over many generations. Faculty members who inspire students. Alumni who mentor young lawyers. Donors who support new opportunities. Staff members who work tirelessly behind the scenes. Students who challenge themselves to achieve more than they thought possible.

That collective commitment gives me tremendous confidence about the future.

Leadership transitions are healthy when institutions have successfully prepared the next generation to carry the work forward. As I read the stories in this issue, I am reminded that UNB Law has been doing exactly that for more than 130 years. We are not simply educating lawyers. We are helping develop the leaders who will shape our profession, our communities, and our society in the years ahead.

For that reason, I remain deeply optimistic about what lies ahead for our faculty.

Thank you, as always, for your friendship, support, and continued engagement with UNB Law. I hope you enjoy this issue of *Nexus*.



# Beyond the Whistle

## *How the Sport Law Clinic is reshaping fairness in amateur sport*

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On a Saturday morning in New Brunswick, a minor hockey game ends the way thousands do each season: a whistle, a handshake line, a few lingering disagreements at centre ice, and then a quick exit into the cold parking lot.

For most participants, it's over.

But for some, the disagreement that began on the ice does not end when the rink lights dim. It becomes a complaint, a dispute, a question of fairness that amateur sport organizations—often run by volunteers—must somehow resolve. Increasingly, those questions are finding their way to a new kind of legal clinic at UNB Law.

The Sport Law Clinic, led by UNB Law alumnus and lawyer Kelly T. VanBuskirk, K.C., PhD, C. Arb (LLB'92), is quickly carving out a space at the intersection of sport, law, and community. It provides investigation

and adjudication services to local, provincial, and national amateur sport organizations while giving law students a rare window into real-world decision-making.

It is, in VanBuskirk's words, a place where law is not abstract.

"It's completely administrative in nature," he says. "And the students are working with real organizations, real disputes, and real consequences."

### *From the rink to the law school*

The idea for the Clinic did not begin in a boardroom or a classroom. It began, fittingly, in the world of sport itself. VanBuskirk had been involved with Hockey New Brunswick's elite hockey commission, where he saw firsthand the legal pressures facing amateur sports organizations.



*“It’s completely administrative in nature, and the students are working with real organizations, real disputes, and real consequences.”*

“There was lots of demand for legal advice and legal service,” he says, “not only from hockey but from other sport organizations across the province.”

Those organizations, he explains, were often navigating complex issues—discipline, governance, and disputes—without the legal infrastructure to properly manage them.

“In discussions with Hockey New Brunswick’s president and executive director, I thought it would be useful to communicate with the law school,” he says. “We had a call with Dean Marin, and the idea started to take shape.”

UNB Law Dean Michael Marin, a sports enthusiast himself, was immediately interested. A series of conversations followed with Hockey New Brunswick leadership.

“It came about pretty quickly after that,” VanBuskirk says. “That’s really how the Sport Law Clinic was born.”

What emerged was a partnership that bridged the gap between legal education and community need: a clinic that would provide free investigative and adjudicative services to sport organizations, supervised by a lawyer, and powered by students.

### **Filling a gap in amateur sport**

At its core, the Sport Law Clinic exists because most amateur sport organizations cannot afford legal services.

“Many sport organizations just don’t have the financial resources to hire lawyers every time there is a conflict or legal problem,” VanBuskirk explains.

These organizations are typically volunteer run. Coaches, parents, and community members find themselves responsible for governance, discipline, and dispute resolution—often without formal legal training.

The Clinic steps into that gap. It assists with governance documents and bylaws, but its most significant work involves investigations into allegations of harassment, discrimination, and in-game misconduct.

“These are unbiased investigations and determinations,” says VanBuskirk. “And that matters, because volunteers are trying to do the right thing, but they don’t always have the resources or expertise to do it in a structured way.”

The impact, he adds, extends in both directions. For organizations, it provides structure and confidence. For athletes, it provides fairness.

“They can feel more confident that decisions about their sport or disciplinary process are being made independently,” he says. “By people who don’t have connections to their teams or communities.”

### **Real world experience for law students**

For UNB Law students, the Clinic represents something rare but important in legal education: meaningful

***“These are unbiased investigations and determinations. And that matters, because volunteers are trying to do the right thing, but they don’t always have the resources or expertise to do it in a structured way.”***

experiential learning before graduation. The students are working with real-life clients who come to them with real problems.

Under supervision, students conduct investigations modeled on workplace procedures. They learn how to gather evidence, assess credibility, and navigate situations where witnesses may be uncooperative or inconsistent.

“It’s similar to what you would see in workplace investigations,” VanBuskirk adds. “But the learning extends beyond process. They learn deadlines. They learn pressure. They learn what it feels like when the answer isn’t immediately clear.”

And in investigation work, that uncertainty becomes personal.

“Think of, for instance, a situation where two 14-year-old athletes tell completely different accounts of the same event,” explains VanBuskirk. “The students have to try to figure out what really took place, and further, make a determination that is going to be enormously disappointing to someone. Well, that’s what lawyers, arbitrators, and judges do. And I think that’s a pretty rare opportunity for law students.”

For graduating student Kyle Kennedy, one of the most important learning outcomes was developing information-gathering skills through investigative interviews.

“We learned the importance of active listening and asking the right questions to gain more information. I feel this will serve me well in practice—as Kelly would say, the more information you can get in your funnel, the better off you are.”

Second-year student Ed Arsenault echoes the experience of his classmate, adding, “The most practical and valuable skill I gained through the Clinic was learning how to conduct investigations in a non-partisan and professional manner. Being entrusted with investigations that carried real-world consequences and approaching them objectively was an experience I would not typically get in a traditional law school setting. That is a skill that will be invaluable not only to my own career but also to any firm I work for.”

For students, that moment is formative.

“It gives them firsthand experience with the human reality of conflict,” VanBuskirk says. “That’s what lawyers, arbitrators, and judges do.”

It is also, he suggests, something that cannot be fully replicated in a classroom.

“There’s a pretty rare opportunity here,” he says. “To sit in the seat of a decision-maker and apply legal principles to real facts with real consequences.”

The Clinic is designed not only to teach law, but to teach judgment. Students work collaboratively, often confronting ambiguity and complexity in ways that mirror legal practice.

“One of the things I value most about the Clinic is how collaborative it is,” shares Arsenault. “Working closely with other students meant constantly talking through problems, testing ideas, and learning from different perspectives. Our supervisor, Kelly, provided strong guidance throughout, but a lot of my growth came from working day-to-day with my peers. Through that process, I picked up not only legal skills, but also a better sense of how to carry myself and communicate when working with clients.”

“They have to exercise creativity,” VanBuskirk says. “They have to apply their legal knowledge and work together to arrive at the best outcome.”

That includes learning how to manage uncertainty itself.

“There’s that feeling when a problem comes in and there isn’t an obvious answer,” he says. “They have to learn to sit with that.”

It is, he suggests, one of the most important skills they develop. Because in practice, law is rarely clean. You’re always balancing competing considerations. And trying to make the best decision you can with the information you have.

### ***Expanding beyond New Brunswick***

What began as a provincial initiative is now attracting national attention. The Clinic was recently invited to



Lennox MacGillivray (JD'26) presenting at the 2025 Sport Law Symposium

present at the Beyond Boards summit in Toronto, a major gathering in the hockey governance world.

"As a consequence of that, we've been contacted by more organizations across the country," VanBuskirk says.

Interest is also growing within academia. Other law schools have begun exploring similar models, including Western Law. The expansion, VanBuskirk suggests, reflects both need and credibility.

"People can see that it's a valuable service for sport organizations," he says. "But also a valuable training ground for students."

At UNB, he believes, certain academic structures make that possible in a way not all schools can replicate. For example, Administrative Law is a required course at UNB Law—an essential foundation for the clinic's work.

"That gives students a grounding in the kind of legal framework they're operating in," he says. "Sport law is essentially administrative law in practice."

### **Interdisciplinary research opportunity**

The Clinic's work extends beyond case files. Students also complete research projects addressing broader issues in sport. One project, for example, examined why young hockey officials leave the game—an issue affecting leagues across the country. Another, by Emily Encalada, focused on the role of media in high-profile sports sexual assault cases, including the Hockey Canada sexual assault trial.

"I researched how media narratives surrounding high-profile sports sexual assault cases may influence how women experience and navigate the legal profession," explains Encalada. "The symposium and the Sport Law Clinic provided an important opportunity to discuss how law, media, and sport intersect in shaping perceptions of justice and professional identity."

"These are real problems in sport," VanBuskirk says. "And the students are thinking about them from both legal and social perspectives."

These projects are then presented to partners and community members at the annual Sport Law Symposium.

The clinic has also fostered interdisciplinary collaboration, including connections with UNB's Faculty of Business and sport management scholar Jonathan Edwards.

"What we're hoping," says VanBuskirk, "is that the work of the clinic builds more community."

### **A model rooted in community**

For VanBuskirk, the Sport Law Clinic is ultimately about more than dispute resolution or legal training. It is about access.

It is about fairness in spaces that are often informal but deeply meaningful. And it is about preparing students not just to know the law, but to practice it under real pressure.

"It's a tribute to the students," he says. "They're doing meaningful legal work, but also contributing to something bigger."

That "something bigger," he suggests, is community itself.

"Sport is supposed to bring people together," he says. "And I think what the clinic is doing is reinforcing that at a very grassroots level."

In rinks, gymnasiums, and community fields across the province, disputes will continue. Decisions will still need to be made. But now, some of those decisions are shaped by a new kind of bench—one built not only on law, but on learning, fairness, and connection. And at its centre are students discovering what it means to decide when the stakes are real.



## *UNB Law students secure clerkships across the country*

**T**he 2027–28 clerkship class reflects UNB Law’s continued strength in preparing students for some of the country’s most competitive judicial clerkships. This spring, six students accepted clerkships at courts including the Federal Court of Appeal, the Court of Appeal for Ontario, the British Columbia Court of Appeal, the Federal Court of Canada, the New Brunswick Court of Appeal, and the Ontario Superior Court of Justice.

### *Federal Court of Appeal*

Randy Antle, who is entering his third year at UNB Law, is excited to bring his interest in administrative law to the Federal Court of Appeal in Ottawa, where he will clerk for the Hon. Justice David Stratas, beginning in August 2027.

Antle brings a unique perspective to law school, shaped by years spent working on the water in his hometown of Souris, Prince Edward Island.

“Souris is a small town on the eastern end of PEI. There, everything is directly tied to the water,” he says. “Before I ever considered law school, I spent many years lobster fishing and oyster farming.”

Those experiences, he explains, sparked an interest in the legal and regulatory systems shaping Atlantic Canadian industries and communities.

“I saw firsthand how administrative decisions made in Ottawa, disconnected from the fisheries, impacted those around me,” he says. “From that point on, I became fascinated by

the legal frameworks that governed the daily lives of those around me, and I wanted to be involved when those regulations were interpreted and challenged.”

That curiosity ultimately led him to UNB Law, where his interest in administrative law continued to deepen through coursework, research, and a judicial internship at the New Brunswick Provincial Court.

“My goal has always been to take the work ethic I learned on the water and apply it to complex legal problems, bridging practical industry experience with high-level legal analysis,” he says. “After my internship, I realized I wanted to engage with the law at a higher level, and this clerkship feels like a meaningful next step. The opportunity to learn from some of the best legal minds in the country, while continuing to refine my research and writing skills, is incredibly exciting.”

### **Ontario Court of Appeal**

Emily Holt, who is entering her third year at UNB Law, will clerk at the Court of Appeal for Ontario, beginning in August 2027. Holt, whose undergraduate degree is in Medical Sciences, says the study of law felt like a natural fit.

“In the end, I chose law because I thought it fit well with my tendency to analyze everything. I also respected the way lawyers write and think.”

She sees the clerkship as a continuation of the learning she has most enjoyed during law school.

“My favorite part of law school is learning the reasoning behind cases, and clerking provides a unique behind-the-scenes look at the development of that reasoning. I’m most excited for the job itself, but beyond the legal work aspect of the experience, living in Toronto will be a big change for me and I’m looking forward to that.”

Last fall, Holt was awarded the Harrison Shield as the top oral

advocate at the 63<sup>rd</sup> Hon. William Henry Harrison Moot Court Competition, UNB Law’s annual in-house moot.

### **British Columbia Court of Appeal**

Zoe McDougall, who is entering her third year at UNB Law, will head back to her home province to clerk at the British Columbia Court of Appeal, with her term beginning in September 2027.

McDougall says the mentorship and advising support she received at UNB Law played a key role in preparing her for the clerkship application process.

“My mentor, Dr. Young, was incredibly helpful at every stage. She took the time to talk through the process with me, offered feedback, and was very encouraging throughout.

She also credits support from the career services office and UNB Law alumni.

“I also received a lot of support from Martha in the career services office. She helped with the logistical side of the applications and was very reassuring during what can be a stressful process. I also benefited from connecting with alumni who were willing to meet before interviews and share their experiences.”

Looking ahead to the clerkship, McDougall says she is especially excited about the collaborative environment among clerks and the breadth of subject matter at the appellate level.

“I’m most excited about working closely with other clerks. It seems like a really unique environment to learn from people who are going through the same experience, and I’m looking forward to building those relationships and learning from how others approach legal problems. I’m also excited about the range of work at the Court of Appeal. It touches on so many different areas of law, which makes it a great opportunity to keep learning and see a variety of issues.”

### **Federal Court of Canada**

Recent graduate Julia Evans (JD’26) will clerk at the Federal Court of Canada in 2027 for fellow UNB Law alumna, the Hon. Ann Marie McDonald (LLB’93). For Evans, who grew up in a small New Brunswick community, the opportunity represents both a continuation of her legal education and a chance to step onto a national stage.

“I was really drawn to clerking because it felt like a chance to continue learning after law school while also pushing myself outside of my comfort zone,” she says. “Coming from a small town in New Brunswick, the opportunity to work at a national court and see such a wide range of litigation was exciting to me.”

Evans says the clerkship appealed to her not only because of the Court’s broad jurisdiction, but also because of the opportunity to strengthen her advocacy skills while gaining a new perspective on the legal system.

“Part of what interested me about clerking was the chance to challenge myself and try something completely different,” she says. “I am constantly trying to improve my oral and written advocacy, and I look forward to seeing how the legal system operates from the other side and learning from the incredible advocacy that comes before the Court.”

“The breadth of the Court’s jurisdiction really enticed me,” she adds. “My legal interests are so diverse, and I thought this opportunity would open doors, allow me to expand on existing interests while also discovering new passions. I was excited by the opportunity to see all kinds of litigation and high-quality advocacy, while also gaining a new perspective on the law that you do not necessarily get in a classroom setting.”

### **New Brunswick Court of Appeal**

Recent grad, Nathaniel Box (JD’26), will clerk at the New Brunswick Court of Appeal beginning in June 2027.

*“Coming from a small town in New Brunswick, the opportunity to work at a national court and see such a wide range of litigation was exciting to me.”*

“I chose the New Brunswick Court of Appeal in part because it is the appellate court of my home,” he says. “Its decisions matter to the people and communities in which I live. However, those decisions are seldom made easily. In matters of public law jurisprudence specifically, New Brunswick routinely ‘punches above its weight class,’ and I want to be a part of that.”

Box grew up in Lincoln, New Brunswick, and says his interest in public service has a central motivation in his career aspirations. Prior to beginning his clerkship, Box aims to complete his articles with General Counsel for the City of Saint John. He describes the clerkship as both an opportunity and a challenge to contribute in a new and meaningful way to the administration of justice.

“I am excited to have an opportunity to test my legal reasoning and refine my communication skills with a true pillar of the legal community in New Brunswick,” he says.

His path to clerking was not straightforward. Box says he was encouraged by faculty and “pressured by friends” to apply, having previously considered an application in second year but ultimately deciding he was not yet ready.

“That experience of reflection mattered,” he says. “My work with the UNB Legal Clinic in the summer of 2025 helped me identify areas of professional practice where I still want to improve during my articles.”

For Box, the clerkship is as much about learning as it is about contribution.

“I think a successful clerk should be defined as someone who contributes to decisions and decision-making,” he says. “There are guiding principles—know your audience, be concise, don’t let the perfect be the enemy of the good, and above all, cite your sources—but you also have to understand what you’re actually trying to do in the role.”

At the centre of that, he says, is curiosity and judgment.

“The most essential skill is asking questions,” he says. “Not every question needs to be asked, but knowing when to ask one is an exercise in judgment. It’s about having enough confidence to engage, but enough discretion to know when it’s necessary.”

### ***Ontario Superior Court of Justice***

Third-year student Lauren Whalen will clerk at the Ontario Superior Court of Justice, beginning her term in 2027.

“Receiving this clerkship feels like a natural continuation of the interests I have developed throughout law school, particularly in legal research and writing and in understanding how judges interpret the law and reach their decisions,” she says. “The opportunity to observe that process firsthand is something I am very excited about.”

Her interest in clerking, she explains, developed directly through her experiences with legal research and writing during law school. As a research assistant, she spent significant time working with complex legal materials and translating them into clear, structured analysis—work that deepened her interest in how judicial decisions are formed.

“I was especially drawn to the Ontario Superior Court of Justice because of the breadth of its jurisdiction across civil, criminal, and family law,” she says. “It offers exposure to a wide range of legal issues at the trial level.”

Whalen encourages students interested in clerkships to focus early on developing strong legal research and writing skills.

“A writing sample is an important part of the clerkship application process, so becoming a clear and effective legal writer is essential,” she says. “I would also recommend getting involved in the opportunities available through your law school, whether through research positions, clinics, volunteer work, or student organizations. Those experiences help develop practical skills while also allowing students to explore their interests and build connections within the legal community.”

She says she is most excited for the chance to engage closely with legal questions and observe how judges work through complex issues before reaching decisions.

“I’m also looking forward to being part of an environment where I can discuss legal issues with others who share a strong interest in the law,” she says. “Those conversations and perspectives will be an especially valuable part of the experience.”

Please join us in congratulating all of the students on this impressive career milestone and in wishing the best of luck to the 2026–27 clerkship class, who will begin their work terms this summer.

PROUDLY UNB

# Scott Brittain's PATH TO THE BENCH



Some areas of the law leave little distance between decision and consequence. Criminal law is one of them, where rulings land in real time and can have a significant effect on people—often at the most consequential moments of their lives.

For the Hon. Scott Brittain (LLB'03), this is the daily work of a provincial court judge: weighing competing principles and interests, confronting human complexity, and making decisions that can alter the trajectory of a life.

"It is a very serious responsibility," he says plainly. "You're dealing with people's liberty, and you're deciding matters that will inform their future."

It is this responsibility—measured, human, and unavoidably difficult—that sits at the centre of Judge Brittain's career, and at the heart of his recognition as a 2026 recipient of the Proudly UNB Alumni Award of Distinction.

## *Foundations: UNB Law and the making of a career*

Judge Brittain's path to the bench began, fittingly, at UNB Law—the only law school he applied to.

"I think it was the reputational draw, the small class sizes, the collegial dynamic," he recalls. "There were a lot of positives that drew me to it."

After completing his undergraduate degree at UNB Saint John, law school felt like a natural next step. A background in history and politics provided a conventional foundation, but his decision was also shaped by something more intuitive: a sense that the law offered both challenge and flexibility.

"I always felt that perhaps I had some aptitude for the practice of law," he says. "But what I liked was the diversity—a law degree opens a lot of doors, even if you don't end up practicing."

At UNB Law, that potential began to take shape. Professor David Townsend left a lasting impression—not only through his teaching, but through his mentorship.

“Prof. Townsend really stands out to me. He was a very engaging professor, and his teaching style resonated with me. He was also a great mentor. He taught me Administrative Law and Real Property Law, using the old-school Socratic method that was more common at the time. He had a real impact on my development.”

That combination—rigour in the classroom and support beyond it—would become a defining influence on Brittain’s own approach to the profession in the years that followed.

### **Early Career: Building breadth and perspective**

After graduating, Brittain began his legal career in Toronto, summering and articling at Bennett Jones. In many ways, it was a classic move: a young lawyer testing his skills in a large firm, in a major market. But it didn’t take long for him to realize that his future lay elsewhere, closer to home.

“It was a positive learning experience,” he says. “The firm was great, and the people were top-notch, but Toronto wasn’t a place I saw myself staying long term.”

He returned to New Brunswick, working in Stewart McKelvey’s litigation group in Saint John for three years before moving into public service—a shift that would go on to shape the rest of his career. At the City of Saint John, Brittain found what would become a constant throughout his career: breadth of experience.

“It was a small department with a principled leader in John Nugent, K.C., and there was a lot of work,” he explains. “Given the fiscal circumstances at the time, we didn’t have the luxury of farming things out. Our outside counsel budget was peanuts. If something needed to be done, you did it. If you didn’t know it, you learned it.”

The result was early front-line exposure to litigation, labour arbitrations, and administrative law work—the kind of experience that sometimes takes longer to gain in a more stratified large-firm environment.

After more than a decade with the City, Brittain made the move to NB Power—what he describes as a “full-circle moment.”

“The newly hired general counsel at NB Power was fellow UNB Law grad Jamie Petrie (LLB’94). He taught me at UNB Law, and I later worked with him at Stewart McKelvey. It was wonderful to work with Jamie again, as well as the other members of NB Power’s legal department.”

At NB Power, Brittain’s versatility quickly became an asset in his role as senior solicitor.

“They used to call me the ‘utility player,’” he says with a laugh. “They gave me a wide range of files, and I’d just run with them. I was doing all kinds of things—litigation, labour and employment, procurement, contract negotiation and drafting—you name it.”

It was demanding work—fast-paced, varied, and driven by the operational realities of a large public utility.

### **A call to the bench**

By the time Brittain applied to become a provincial court judge, public service had become a central thread in his career.

“I had been a public servant for most of my career,” he says. “And I saw the judiciary as an opportunity to serve the public in a different way.”

He applied just before the disruption of the COVID-19 pandemic, and the call came in early 2022 to fill a vacancy in Miramichi. What followed was less a transition than a transformation. Brittain had a few weeks to wrap up his practice, establish a residence in a new location, and ready himself for the challenges ahead.

Despite nearly two decades of legal experience, Brittain describes his

appointment as “unconventional” and the learning curve as significant.

“The overwhelming majority of people who serve as provincial court judges have been either Crown prosecutors or criminal defence lawyers—people who, for the most part, have had significant experience in criminal law. That wasn’t me,” he explains. “There was a big learning curve.”

Provincial court, often described as the “engine room” of the criminal justice system, handles the vast majority of cases in Canada. The pace is relentless, the subject matter urgent, and the expectations immediate.

“You’re making decisions that matter in real time,” he says. “There’s no long runway.”

The early months required full immersion: long days (and nights), weekends, and an intense effort to absorb a largely new area of law. What made the transition possible, he notes, was collegiality.

“There’s a perception sometimes that the judiciary is solitary,” he says. “But that hasn’t been my experience. There are generous colleagues and a lot of knowledge sharing. That mutual support is critical.”

Four years in, he describes the learning curve as “very much ongoing”. Brittain states, “I am often asked if I feel more comfortable each day, and my response is always the same—each day I feel slightly less uncomfortable.”

### **The weight of sentencing and the need for humanity in a high-volume system**

If the learning curve was steep, the responsibility was steeper still. For Brittain, the most meaningful—and most difficult—aspect of the role lies in sentencing.

“The Supreme Court of Canada has said it’s one of the hardest tasks judges perform,” he notes. “And that’s absolutely true.”

Sentencing is enshrined in the *Criminal Code* and in case law.



It's not a mechanical exercise. It requires balancing competing principles: denunciation, deterrence, rehabilitation, and proportionality. It demands attention not only to the offence, but to the offender.

"You're dealing with people who often have multi-layered challenges," he says. "Homelessness, addiction issues, mental health difficulties, unresolved trauma—sadly, those things are very common."

Pre-sentence reports often reveal histories shaped by instability: childhood neglect, exposure to violence, systemic barriers. For Brittain, these issues don't excuse the behaviour but inform how you understand it—and how you respond to it. The task, then, is not simply to punish, but to craft a response that serves justice in a broader sense.

"You're trying to determine a fit and appropriate sentence," he explains. "One that meets the needs of the system but also recognizes the offender's circumstances and accounts for victim and community impact. That balance is not always easy. There are times when you can see that someone is at a fragile fork in the road," he says. "And the decision you make may very well influence whether they go in a pro-social or pro-criminal direction from there."

The challenge is compounded by the realities of provincial court: volume, pace, and constraint. Brittain notes that over 99 percent of criminal matters are dealt with in provincial court—from the mundane to the very serious. That means decisions must often be made quickly, even when the stakes are high.

"You're trying to move along a lot of cases," he says. "But you never want it to feel like an assembly line."

That, he suggests, is one of the central tensions of the role: maintaining a sense of humanity within a high-volume system that requires the judge to move quickly.

"What a horrible thing it would be," he reflects, "for offenders and victims to come through the system and feel like they weren't really seen or heard. It's critical to do right by people. There is a lot of truth in the old quote that 'people will forget what you said, people will forget what you did, but people will never forget the way you made them feel.'"

Avoiding that outcome requires not only legal skill, but presence—an awareness that each case involves people and is "not just another file".

One of the most complex aspects of sentencing involves understanding

context - particularly in cases involving Indigenous individuals, who remain significantly overrepresented in the criminal justice system.

"There are historical and systemic factors that have to be considered," Brittain says. "That's part of the framework we work within. You're applying legal principles," he says, "but you're also trying to understand how someone arrived at that point, and what might help them move forward."

It is, in many ways, a dual responsibility: to uphold the law while engaging seriously with the human realities behind it, and to consider the restorative and rehabilitative dimensions.

In the end, Brittain resists framing his role in grand terms. Instead, he returns to the practical realities of the work: the cases, the decisions, the people. Each day brings new facts, new circumstances, and new judgments to be made, together with an ongoing effort to "get it right."

"It's challenging," he says. "But it's meaningful. You're always learning, always trying to do better."

### ***Honouring a career of public service***

"Both of my parents came from backgrounds of public service," Brittain says. "My father was an elementary school teacher, and later a principal, and my mother is a retired nurse. So that commitment to service, I think, permeated me. What I didn't inherit, I absorbed by osmosis through my different roles."

That same commitment extends beyond the courtroom. Brittain is a former president of the Saint John Law Society, the CBA-NB, and the Law Society of New Brunswick—a role he served during the start of the COVID-19 pandemic.

"There was intense pressure in those early days," he says. "People were very worried about how their practices were going to survive, and there was a lot of uncertainty. The sky was falling."

*“It’s a tremendous honour and I accept it with a lot of gratitude and a lot of humility. UNB is a very special place to me. As a student, it shaped me and had a profound impact on me.”*



The role quickly became all-consuming. “Those first few months were essentially a full-time job on top of a full-time job,” he says. “We were collaborating with the judiciary and government to make sure the system could pivot and continue functioning.”

The focus was on immediate, practical challenges—from court operations to signing and witnessing wills in a paper-based profession suddenly forced to adapt.

“We quickly found our footing after the initial shock,” he says, “but it was a prolonged experience that hopefully we never have to repeat.”

Still, he points to one lasting impact: “It accelerated modernization across the profession. It required the Law Society, the courts, and government to adapt and it forced some long overdue investments in technology to keep the system going.”

Beyond professional leadership, Brittain has served on the UNB Board of Governors for nine years and co-chaired major institutional milestones, including the 50<sup>th</sup> anniversary of UNB Saint John and the 125<sup>th</sup> anniversary of UNB Law. He also spent years teaching and mentoring students at both campuses.

Much of that work, he says, is about being available at key moments in students’ careers—whether for advice, references, or guidance as they navigate early professional decisions.

“I continue to get messages from students I taught a decade or more ago,” he says, “who are looking for perspective on career decisions or thinking through a possible change. That ongoing mentorship is something that nourishes you.”

Being named a recipient of the Proudly UNB Alumni Award of Distinction, he says, is both meaningful and humbling.

“It’s a tremendous honour and I accept it with a lot of gratitude and a lot of humility. UNB is a very special place to me,” he reflects. “As a student, it shaped me and had a profound impact on me. The learning environment, the instruction, and the support I received are all ingredients that I think have set me up for whatever success I may have had so far in my career.”

But the recognition, he suggests, is less about individual achievement than about connection—to an institution, to a profession, and to a broader idea of service.

“It’s a reminder of the good fortune I’ve had,” he says. “And the opportunity to give back, even in a small way.”



# Marc Mercier

## Receives 2026 Ilsa Greenblatt Shore Distinguished Graduate Award

There are lawyers whose influence is measured in courtrooms and boardrooms—and then there are those whose impact quietly extends far beyond them. For Marc Mercier (LLB’91), the 2026 recipient of the Ilsa Greenblatt Shore Distinguished Graduate Award, the measure of a career is found not only in the complexity of the transactions he has led, but in the lives, institutions, and communities he has helped shape along the way.

This year’s honour recognizes a rare duality: an exceptional legal career at the highest levels of Canadian practice, and a sustained, deeply rooted personal commitment to the advancement of youth through amateur hockey—where young athletes learn lessons in discipline, teamwork, and accountability that extend far beyond the game.

Mercier reflects on the recognition not simply as a personal milestone, but as an opportunity to reflect on the institution that helped shape his understanding of the profession—and his values.

“My time at UNB Law was formative in a myriad of ways that have endured well beyond the classroom. The school instilled a rigorous respect for the law as a profession of public trust, but it also imparted something more durable: a sense that excellence in legal practice is inseparable from judgment, service, and engagement with the communities we serve. Those values were cultivated daily—through faculty mentorship, collegial expectations, and the shared understanding that how one practises matters just as much as what one achieves.”

### *A career defined by complexity, scale, and precision*

At Cassels, one of Canada’s leading business law firms, Mercier has built a formidable reputation as a senior partner in the Banking & Specialty Finance Group, developing a sophisticated practice spanning corporate finance, mergers and acquisitions, treasury management, complex restructurings, and most recently family enterprise and private client

**“My time at the UNB Law was formative in ways that have endured well beyond the classroom. The school instilled a rigorous respect for the law as a profession of public trust, but it also imparted something more durable: a sense that excellence in legal practice is inseparable from judgment, service, and engagement with one’s community.”**

advisory work. Over more than three decades, Mercier has become a trusted advisor to numerous financial institutions, corporate clients, and clients within the private client and family enterprise ecosystem—domestic and foreign alike—navigating periods of both growth and uncertainty.

His representative work reads like a map of Canada’s corporate and financial landscape, which has included his key work for the Government of Canada in connection with the restructurings of General Motors and Chrysler. He has also advised large, institutional clients, such as Bank of Montreal, the Business Development Bank of Canada and Harley-Davidson throughout his career and has supported as lead counsel numerous private companies in the energy, technology and manufacturing sectors.

“What has always appealed to me about banking and finance law in particular is that it sits at the intersection of legal analysis, business judgment, human relationships and business activity in Canada and internationally. Some of the most significant files I have worked on involved moments of real consequence for clients, industries, and communities. I have been fortunate to participate in transactions and restructurings that required not only technical precision, but high levels of collaboration, resilience, and trust among many people working toward a common objective.”

His work in banking and finance has earned consistent recognition from leading national and international directories, including Best Lawyers in Canada, Chambers Canada, Chambers Global, Legal 500 Canada, Lexology Index: Canada, and Martindale-Hubbell (Distinguished™ Rating). Yet for Mercier, the work is not defined by headline figures and accolades alone, but by the responsibility that comes with them.

In addition to his active transactional practice, Mercier served as a member and Past Chair of Cassels’ Audit & Risk Management Committee and he has held several of the firm’s most significant leadership roles, including Chair of the Professional Development Committee, Chair of the Financial Services Group and as an Executive Committee member of the firm. Colleagues point to his steady presence as a mentor—someone who not only advances the practice of law but

actively invests in those working closely with him and in particular younger lawyers coming up through the ranks.

“Mentorship has always been one of the most rewarding aspects of my career,” Mercier explains. “The legal profession is built on the passing down of knowledge, judgment, and professional values from one generation to the next. I benefited greatly from generous mentors early in my career, and I have always felt a responsibility to provide the same support and encouragement to younger lawyers as they develop their own practices and professional identities.”

For Mercier, one of the enduring strengths of the legal profession is its capacity to create lasting communities of mentorship, professionalism, and public service.

“Throughout my career, I have tried to contribute in a way that reflects those values, whether through private practice, teaching, or community involvement. To receive this recognition from UNB is both humbling and deeply meaningful.”

That same commitment to development extends beyond the firm. Mercier has long been engaged in legal education, having taught advanced financing law at both the University of Toronto Faculty of Law and Osgoode Hall Law School, where he contributed to graduate-level banking and finance programs for more than a decade. He is also widely published in the field, with works spanning secured lending, derivatives, banking law, and restructuring, including contributions to *Halsbury’s Laws of Canada* and *The Law of Banking and Payment in Canada*. In addition, given his commitment to modernizing and harmonizing global business rules and facilitating international trade and investment, Mercier has also worked on special projects for the Law Commission of Canada to help address secured financing challenges for intellectual property assets and even worked at the headquarters of the Vienna International Centre, the United Nations Commission on International Trade Law (UNCITRAL) in the field of international trade law.

### ***Leadership and character-building in Canada’s amateur hockey system***

But it is outside the world of corporate finance where Mercier’s leadership takes on a different dimension—

one rooted in over two decades of commitment to junior and senior hockey and helping shape the culture and character of the sport across his home province of Ontario.

“Beyond his outstanding accomplishments in the legal profession, Marc has shown extraordinary leadership and service in youth hockey,” says Dean Marin. “He has played a transformative role in fostering player development, promoting safety, integrity and professionalism in sport, and helping shape hockey as a positive developmental experience for countless young people. His service in this area is a powerful example of how legal professionals can leverage their leadership skills to make meaningful contributions well beyond the practice of law.”

As Chair of the Ontario Hockey Association (OHA) and a long-serving leader within the Ontario Junior Hockey League (OJHL), Mercier has helped guide the governance, integrity, and development of the sport at a critical time across the entire ecosystem of the game.

Mercier was nominated for the award by fellow UNB grad, Murray Nystrom (BPE'92), who shared the following words of praise for his colleague and friend: “I have had the opportunity, over the past three years, to work alongside Mr. Mercier in my role with the OHA. During that time, I have observed a high level of commitment, professionalism and stewardship, as he serves the OHA as Chair and helps grow the game in central Canada. Mr. Mercier’s commitment to enhancing the player’s and family’s junior hockey experience is highlighted with his prioritization of matters related to player safety, their interactions within communities, and the promotion of diversity and inclusivity within the many member organizations that make up the broad OHA geographical footprint.”

Underlying Mercier’s commitment to amateur hockey is a deep belief in the power of sport to build confidence, instill discipline, and teach young people the value of teamwork and perseverance. When asked about this, Mercier said “One of the great strengths of sport, and hockey in particular, is its ability to shape character, resilience, responsibility, and a sense of belonging at an early stage in life. The game teaches young people how to work together, how to lead responsibly, how to respond to adversity, and how to respect others. Equally important, the future of hockey depends on ensuring that the game is safe, inclusive, and welcoming to every participant, regardless of background or circumstance. When sport is at its best, it becomes far more than competition—it becomes a vehicle for personal growth, community building, and lifelong connection.”

Mercier’s impact has been formally recognized within the sport itself. In 2018, the Ontario Junior Hockey League awarded Mercier its Chairman’s Award in recognition of his leadership and dedication to the league’s values. In a rare and lasting tribute, the honour was later renamed the “Marc Mercier Chairman’s Award,” cementing his influence within the organization not as symbolic, but structural, woven into the league’s ongoing identity.

Earlier this June, Mercier was named the 2025-26 recipient of the Ontario Hockey Association’s Golden Stick Award, the OHA’s highest honour. The award recognizes individuals who have demonstrated outstanding and sustained service to the game of hockey for at least 10 years in a non-playing capacity.

“Marc embodies the OHA motto of growing individuals and communities through hockey,” said Mark Tuck, OHA Executive Director. “His unrelenting commitment ensures that Ontarians have a safe, competitive, and positive hockey experience.”





### *Ilsa Greenblatt Shore Distinguished Graduate Award*

Mercier was presented with the Greenblatt Shore Award at the 2026 UNB Law graduation dinner this past May. Speaking to an audience of graduates and their families, he reflected on the importance of human connection, community, and a commitment to giving back.

He began by emphasizing that the practice of law is fundamentally relational, a people profession: “It is very easy—especially early in your career—to live behind your computer screen. To communicate through emails. To refine and rework the perfect written response. But some of the most important parts of this profession don’t happen that way. They happen in conversations. They happen when you walk down the hall, pick up the phone, or sit down with someone and talk something through.”

He continued, underscoring how those everyday interactions shape both trust and professional judgment: “That’s where trust is built. That’s where opportunities begin. And that’s where you develop judgment—not just technical skill. If there’s one small piece of advice I would offer, it’s this: Don’t underestimate the value of being present—with your time, your attention, and your curiosity.”

Turning to life beyond the profession, Mercier spoke about the grounding influence of community involvement, sharing, “Some of the most rewarding experiences I’ve had have come outside of work—

through sports, through community involvement, and simply through showing up where I was needed. It doesn’t have to be complicated. It doesn’t have to take a great deal of time. But being connected to a community—whatever that looks like for you—keeps you grounded. It broadens your perspective. And it reminds you that the work we do ultimately connects back to people.”

He closed with a message to graduating students about perspective, curiosity, and contribution: “You are leaving here with a strong foundation. You are well prepared—whether you fully realize it yet or not. As you move forward, I hope you stay curious. I hope you stay connected to people. And I hope you remain grounded in something beyond the day-to-day demands of your work. If you can do that—the rest tends to follow. And I’ll leave you with this final thought: Your career will be shaped not just by how well you work—but by how well you think, how well you connect, and what you choose to contribute beyond yourself.”

UNB Law is honoured to recognize Marc Mercier, whose career reflects the way professional excellence and personal commitment reinforce one another. The Ilsa Greenblatt Shore Distinguished Graduate Award honours alumni whose leadership extends beyond their profession, and Mercier embodies that principle. Whether in law or through his life-long connection to hockey, his work is grounded in mentorship, discipline, and opportunity—guided by a belief that lasting systems are built with care, trust, and purpose.



## BRIDGING THEORY, HISTORY, AND PLACE

### UNB LAW STUDENTS VISIT INTERNMENT CAMP B/70

## SEMINAR CONNECTS INTERNATIONAL LAW WITH NEW BRUNSWICK'S LOCAL HISTORY

*BY MACKENZIE W.G. OXLEY*

**W**hat does a quiet forest trail in New Brunswick have to do with the laws of war? For students at UNB Law, the answer came during a unique seminar that bridges classroom theory with practice.

### **The Visit to Internment Camp B/70**

On October 17, 2025, upper-year students in Dr. David Matyas' International Humanitarian Law (IHL) seminar, along with undergraduate and graduate students in the Department of Historical Studies, stepped out of the classroom and into history. A full-day program in partnership with Dr. Cindy Brown and Dr. Lee Windsor at UNB's Gregg Centre for the Study of War and Society culminated at Internment

Camp B/70 near Minto, New Brunswick—a site that once held “enemy aliens” during the Second World War. Today, hearing those words, “enemy aliens,” feels unnerving. The study of law is at times abstract, and often covers uncomfortable topics. Yet that law is more approachable when we contextualize its theory through lived history. The law becomes real.

This is especially relevant for the teaching of IHL because the conflicts of the world can feel far from our place of learning. The seminar and excursion remind us that international conflict is part of the Atlantic Canadian story, and that studying international law remains pressing and substantial work close to everyone.

“The International Humanitarian Law seminar aims to immerse students in an area of law as challenging as it is salient. While students come into the course with a sense of why sources of IHL—like the Geneva Conventions—are important, the seminar makes space to consider the intricacies, tensions, and critiques of this regime. More specifically, it works to showcase why IHL is not only relevant internationally, but also of critical importance to Atlantic Canada.”

International Humanitarian Law (also called the “Law of Armed Conflict”) guides how wars are fought, and how civilians or detainees ought to be classified and treated during armed conflict. For many students, this seminar was their first deep dive into the subject. For some, it was their first dive into public international law generally. Nonetheless, Dr. Matyas designed the course to move beyond textbooks, grounding complex legal principles through lived experience. Simulations in the classroom approached fact scenarios through contextualized, legal strategy.

The seminar informed students of legal doctrine, preparing them for practice, while emphasizing the real impact that the field of IHL has on people around the world. Again, the seminar’s simulations were based on real-life armed conflicts. The students were well equipped to approach the subject matter with care and precision. The course lectures and readings provided the scholarly foundation, and allowed students to flourish academically by pursuing IHL topics they were passionate about. Closer to home, the seminar also connected IHL to New Brunswick and Atlantic Canada.

### Connecting New Brunswick to the study of International Law

At the forefront of this connection between IHL and New Brunswick was the full-day program on the laws of detention and internment, complete with an excursion to Internment Camp B/70. In class, we had read about how IHL guides the classification and treatment of civilians and combatants detained during armed conflict. Now we had the chance to explore the application of these laws in our own backyard.

To better understand why these camps were established, IHL students explored archival materials and stories from Internment Camp B/70 that brought the law governing this camp to fruition. These archival materials were collected, and presented by members of the UNB’s Gregg Centre for the Study of War. Dr. Cindy Brown, Executive Director, and Dr. Lee Windsor contextualized the photographs and historical insights of the people in the internment camps.

Dr. Brown reflected on the experience, stating, “The opportunity to connect our students, who study these episodes in the past, with Law students who are learning



about the application of international humanitarian law in the present at an important site in New Brunswick’s past is a powerful way and interdisciplinary way to think about continuity and change and the gap between practice and reality. We look forward to future collaborative opportunities with Dr. Matyas and his students.”

One story stood out: Henry Kreisel, a 17-year-old Austrian refugee, who was interned at Camp B/70 in 1940 after being classified as an “enemy alien” in England. Kreisel had written his experience travelling to and living in Camp B/70. When students arrived at the site of Camp B/70 near Minto, we stood before the trees where the buildings once were, reading aloud Kreisel’s words as if they were written yesterday.

Kreisel’s experience offered a poignant reminder of how global conflict reached into rural New Brunswick. Kreisel described Canada as “a silent, mysterious land” whose doors were tightly shut to refugees. He would be released after the war, and go on to earn a Ph.D. and become Vice-President Academic at the University of Alberta — a testament to resilience amid hardship. Without the living history provided by Kreisel, originating 85 years in the past, we would not know how close to home history and IHL plays.

## Why It Matters

For today's law students, these lessons are more than historical footnotes. Students must see the impact that the law has on the people and places near and far to us. They illustrate why regulating war matters and how international law shapes real lives. By linking theory to local history, UNB Law prepares future lawyers to think critically about justice in times of conflict. We begin to ask and be asked the questions that guide the development of law tomorrow.

Why regulate war? What is an armed conflict? To whom does this area of law apply? Should different people receive special or different treatment?

It is challenging to define an international reality without identifying the analogs or connecting students with the application of the questions above. Camp B/70 was established near Minto, New Brunswick, and it one of twenty-eight internment camps that operated between 1939 and 1947 during the Second World War.<sup>1</sup> During this time, the international laws of detention & internment applied broadly to internment across Canada. Identifying this displays a broad "Canadian" history, yet brings to the forefront Atlantic Canada's involvement in public international law and IHL.

When students began Dr. Matyas' IHL course, not many would have connected the laws of armed conflict to

Atlantic Canada. Bernie Morgan, a third-year student taking the IHL seminar, would reflect on his experience:

*"The trip to Ripples (Camp B/70) was an eye-opening experiential learning opportunity for Law and History students at UNB's Fredericton campus. "Internment" camps might often be conflated with the sinister concentration camps in Eastern Europe. Some may even know of the internment of Japanese populations in western North America. Few, however, would look so close to home. I, for one, did not. While history is said to be written by the victor, this exercise emphasized the need to critically think about contemporary issues in what is fast becoming a society divided."*

A course like International Humanitarian law broadens a global perspective while grounding students in local history. Understanding how history shapes both local and global communities is essential to the responsibility that lawyers carry in practice. Learning about IHL by visiting Camp B/70, which is now a marked, quiet trail in New Brunswick, highlights that responsibility to apply these principles thoughtfully and with care. Such reflection is made possible by those who steward the land and preserve its history.

Only when we understand history, and its effects on the local and global community, can we develop into well-rounded lawyers that affect change in our communities.



<sup>1</sup> POWs in Canada, "Internment Camps" (n.d.) <<https://powsincanada.ca/pows-in-canada/internment-camps/>>



*Presiding  
with wisdom and understanding*

## **REMEMBERING** *TERRI MACPHERSON, K.C.*

The Honourable Terri A. MacPherson, K.C. (LLB'92) built a career defined not by prominence alone, but by the trust, kindness, and steady judgment she brought to every role she held. When the UNB Law community said goodbye last January, it mourned not only a distinguished alumna and member of the judiciary, but a deeply admired friend and mentor whose influence reached far beyond the courtroom.

In a moving eulogy, Terri's longtime friend and former colleague Karen Rose reflected on the extraordinary compassion that defined MacPherson's life and career.

"With the passing of our Terri, a dazzling light has dimmed," Rose said. "She did so many good things. She was a lawyer, a prosecutor, a legal services manager, a public trustee, and a Supreme Court judge. These were her jobs, and in fact they were her callings, and she served the people so well in each position she had."

Rose shared that Terri's impact reached far beyond the titles she held, touching the lives of

countless colleagues, clients, and members of the public.

"She brought empathy and compassion for people who hadn't seen that in a long time, or perhaps ever," Rose said. "In doing so, she made us all want to be better."

Recalling a moment spent helping Terri clear out old belongings, Rose described discovering a handwritten note tucked inside a book that captured the philosophy by which she lived:

"As long as I have breath, someone needs what I have."

Those words reflected the way Terri moved through the world—always ready to offer guidance, strength, and love to the people around her.

"She knew she was needed," said Rose. "We needed her counsel, and we needed her love, which she gave in abundance. Terri was fierce, she loved ferociously, and she was immensely devoted and protective of the people she

loved. Terri’s legacy lies in the strength that she gave to others. We are going to need that strength now while we figure out how to live our lives without Terri’s blazing light.”

## **A career of public service—to the island she called home**

Born and raised in Sherwood, Prince Edward Island, Terri’s career was defined by a deep and enduring commitment to her beloved home province. After earning a BA from the University of Prince Edward Island and an LLB from UNB Law in 1992, she articulated in Saint John with Gilbert McGloan Gillis before being called to the bar in 1993.

In 1995, MacPherson returned to Prince Edward Island, beginning her legal career in private practice with the Summerside firm Key and McKnight before joining the provincial public service as a Crown prosecutor in 1996. Over the decades that followed, she built a respected career rooted in public service, developing extensive experience in criminal prosecution, child protection, and criminal injuries compensation.

Prior to her appointment to the bench, MacPherson served as a senior lawyer with the Department of Justice and Public Safety of Prince Edward Island and later as Prothonotary of the Supreme Court and Court of Appeal of Prince Edward Island—roles that demonstrated both her legal expertise and the trust she inspired within the profession.

On October 27, 2017, MacPherson was appointed to the Supreme Court of Prince Edward Island, a milestone in a career marked not by ambition alone, but by a steadfast commitment to fairness, compassion, and service to others.

Maj. Rev. Dr. Tom Hamilton reflected on the care and thoughtfulness she brought to her work on the bench:

“Throughout her practice as a lawyer and judge, Terri consistently worked with integrity. She was diligent in ensuring her judicial independence and impartiality. She judged cases according to the facts and maintained strict boundaries of confidentiality.

Hamilton noted that MacPherson approached every decision with extraordinary care and humanity.

“She handwrote every one of her judgments. She believed in taking the time to be thorough and to fairly weigh fact with compassion. In her work, Terri presided with wisdom and understanding.”

Beyond her legal career, MacPherson dedicated herself to public service and community involvement

across Prince Edward Island. She volunteered with numerous organizations, including the United Way of PEI, the Rehabilitation Council of PEI, and the Law Society of Prince Edward Island.

In 2024, she was awarded Queen Elizabeth II’s Platinum Jubilee Medal in recognition of her contributions and service to the community—an honour she accepted with characteristic modesty.

***“She epitomized humility,” said Hamilton. “[Her sister] Angela discovered that Terri had been awarded Queen Elizabeth II’s Diamond Jubilee Medal. None of her family knew that she had received this award because she hadn’t told them.”***

The Hon. Krista MacKay (LLB’95), Chief Judge of the Provincial Court of Prince Edward Island, remembers her friend and mentor as one of the most generous people she has ever encountered.

“Not only was she generous financially, constantly donating to many different charities and causes, but she was also generous with her time and her wisdom. She was a mentor to a great number of people of all ages and stages. I cherished receiving her sage advice, whether it was professionally or personally related. Despite her own full schedule, she never failed to find time to devote to any issue or problem that someone was having, always with a smile on her face, and never with an air of superiority. Her advice was given in a way that lifted you up and you would leave her counsel feeling better about your situation, and about yourself. I will forever miss her wisdom, kindness and friendship.”

## **A force at UNB Law**

Terri’s time at UNB Law was defined by her remarkable ability to foster community. As a first-year law student, Terri stood out not for seeking the spotlight, but for how she lifted others up around her. Everyone who spent time with Terri remembers her sharp wit, her distinctive PEI accent, and, most importantly, her unwavering compassion, warmth, and the sense of community she fostered among her classmates.

Terri approached her studies with the dedication and intellect that eventually served her well on the PEI Supreme Court. But what truly set her apart was how she transformed the competitive environment of law school into one of collaboration and mutual support. She was often the first to offer notes to absent classmates, organize study groups that welcomed everyone, and provide words of encouragement during challenging times.

"As long as I have breath, someone needs what I have."



Classmate Kelly VanBuskirk remembers Terri as someone whose intelligence and accomplishments never overshadowed the warmth, humour, and generosity that made her such a cherished friend and colleague.

"One of her strengths was that she was a connector. People say that about lots of people, but it really is true with Terri.

He recalls her sharp intellect and quick wit, but also the compassion and humility that made people naturally gravitate toward her.

*"She was a person who had a great sense of humour—she was an extremely witty, funny person, and she was compassionate. For those of us who had the privilege of spending a lot of time with Terri, we benefited from all of those characteristics. She was the kind of person who cared about other people. She was fair-minded. She was very intelligent, but she was never boastful or arrogant about her strengths."*

For VanBuskirk, one of the most remarkable things about Terri was how little success and status changed her over the years.

"She was a pretty easy person to spend time with and a very easy person to like. Even when she was a judge, she was still the same approachable, entertaining, fun person. Periodically, a group of us would go to PEI and visit Terri. And when that happened, it never really seemed like we were spending time with a judge—it was just our old classmate."

Her legacy at UNB Law should continue to inspire students and faculty alike, reminding us that excellence in the legal profession is measured not only by achievement, but by how we treat one another along the way.

### Celebrating her legacy through the Terri A. MacPherson Prize

Thanks to the generosity of Terri's classmates and friends, the Terri A. MacPherson Prize Fund has been established to recognize first-year law students who embody the qualities that made Terri such a beloved member of the UNB Law community. Beginning in the fall of 2027, this prize will be awarded annually to a student who, in the view of the Dean, demonstrates exceptional compassion toward their classmates, a commitment to fostering camaraderie within the law school, and actions that build community and support among their peers.

This prize celebrates students who understand that the journey through law school is not just an individual pursuit, but a collective experience that can be enriched through kindness and collaboration.

"The prize maintains Terri's presence at the law school," says VanBuskirk. "But beyond that, it keeps her value system at the forefront of law students' minds. Terri was a strong student, but she wasn't a person who was unfair or competitive. She always wanted to see everyone do well and see everyone succeed.

He hopes the award will encourage students to carry those same values into their own legal education and careers.

"If we remind ourselves of those values, everyone who's involved in the law school can try to emulate Terri's strengths."

In that same spirit, those who wish to help ensure the continued growth of the Terri A. MacPherson Prize Fund are invited to contact the Dean's Office by phone or email to learn more about contributing.



# RAISING THE BAR

## Hilary Young Wins Teaching Excellence Award

**L**ong before students master torts, remedies, or legal reasoning, they learn an important lesson in Professor Hilary Young's classroom: the law demands careful thought, intellectual curiosity, and a willingness to grapple with difficult questions. Prof. Young has built a reputation for challenging students to push beyond easy answers while providing the support they need to succeed. Her classes are rigorous and demanding, but equally defined by an unwavering commitment to student success.

That balance—high expectations paired with genuine support—has earned Prof. Young this year's Teaching Excellence Award, a recognition that reflects not only her skill in the classroom, but also the lasting impact she has had on the UNB Law community.

"I am honoured to be recognized for my teaching, especially given how many excellent educators we have at UNB Law," says Prof. Young. "Teaching is one of the hardest, but most rewarding things we do, and nothing else we do has as much impact. I am privileged to get to teach students who bring their intelligence, humanity and curiosity to the classroom. They are what makes teaching so much fun."

For Prof. Young, great teaching begins with a simple principle: challenge students intellectually while ensuring they are supported every step of the way.

"The teachers I have admired most are those who raise the bar, rather than teaching to the lowest common denominator, while doing their best to ensure no one is left behind," she says.

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It is a philosophy visible across every aspect of her teaching. Whether in first-year Torts, upper-year Remedies, or specialized seminars on subjects ranging from privacy to health law, Young approaches legal education not as rote instruction, but as an invitation into a larger conversation about law, society, and justice.

“Law is not a mere set of discoverable rules,” she explains. “Rather, law reflects an ongoing conversation between the public, legislators and the judiciary about the state’s role in our lives.”

That perspective shapes the atmosphere she works to cultivate in the classroom: one grounded in mutual respect, intellectual curiosity, and open discussion. Students are encouraged to participate, debate policy questions, test ideas, and critically evaluate legal principles. Prof. Young combines lectures with hypotheticals, collaborative exercises, policy discussions, and practical problem-solving, recognizing that students learn in different ways and benefit from different teaching methods.

Prof. Young invests significant time in supporting students individually. She regularly meets with students for extended one-on-one conversations outside class, ensuring they have opportunities to ask questions, work through difficult concepts, and build confidence in their abilities.

Her approach is perhaps most visible in Torts, where she places a strong emphasis on developing common

law methodology and legal reasoning skills. Rather than relying on a single high-stakes final exam, Prof. Young incorporates continuous assessment, detailed written feedback, and extensive practical exercises designed to help students learn how lawyers actually think.

“We do dozens of problems in Torts,” she says, “from 10-minute in-class ones to assignments worth 60 per cent of the term grade.”

One of the hallmarks of Young’s teaching is her willingness to continually adapt and refine her courses. Over the years, she has introduced pre-recorded mini lectures to reinforce foundational concepts, developed reading prompts to focus class discussions, and redesigned assignments to provide students with more individualized feedback.

She is also intentional about building confidence early. For several years, Young has opened her first Torts class not with a syllabus review, but with a problem/discussion centered on the Harvest Music Festival. Students, despite having no formal legal training yet, are asked to identify issues of wrongdoing, causation, and remedy.

“The purpose is to engage and interest students from the outset,” she explains, “and to get them thinking about some of the major issues.”

The exercise has become memorable for many students, offering an immediate reminder that the law is not abstract or distant, but deeply connected to real human experiences.

That same commitment to relevance and engagement extends beyond the classroom. In her Health Law course, Young incorporates material connected to the Truth and Reconciliation Commission’s Calls to Action.

“We read about health disparities between indigenous and non-indigenous Canadians,” she explains. “We explore systemic racism in the provision of health care, and study legal disputes between the federal and provincial government over funding indigenous health and Jordan’s Principle, focusing on the ways indigenous people have suffered as a result of division of powers struggles.”

She has also created opportunities for students to contribute directly to real-world legal reform work. While collaborating on a defamation law reform project with the Law Commission of Ontario, Young involved students in researching how young people understand online reputation and social media use. Their work ultimately informed materials connected to the commission’s final report.

While students know Prof. Young as a dedicated and innovative teacher, her colleagues know her as one of the driving forces behind teaching and learning at UNB Law.

“Within the faculty, I can think of no other colleague who has done more to advance teaching and learning,” shares Professor Nicole O’Byrne.

*“Hilary is an incredible asset to our law school. Her research is cited by courts nationwide, influencing legislation and making a tangible impact.”*

Over the years, Young has helped shape the faculty’s academic life through an extraordinary record of service. She has chaired the Curriculum Committee, led the Teaching and Research Committee, organized countless Works in Progress sessions to support faculty scholarship, and served on both the Student Standing and Promotions Committee and the UNB Senate. In each role, she has worked to strengthen the educational experience not only for her own students, but for the entire law school and the broader university community.

*“As a newer member of the faculty, I have particularly appreciated Prof. Young’s initiative in organizing meetings and workshops dedicated to teaching and pedagogy,” says Bruno Gélinas-Faucher. “These efforts foster a collaborative environment around teaching practices and reflect strong educational leadership within the faculty.”*

The same intellectual curiosity and commitment to excellence that define Prof. Young’s teaching are also evident in her scholarship. Prof. Young’s research work spans tort law, defamation law, anti-SLAPP legislation, media law, online harms, remedies, informed consent, and medical assistance in dying—fields that engage some of the most complex and evolving legal questions in Canadian society.

In 2024, Young was named a University Research Scholar at the President’s Awards in recognition of her exceptional scholarship and internationally acclaimed research in the areas of defamation, tort, and health law.

In his nomination letter, Professor John Kleefeld wrote, “Hilary is an incredible asset to our law school. Her research is cited by courts nationwide, influencing legislation and making a tangible impact. She is a valuable mentor to junior colleagues in the faculty and is a fine example of teaching excellence combined with research prowess.”

The observation captures what makes Young’s contribution to UNB Law so remarkable. Whether in the classroom, through her scholarship, or in service to the faculty and University, she approaches her work with the same commitment to excellence, curiosity, and generosity.

For the students who have sat in her classroom, and the colleagues who have learned alongside her, that commitment has made a lasting impression.

This year’s Teaching Excellence Award recognizes not only an exceptional teacher, but a scholar, mentor, and leader whose influence can be felt throughout UNB Law. It is a fitting tribute to an educator who has spent her career helping others reach higher.





## *Non Nobis Solum: Not for Ourselves Alone*

### FOUR LAW STUDENTS CHOSEN AS SIR HOWARD DOUGLAS SCHOLARS

**A**t UNB Law, success is rarely measured by grades alone. It is reflected in the students who stay late to mentor classmates before exams, who volunteer in the community between assignments, who organize conferences and special events, and who treat the study of law not simply as a professional pathway, but as a responsibility to others.

This year, four graduating students are being recognized for embodying that ideal at the highest level. Julia Evans, Jami Horne, Bernard Morgan, and Laura Pitts have been inducted into the Sir Howard Douglas Society, one of the University's most distinguished student honours. Named for Sir Howard Douglas, whose leadership helped shape the early foundations of the University of New Brunswick, the Society recognizes students who exemplify academic excellence, leadership, and community engagement. Its motto—*Non Nobis Solum*, or Not for Ourselves Alone—speaks to a vision of education rooted in service and shared responsibility.



*Julia Evans*

*Jami Horne*

### ***Legal education to empower others***

Julia Evans (JD'26), from Grand Bay-Westfield, New Brunswick, says receiving the Sir Howard Douglas Scholarship was especially meaningful because it recognized not only academic achievement, but also the importance of leadership and community involvement throughout law school.

"Law school can be very achievement-oriented, so this award felt like a reminder that how you contribute to the people around you matters just as much," she says. "I am incredibly proud of my academic achievements, but there is something especially meaningful about recognition that also reflects community involvement and leadership."

Throughout her time at UNB Law, Evans immersed herself in opportunities that combined advocacy, collaboration, and service. One experience that stands out was helping organize the *Law Needs Feminism Because...* conference, an event she describes as both rewarding and deeply impactful.

"It was the culmination of so much hard work from our executive team, and it was incredibly rewarding to see it all come together," she says. "What I remember most was being able to step back during the event and appreciate the speakers, conversations, and community we had created together. The conference encouraged thoughtful and sometimes difficult discussions, but most importantly, it brought people together."

Evans says some of the most important lessons she learned at UNB Law extended beyond the classroom.

"You are only a law student for three years, but you are colleagues for much longer than that," she says. "I wanted to learn early on how to navigate the competitive spirit of law school while still maintaining strong relationships and a sense of community before entering the profession full-time."

She credits much of her growth to the mentorship and support she received from faculty, classmates, and teammates along the way.

"I have been incredibly fortunate to have such supportive professors and mentors at UNB Law," she says. "From Professor Matyas cheering me on throughout the clerkship application process to Professor Bowley stepping in to write a last-minute recommendation letter for me, I always felt genuinely supported and encouraged."

Her experiences on the Jessup and Gale moot teams also played a major role in shaping her confidence and approach to advocacy.

"Mooting taught me so much about advocacy and teamwork, but it also showed me the importance of trust and supporting one another under pressure," she says.

Outside the law school, Evans has also remained closely connected to the Sweet Caroline Foundation, an organization founded in memory of her relative, Caroline, who died from anaphylactic shock in 2014. As Secretary of the Board, Evans has contributed to governance initiatives and event planning in support of the Foundation's mission of allergy awareness and education.



*Bernard Morgan*



*Laura Pitts*

Looking ahead, Evans hopes to use her legal education in a way that is grounded in both compassion and service.

“I hope to use my legal education to empower people, help break down barriers, and be a steady source of guidance during stressful or uncertain moments in their lives,” she says. “More than anything, I hope to build a reputation for being respectful, dependable, and genuinely committed to helping others. I want to be a lifelong learner.”

***Service as purpose***

For Jami Horne (JD’26), law school has always been connected to something larger than individual accomplishment. Originally from Windsor, Nova Scotia, Horne quickly immersed herself in both the academic and community life of the faculty. Her work has focused heavily on accessibility, equity, and disability advocacy—areas she describes not simply as interests, but as commitments rooted in lived community experience.

As a board member with Inclusion Fredericton, she has worked on issues relating to inclusive housing, education supports, and community planning. Nationally, she serves as a disability case monitor for Pro Bono Students Canada in partnership with Inclusion Canada, contributing legal research that informs disability-rights advocacy across the country.

At UNB Law, she has also helped shape student life directly, serving as co-president of the Health Law Society, vice-president and founding member of the Fertility Law Society, and founder of Youth LEAD, a mentorship initiative supporting youth with disabilities.

Still, Horne speaks less about achievement than about responsibility.

“Receiving the Sir Howard Douglas Scholarship was incredibly meaningful because it felt like a recognition of everyone who helped me get here,” she says. “I have been shaped by communities that believed in me, challenged me, and made space for me long before I fully knew what I wanted to do.”

That perspective mirrors the Society’s motto closely: *Non Nobis Solum*: Not for Ourselves Alone

“That idea reminds me that achievement should lead us back to community,” she says. “When we have the ability, privilege, or education to help, I believe we have a responsibility to use it.”

For Horne, pro bono work became one of the clearest expressions of that belief.

“One of the most meaningful parts of my time at UNB Law has been volunteering with Pro Bono Students Canada in partnership with Inclusion Canada,” she explains. “Legal education is a privilege, and pro bono work is one way to turn that privilege outward.”

Her commitment to community involvement, she says, also became a way of navigating the intensity of law school itself. It provides perspective and keeps her connected to something bigger than grades and exams.

“Community involvement is what keeps me grounded during my studies,” she says. “During the hardest parts of the semester, community work reminds me, in a very

real way, why I am here and who this education can serve.”

Along the way, mentors helped shape her approach to advocacy and leadership.

“Professor Paul Warchuk has had a particularly lasting impact on me,” she says. “I have taken classes with him every year of law school, and he also coached my competitive moot team. He is brilliant, kind, and incredibly supportive.”

The experience reinforced something Horne says she felt from the moment she arrived at UNB Law: that even within a demanding academic environment, community and collegiality matter.

“UNB Law may be small,” she says, “but it is mighty. And students here are doing work that stands proudly alongside any law school in the country.”

### **Leadership through experience**

For Bernard Morgan (JD’26), the path to law school looked a bit different than most. Originally from St. John’s, Newfoundland and Labrador, Morgan arrived at UNB Law after a previous career, bringing with him leadership experience shaped in part by his time as a police officer. Returning to school, he says, was both exciting and daunting.

“I was drawn to UNB because of its strong reputation in Atlantic Canada and the collegial nature of the law program,” he says. “Particularly, I was drawn to a school that would not only allow, but encourage me to get involved.”

He found exactly that.

Throughout law school, Morgan became deeply involved in student governance and mentorship. As chair of the UNB Student Disciplinary Committee, he worked to ensure disciplinary processes remained grounded in fairness and natural justice. He also served on the Faculty Articling and Placement Committee, helping fellow students navigate the stresses of recruitment and

professional development.

“A lot of my involvement came from wanting to use my past experiences to help others,” he explains.

That practical perspective shaped how he approached leadership.

“With the Student Disciplinary Committee, it was important to separate how the student discipline code is about course correction and not punitive action,” he says. “Hopefully that approach helps young adults learn from, instead of be haunted by, their mistakes.”

Morgan also volunteered with Innocence Canada through Pro Bono Students Canada, contributing to efforts focused on wrongful convictions and access to justice.

Receiving the Sir Howard Douglas honour, he says, carried special meaning given the non-traditional route that brought him to law school.

“It was a genuine privilege to be recognized with some other outstanding award winners,” he says. “As someone who returned to law school after a previous career, I was very proud to be recognized for transforming my past experiences into academic success.”

That connection between lived experience and legal education became central to his time at UNB.

“UNB Law really values experiential learning and practicality,” he says. “I was able to succeed by relying on that lived experience.”

Morgan points repeatedly to collegiality as the defining characteristic of the faculty.

“It was never a competition here,” he says. “People always looked out for and supported one another. The Sir Howard Douglas motto, to me, really emphasizes the importance of community. That is one of the strengths at UNB law—whether it’s sharing notes from missed classes, or peer study sessions, the law school community is strongest together. It’s the Dean offering lunch time

advice sessions during my 1L year; professors having an open-door policy; classmates sitting around the library bouncing ideas off each other. I think the UNB environment really ensures that anyone who is willing to get involved and stay engaged will experience academic and personal growth.”

Academically, Morgan gravitated toward international humanitarian law, the law of armed conflict, and energy law—subjects he says feel increasingly urgent in a period of global instability.

“UNB’s diverse course offerings allowed me to really dive into complex and personally stimulating issues,” he says.

Looking ahead, Morgan plans to begin his career in employment law while continuing to pursue opportunities connected to military through a reserve legal officer (JAG) position with the Canadian Armed Forces.

“There is really little that has a greater impact on a person’s life than their employment. I am working on the employer side, but my experience at UNB has taught me that the law is about more than words, or cases. It’s also about people. I hope to take a collegial and human approach to that aspect of law.”

### **Building community through advocacy**

For Laura Pitts (JD’26), community engagement and criminal justice reform have become deeply intertwined.

Originally from Beaver Bank, Nova Scotia, Pitts says she knew from high school that she wanted to study law. What drew her to UNB, however, was the sense of connection she felt the school offered.

“What drew me most was the school’s close-knit community and the opportunity to learn in an environment where students and professors are genuinely connected,” she says.

That environment, she explains, exceeded expectations.



"I've built lasting friendships and developed meaningful relationships with professors that I don't think would have been possible at a larger school."

At UNB Law, Pitts became a familiar presence across student leadership and extracurricular initiatives. She served as co-chair of the annual Charity Auction, co-president of the Criminal Law Society, and 3L representative on the Articling and Placement Committee.

Her work beyond the faculty has been equally significant. For the past four years, Pitts has served on the board of directors for the 7<sup>th</sup> Step Society of Nova Scotia, including two years as vice-chair, helping support reintegration and rehabilitation efforts for individuals transitioning from incarceration.

Those interests naturally informed her work within the law school as well.

As co-president of the Criminal Law Society, Pitts helped organize UNB Law's first-ever criminal law conference this year—an event designed to bring together lawyers, judges, community organizations, and individuals with lived experience.

"The conference aimed to bring together individuals from across the justice system, including those with lived experience, to understand the gaps in the system and how it can be improved," she says.

Receiving the Sir Howard Douglas recognition, she says, helped validate the broader dimensions of her law school experience.

"Law school can often come with a sense of imposter syndrome," she says. "So being recognized not only for academic achievement but also for involvement beyond the classroom was very affirming."

One of the experiences she credits most strongly with shaping her development was competitive mooting.

"Without question, participating in the competitive moot program at UNB Law has had the most significant impact on my growth, both academically and personally," she says.

Working alongside professors like Professor Greg Bowley and Professor Benjamin Perryman during intensive moot preparation strengthened not only her advocacy skills, but also her confidence under pressure.

"Balancing the demands of intensive competition preparation alongside coursework and other extracurricular commitments was challenging," she says, "but ultimately made the experience even more rewarding."

For Pitts, staying involved outside the classroom became essential to maintaining balance during law school.

"I've found being involved in activities I genuinely enjoy provides a valuable break from academic work and ultimately makes me more productive," she says.

### ***More than individual achievement***

Although their interests differ—disability advocacy, public service, criminal justice reform, mentorship—all four recipients speak about success in remarkably similar terms. None describe law school primarily through grades, awards, or competition. Instead, they return repeatedly to community: the professors who mentored them, the classmates who supported them, the organizations they served, and the responsibility that comes with legal education itself.

At a time when legal education can often feel defined by pressure, recruitment cycles, and individual achievement, the Sir Howard Douglas Society offers a different measure of success: one rooted in service, generosity, and contribution. For these students, the recognition arrives not simply as an award at the end of law school, but as a reflection of how they moved through it.



# A historic performance at the 25th McKELVEY CUP

For a quarter-century, the McKelvey Cup has showcased Atlantic Canada’s strongest emerging trial advocates. This year, the competition belonged to UNB Law. In a commanding performance, Rand Al-Shujairi and Jacob Greenbaum captured first place overall, while Emily Saulnier-Eagles and Hannah Bing secured an impressive second-place finish.

Individual honours underscored the depth of the team’s success, with UNB Law sweeping nearly every major individual award. Al-Shujairi received the James Lockyer Award for Best Overall Advocate and the award for Best Cross-Examination, Greenbaum earned Best Closing Argument, and Bing was recognized for Best Direct Examination.

“It was more than a successful weekend,” says coach and mooting program coordinator, Prof. Jane Thomson. “It was the culmination of months of intensive preparation and many late nights. The results reflect not only individual talent, but the collective effort behind one of the strongest showings in the competition’s history.”

## A winning weekend

For Rand Al-Shujairi, the weekend carried a significance that stretched far beyond the competition itself—one deeply connected to the journey that brought her to Canada and ultimately UNB Law.

Al-Shujairi immigrated to Canada from Iraq with her family in 2013 at the age of 11. When she entered elementary school in Ontario for the first time, she spoke almost no English.

“I came to school on my first day knowing only a few words,” she recalls. “I was completely unaccustomed to the language and the school system.”

She was enrolled in ESL classes while simultaneously learning French, navigating not only a new country but an entirely new linguistic and cultural environment. But even in those early years, she says she was determined to learn.

“Every day I felt a little closer to being able to express myself and my thoughts,” she says.

Over time, that determination evolved into a love of language itself. Al-Shujairi eventually pursued a double major in English literature and political science before choosing law school—a path she describes as a natural fit for someone drawn to storytelling, language, and performance.

“To me, the law felt like an art form,” she says. “Words became the paintbrush.”

Today, Al-Shujairi finds it surreal to have earned top advocacy honours in a language she once struggled to speak.

“Prior to coming to Canada, most of my English came from watching movies like Harry Potter,” she recalls. “I remember sitting on the flight to Canada beside someone who spoke English and wanting so badly to try speaking to them. Now I’m studying law in English, advocating in English, and winning awards speaking a language I once struggled to understand.”

“It feels like freedom,” she says. “I can express myself in a way I couldn’t years ago, and use that ability to help other people and advocate for justice.”

For Jacob Greenbaum, who earned the award for Best Closing and, alongside Rand Al-Shujairi, captured first place, the recognition felt like the culmination of nearly a year of work.

“It was incredible to see our hard work pay off,” he says. “We had been developing these skills since the beginning of the school year, so hearing our names called as the top overall team was one of the proudest moments of my academic career.”

Greenbaum says his closing statement became an obsession in the weeks leading up to the competition.

“I checked my folder and saw that my final version was called ‘Closing Draft 17,’” he says with a laugh. “That shows how much work goes into this moot.”

What made the closing especially effective, he says, was the way it connected directly to Al-Shujairi’s opening statement.

“Rand flagged key issues for the jury right at the beginning and told them I would come back to those points in closing,” he says. “When I did, you could feel the shift in the room. The jury leaned in. It showed that we weren’t operating as individuals—we were functioning as a team.”

Hannah Bing, who earned the award for Best Direct Examination, says the competition became less about winning and more about proving something to herself.

“By the time we got to the competition, my goal was just to walk away feeling proud of my performance,” she says. “When you practice that much, you almost never leave feeling fully satisfied.”

Bing says she was genuinely shocked when her name was called for Best Direct.

“I remember going up to receive the award—everyone before me looked so poised and professional—meanwhile, I was crying because I honestly couldn’t process what was happening.”

Her success in direct examination, however, came naturally from a background as a freelance journalist. That experience shaped the way she approached direct examination during the moot.

“My bread and butter was interviewing,” she says. “I wasn’t trying to rigidly follow a script; I wanted the witness to tell his story.”

Her witness, a fictional accused struggling with addiction and past criminal charges, became someone Bing worked hard to humanize before the jury. Rather than forcing testimony into a rigid framework, Bing focused on creating a natural conversation.

“He wasn’t evil,” she says. “He was human. He made mistakes. He was trying to get better. I had themes I needed to cover, but once the examination started, I let the witness

take the wheel and trusted myself to ask the next question.”

Emily Saulnier-Eagles says one of the most memorable parts of the McKelvey Cup was how real the simulated trial environment felt.

“The rules of evidence are relaxed, but the pressure is absolutely real,” she says. “The jury is made up of lawyers; there are assessors scoring every aspect of the performance, and this year the Chief Justice of New Brunswick was on the bench.”

That atmosphere, she says, made UNB Law’s collective success all the more meaningful.

“When both UNB teams ended up on the podium, it was a genuine surprise. It felt like a reflection of how hard everyone worked and how committed we were to represent UNB Law.”

## Lessons learned in the courtroom: The challenges of trial advocacy

For the mooters, cross-examination proved to be one of the most demanding skills to master.

“Cross-examination turned out to be both a thrill and an impossible task,” shares Saulnier-Eagles. “Knowing when to push a witness on a non-answer or a dubious statement, and when to simply let it go, was a constant judgment call. I learned to exercise restraint and to be very intentional with my words.”

Greenbaum found the contrast between direct and cross especially striking.

“With direct examinations, we learned how to work with our witnesses and had the opportunity to prepare them beforehand, so you generally knew what you were going to get from them,” he explains. “For opening and closing addresses, which ended up being my favourite part, you are in complete control from beginning to end.”

“Cross-examination is different,” he continues. “The witness is there to push back and see whether you can stay focused on your theory of the

**“There are so many variables, uncertainties, and moving parts that you simply can’t account for everything. The best thing is not to fight the chaos, but to accept it and adapt with it.”**

case. I found that really challenging at first, especially when things didn’t go exactly as planned.”

Through months of preparation, he says, the team learned how to control pace and tone, adapt strategically, and maintain focus under pressure.

For Bing, the process forced her to rethink many of the instincts she initially brought into advocacy.

“When you start this moot or even the trial practice class, cross-examination is a lot of people’s favourite part, but I found it so hard to wrap my head around,” she says. “As Prof. Lockyer would tell us: we are testifying. We are saying what we need to say so the jury or judge can see our theory. I was taught to ask questions, never to quite show your hand, and this totally went against all of that.”

For all four students, the McKelvey became an exercise in adaptability, teamwork, resilience, and learning how to perform under pressure.

“Professor Thomson always said everything that can go wrong in this competition will go wrong—and she was right,” Al-Shujairi says. “There are so many variables, uncertainties, and moving parts that you simply can’t account for everything. The best thing is not to fight the chaos, but to accept it and adapt with it.”

Saulnier-Eagles recalls one moment during competition when an objection forced her partner to unexpectedly read an entire set of text messages aloud in court.

“Without missing a beat, Hannah confidently responded, ‘I’d be happy to,’” Saulnier-Eagles recalls. “It took every bit of courtroom composure I had not to grin. Things will go up in smoke,” Saulnier-Eagles says. “That’s a fact. But we were ready to put out the fire.”

### **Intense preparation**

By the time the McKelvey Cup arrived, the competition itself was only a small part of months of

preparation. What began in September as weekly practices evolved into an all-consuming routine of revisions, rehearsals, strategy sessions, and late-night troubleshooting.

“In that final week, we met multiple times, and I almost completely forgot about everything else—including school,” Al-Shujairi says. “I was still revising my opening statement right up until the competition.”

The team cycled through endless drafts of opening and closing statements, often revising them repeatedly as a group before memorizing and refining them again.

“It was countless late nights, early mornings, and honestly just doing moot work in between everything else,” Bing says.

Yet what stands out most in the students’ recollections is not exhaustion, but collaboration. The four competitors functioned less like individual advocates and more like a unified trial team.

“We knew each other’s arguments inside and out because we did all of it together as a unit,” Bing explains.

That collaboration extended into every aspect of preparation. The students regularly acted as witnesses for one another during practices, helping teammates better understand the fictional characters and the dynamics of examinations.

Greenbaum says the team dynamic became one of the defining strengths of UNB’s performance.

“What made our team strong was the culture we built early on,” he says. “Professor Thomson emphasized from the start that there was no room for ego. We knew we were going to spend a lot of time together, and everyone understood that even when things were frustrating, we were all working toward the same goal.”

By the end of the process, he says, the team had become close friends.

*"It was incredible to see our hard work pay off. We had been developing these skills since the beginning of the school year, so hearing our names called as the top overall team was one of the proudest moments of my academic career."*



### The role of mentorship

The team credits Prof. Thomson, Jim Lockyer (LLB'75), and Patrick McGuinty (LLB'18) with shaping nearly every stage of their development—from foundational trial advocacy skills to refining performances for competition weekend.

"Prof. Thomson's commitment was impossible to overstate," shares Al-Shujairi. "Every week, she sent detailed feedback, responded to emails, and met with us constantly as the competition got closer. I honestly can't say enough about how much work she put into helping us succeed."

Through Professor Lockyer's Trial Practice course, the team built the foundational skills they relied on throughout the competition. "Learning from someone with his level of experience was invaluable," says Greenbaum.

For Hannah Bing, mentorship extended well beyond advocacy technique. "Prof. Thomson was not just a coach," she says. "I learned so much from her—not only about mooted and oral advocacy, but about networking, job hunting, and life in general."

She adds that Thomson's support was constant throughout the process. "She answered emails at midnight, met with us whenever she had a spare moment, and always found a way to make us laugh when we were stressed," she says. "If it were not for her, I know I would not have performed the way I did."

She also emphasized the role played by classmates and volunteer witnesses, many of whom spent entire Fridays helping the team rehearse examinations during midterms, recruitment, and exam season.

"By the end, they knew the case almost as well as we did," Bing says. "Some of them even drove to Moncton to watch our trial. It genuinely took a village to get me to the McKelvey."

Saulnier-Eagles says the competition revealed just how collaborative trial advocacy truly is. She echoes her teammate's sentiments, adding: "We also learned from Patrick McGuinty's experience running real trials, and former McKelvey competitors passed down advice that really stuck with us," she says. "I could not have walked into that courtroom with the same level of confidence or preparation without that mentorship."

In reflecting on the experience, all four agree the McKelvey ultimately tested their ability to think on their feet, trust one another, and embrace uncertainty—skills that will follow them well beyond law school and into practice.

# LAW AND LANDSCAPE

## GEOFF BLADON'S DUAL PRACTICE

**F**or Professor Geoff Bladon, the connection between law and painting is straight ahead: "Preparation, preparation, preparation," he says.

It is a mindset that shaped his years in courtrooms, classrooms, and arbitration hearings—and one that carries into his work on canvas, where attention, discipline, and seeing remain central.

Now retired from a long career as a professor at the Faculty of Law, Prof. Bladon spends much of his time in his studio, thinking less about precedent and procedure and more about light, landscape, and composition. But the habits of law never fully leave him. Neither, it turns out, does the curiosity that first led him into art.

### Origins and early influences

Prof. Bladon was born in South Porcupine, Ontario—part of what is now Timmins—where his father worked as a mining engineer. He spent much of his childhood in Montreal, when his father took a teaching position at McGill. Many summers were spent with family in Kennebunk, Maine—a place that left a lasting impression and would later draw him back to coastal landscapes and a life shared between the eastern United States and New Brunswick.

His first real spark of artistic interest came not in a studio, but through *Classics Illustrated*, an American comic book and magazine series featuring adaptations of literary classics.

"They weren't *Superman*," he recalls. "It was relatively serious stuff. I remember reading a comic on Michelangelo—that was likely the beginning. I was always drawing, and my father—because I was interested in painting—bought me an easel. I can remember now the first painting I ever did was just a tree in the forest."

That early encouragement, however, came with limits. As his father said, "Don't think you're going to grow up and be an artist. You're not."

"The old cliché," recalls Bladon. "I got that same speech from my father; the same one as did Pissarro and Degas."

The message was not uncommon: support for creativity, but only as long as it remained peripheral.

"So that's why I went into law," he says, "and I'm glad I did. I'm very grateful for the legal education I got at Queen's University and the Law Society of Upper Canada."

### Answering the call of the Klondike

After studying at Queen's, Prof. Bladon began practising litigation in Ontario, spending fifteen years in the rhythms of courtroom life. Then, unexpectedly, a different kind of call arrived—from Canada's last frontier.

"I saw an ad in the *Ontario Reports* for a judge in the Yukon," he says. "I thought, 'I'll apply for the job. I'll probably never get it,' but it would be interesting and a real adventure."

He got the position and moved north in early 1982 to become a trial judge in the Yukon Territorial Court, based in Whitehorse. The work was varied and intense.

"We had criminal jurisdiction, and that's what we did most of, but we also had a family law jurisdiction and a small claims jurisdiction—a very compact court. The Yukon's very different from London, Ontario. It was stimulating and the inhabitants were welcoming."

He recalls flying in small, six-seater aircraft between communities, travelling widely across the territory,



"The light is really the most important part of it. If I can paint something and you look at it and feel or see the light, that makes sense to me."

and living immersed in the rugged northern landscape.

"We had a house on the edge of the Whitehorse, with the forest behind it and a salmon run beside it."

It was demanding work, but also formative, instilling the discipline and preparation that would later define both his teaching and his approach to painting.

### A return to the East Coast

But the east beckoned—New Brunswick and its proximity to his beloved state of Maine. He resigned his then position as Chief Judge of the Yukon Territorial Court. He arrived at the University of New Brunswick Faculty of Law after earlier teaching and training work at University of Western Ontario and with the Law Society of Upper Canada.

At UNB he taught Civil Procedure, Evidence, and Trial Practice from 1987 until his retirement in 2005. What he remembers most is not doctrine, but translation—bridging the gap between theory and practice.

"What I wanted—what was in the back of my mind all the time—was that I've got to make the students move from

the classroom to the street," he says. "It's not just book learning; they have to apply what they learn."

He pushed students to see law not as fixed tradition, but as something adaptable. His advice—or calling card—was simple but firm: "You're not chained by history. Don't be afraid to try something different and novel, providing you know the legal history of the issue, and see how that works out. If you do your preparation, you can be successful."

He also spent considerable time encouraging students to see themselves as competitive nationally and never as limited or an afterthought.

"At the time, students from UNB thought they were second-rate compared to students in Toronto or Vancouver," he shares. "I tried to get that out of their heads. I said, 'you might love being at home in PEI, but go to Toronto for three or four years, then go back when you really know what you're doing.'"

One of his most enduring contributions was running (and coaching) the mooting program. He remembers students like the Hon. Dominic LeBlanc (LLB'92), now a

senior federal cabinet minister, who he notes was "an excellent mooter."

Still, even with strong teams and strong performances, he admits one lingering frustration. "I must say," he adds with a smile, "I feel disappointed that we never could win the criminal moot, which I coached specifically."

### The practice of painting: Capturing the light

Through all of this—law practice, his time on the bench, teaching, arbitration and serving the University as the Coordinator of Fine Arts through the '90s—painting remained a passion, but a secondary one. Only after retiring from teaching and stepping away from labour arbitration work in 2023 did it take on a more central role.

"Now is the time," he says. "And I want to use it. I don't want to waste it."

If law shaped Prof. Bladon's discipline, his time in Maine shaped his eye.

A 27-year property owner in Tenants Harbor, a small town on the southeastern coast of Maine known for its fishing villages, lighthouses, and rugged shoreline, he spent years



Since selling his home in Maine, his focus has shifted to the landscapes of New Brunswick near his home on Keswick Ridge and surrounding communities—from Stanley to Saint John and beyond—wherever the light creates form and contrast across the land.

“The light is really the most important part of it,” he says. “If I can paint something and you look at it and feel or see the light, that makes sense to me.”

His aim is not replication, but sensation—the time of day, the temperature, the colour of the shapes.

### Preparation, discipline, and the lawyer’s mind

For Prof. Bladon, painting and law are not opposites but reflections of the same principles: preparation, attention to detail, and the discipline of seeing clearly before acting.

“You’ve got to think everything through before you start mucking about on the canvas.”

Even materials matter: “You’ve got to have the right brushes, paints, turpentine, canvas, easel, and mosquito repellent. You’ve got to be able to set up.”

He offers a piece of advice that extends well beyond painting: “Say you go to Stanley or Saint John or somewhere, and you go to paint and you see something and say, ‘Oh boy, that’s what I want to do.’ But you know what you should do? Turn around 180 degrees and look the other way, because that might even be better—or something you missed.”

He draws a direct parallel to courtroom practice. “I used to preach this to the students in Trial Practice all the time. If you aren’t ready and don’t know

working and painting along the mid-coast landscape—following the footsteps of artists such as Andrew Wyeth.

“The scenery in that part of mid-coast Maine—the Port Clyde area, which is a significant draw for tourists—is special. The light, rocks, scenery, and the old New England architecture.”

His process is structured and urgent. He makes a rough sketch, then photographs the scene, and tries to begin painting in his studio within eight days. “If it’s more than that, I’m in trouble,” he says.

His style, he shares, has not fundamentally changed in decades. He describes it through a phrase borrowed from a workshop instructor, as “contemporary impressionism.”

“It means feel free to use your imagination so that when you’re painting, you’re not locked into what’s in front of you,” he explains. “That’s the stimulus for the painting, but if you want to move a tree or paint it a different colour, you’re free to do it.”

what's going on in this case in detail, then you shouldn't be doing it."

### Community, contribution, and continuing practice

Prof. Bladon is primarily self-taught, though he has furthered his understanding of the craft through workshops with artists including Christopher Schink, Judi Betts, Connie Hayes, and Colin Page.

He remains active in juried art competitions created by, for example, the Federation of Canadian Artists and the Oil Painters of America. His work has been juried into shows in Maine, including River Arts in Damariscotta and the annual *Art in Maine* exhibition in Boothbay.

"Acceptance into a show by a jury of experienced painters," he says, "continues to carry meaning as it validates what you're spending your time on."

He has received awards for his work in Haines, Alaska; Whitehorse, Yukon; and Rockland, Maine.

Closer to home, he contributes paintings to Isaac's Way in Fredericton, a restaurant that auctions the artwork and divides the proceeds between the painter and arts education opportunities for children.

### At home in the studio

Today, Prof. Bladon paints in a studio that was once a garage. A large picture window opens onto the wilderness behind his home, drawing in a wash of natural light that falls directly across the canvas.

He renovated the space himself, adding light and structure to support his work. The transformation mirrors his own transition—practical, deliberate, and shaped by use rather than ornament.

When he begins a painting, he describes a familiar sensation. "I get a rush just sitting down and starting to put paint on the brush and then on the canvas."

Classical music often plays in the background, but the focus is elsewhere.

It is not escape from his past life, but continuation of it—discipline refined into attention, attention refined into artistic expression.

The work continues—quietly, deliberately—one brushstroke at a time.





# Taking language rights from principle to practice

## Bruno Gélinas-Faucher and the meaning of pro bono constitutional advocacy

In Canada’s only officially bilingual province, language rights have long occupied a central place in public life—shaping political debate, constitutional litigation, and the everyday realities of communities across New Brunswick. For Prof. Bruno Gélinas-Faucher, those questions are not merely academic; they sit at the heart of an ongoing legal and constitutional struggle over how minority communities are protected, empowered, and sustained for generations to come.

This February, Prof. Gélinas-Faucher was recognized with the 2026 E. Neil McKelvey, Q.C. Pro Bono and Volunteer Service Award by the CBA New Brunswick Branch for his work defending the language rights of New Brunswick’s French-speaking communities, particularly in litigation surrounding the Vitalité Health Network.

For Gélinas-Faucher, the award is not a culmination so much as a marker along a continuing path—one shaped by the evolving meaning of equality in

New Brunswick. His advocacy in the *Égalité Santé* case, which challenged government decisions affecting the governance of the francophone health network, reflects a career built on the conviction that constitutional promises must be lived, not merely declared.

“I am deeply honoured by this recognition,” he says. “The award signals the broader importance of language rights work and affirms that this area of law remains both vital and unfinished. Protecting linguistic minority communities requires sustained legal engagement, and pro bono constitutional advocacy plays a crucial role in ensuring those voices are heard.”

### From constitutional theory to lived experience

Gélinas-Faucher’s interest in language rights did not begin in New Brunswick, but it found its clearest expression there.

“I have long been drawn to constitutional law,

and to *Charter* rights in particular,” he explains. “That interest began early on through clerking and legal practice, including during my clerkship at the Supreme Court of Canada, where I worked on language rights cases. Those experiences grounded my understanding of language rights as a core part of Canada’s constitutional framework, not a peripheral concern.”

It was his move to the province in 2022 that sharpened that understanding into something more immediate and concrete.

“Being in the only officially bilingual province, and in a context where language rights are both constitutionally entrenched and actively lived, brought the stakes of these protections into much sharper focus,” he says. “It is here that I became deeply involved in language rights litigation.”

In New Brunswick, language rights are not abstract commitments. They are embedded in schools, hospitals, courts, and public institutions that shape daily life. For Gélinas-Faucher, that proximity between law and lived experience has made the field both intellectually compelling and socially urgent.

## Language rights as constitutional architecture

To understand his work, Gélinas-Faucher explains, one must first understand what language rights actually are in Canada’s constitutional order.

“Language rights in Canada are not a symbolic add-on to the Constitution—they are part of the country’s foundational architecture,” he says. “They reflect a historic commitment to protecting minorities in a way that goes beyond simple majority rule.”

Unlike many *Charter* protections, language rights operate simultaneously at the individual and collective level. They guarantee personal access to services and institutions while also sustaining the vitality of linguistic communities themselves.

Their significance becomes tangible, he explains, when placed in everyday contexts: “They determine whether a parent can send their child to a school that preserves their culture, whether a patient can understand a medical consultation, whether an accused person can follow court proceedings, or whether citizens can meaningfully participate in democratic life.”

These are not abstract privileges; They are the conditions under which equality, dignity, and participation become real.

## Égalité Santé and institutional equality

The *Égalité Santé* case centred on *section 16.1* of the *Canadian Charter*, a provision unique to New Brunswick that constitutionally recognizes the equality of the province’s two official linguistic communities. *Section 16.1* gives constitutional status to a foundational New Brunswick statute adopted in 1981: the *Act Recognizing the Equality of the Two Official Linguistic Communities*.

“At its core,” says Gélinas-Faucher, “the case asked how far governments must go—not merely to treat English and French speakers the same in a formal sense, but to actively protect the distinct institutions that allow each linguistic community to flourish over time.”

Both *section 16.1* and the *Equality Act* are grounded in the idea that linguistic communities are not protected in the abstract. They are protected through the institutions that allow them to exist, develop, and reproduce themselves over time.

“The constitutional guarantee is therefore not limited to language as a means of communication; it is tied to the preservation and promotion of the institutional spaces that sustain community life. Without such institutions, equality between linguistic communities risks becoming purely symbolic.”

This institutional dimension, Gélinas-Faucher explains, was central to

the *Égalité Santé* case because the government decision under review directly affected the governance of the Vitalité health network.

“By eliminating the elected board of directors—whose majority of members were chosen by the francophone community—the decision removed a key mechanism through which the community exercised meaningful control over an institution it had historically built and developed from the ground up. The Court recognized that this form of community governance was not incidental, but essential to the role Vitalité plays for the francophone and Acadian community.”

The judge accepted that Vitalité is not simply a health-care service provider, but a structuring institution that contributes to the linguistic, cultural, educational, and economic vitality of the community. Its governance model was found to be closely tied to that role, reflecting the community’s historical efforts to create and sustain institutions capable of meeting its specific needs.

According to Gélinas-Faucher, the case also raised a crucial question about administrative decision-making and positive measures. It confirms that when governments make decisions affecting institutions essential to the vitality of a linguistic community, they must do more than invoke general policy objectives.

“Decision-makers are required to seriously consider the impact of their actions on the protection and promotion of linguistic communities and to give real effect to the obligation of positive measures set out in the *Equality Act* and reflected in *Charter* values. In that sense, the case is not only about Vitalité itself, but about how governments must approach institutional decisions that shape the future of minority language communities.”

## Law, identity, and evidence

Litigating such a case, Gélinas-Faucher notes, required more than doctrinal

argument. It required an understanding of how law interacts with identity and culture.

“From the outset, it was clear that this case could not be approached as a purely technical legal dispute,” he says. “Language rights sit at the intersection of law, identity, and culture, and that reality shaped both the legal strategy and the evidence we presented.”

To understand what was truly at stake, the Court needed to see how institutions like Vitalité function within the lived reality of the francophone and Acadian community.

The case relied on interdisciplinary sources—sociology, history, and economics—to demonstrate how institutions like Vitalité function within community life.

“The question was not simply whether services could be delivered in French, but whether the community retained the institutional capacity to sustain itself and to shape its own future.”

That framing echoed section 3 of the *New Brunswick Equality Act*, which requires governments to take positive measures to promote the cultural, economic, educational, and social development of linguistic communities.

### The responsibility of constitutional advocacy

Behind the legal arguments lies a deeply personal dimension: the awareness that constitutional litigation is both rare and consequential.

“Constitutional litigation of this kind is a one-shot moment,” Gélinas-Faucher says. “You rarely get a second opportunity to clarify the meaning of a provision like *section 16.1* once the courts have spoken.”

That reality creates a form of responsibility that extends beyond the parties before the court.

“You have to get it right, not only for the immediate parties, but for future generations who will live with the precedent.”

At times, that responsibility becomes visible in unexpected ways.

“Members of the public wrote letters, spoke about the case in the media, and came to attend the hearings simply to thank the legal team for the work being done,” he recalls. “That level of engagement was deeply moving, but it also underscored the responsibility we were carrying.”

### A broader shift in language rights law

The impact of the *Égalité Santé* decision, Gélinas-Faucher argues, extends well beyond a single institution. It contributes to a broader shift in how courts understand language rights in Canada.

“This case has helped clarify—and strengthen—the understanding that constitutional language rights in Canada are not confined to language use alone, but are deeply connected to the institutions that allow linguistic communities to thrive.”

It also reinforces a more demanding standard for government decision-making.

“Government decision-making must actively take into account the promotion and protection of official language communities,” says Gélinas-Faucher.

“In New Brunswick, this obligation is expressly set out in the *Act Recognizing the Equality of the Two Official Linguistic Communities*, but until now it had never been used in a concrete way to challenge a government decision with such significant impacts on a linguistic minority.”

The case moves language rights away from symbolic recognition and toward practical, enforceable standards that governments must respect when exercising their powers.





“As academics, we often critique decisions and argue that the law should evolve or be applied differently. I see this work as a way of moving beyond critique in the abstract and engaging concretely in that evolution.”

Indeed, the broader shift reflected in the *Égalité Santé* decision is already shaping other constitutional litigation involving government decisions affecting linguistic minority communities. Similar questions are now arising in the ongoing *Forum des maires de la Péninsule Acadienne* case concerning courthouse closures in the Acadian Peninsula, another matter in which Gélinas-Faucher is involved and which may ultimately require clarification from the Supreme Court of Canada.

### Looking forward: unfinished questions

Even as the *Égalité Santé* case continues to shape doctrine, Gélinas-Faucher is already looking ahead to the next frontier: the scope of *section 16.1* and the meaning of “distinct institutions.”

“The question is not only which institutions are protected under *section 16.1*, but also what that protection entails,” he explained. “In particular, it raises the issue of whether constitutional protection includes a right of community control and management over those institutions.”

The comparison he draws is deliberate. In education, the Supreme Court has already recognized that minority language rights require meaningful community control. Whether that principle extends to other institutions remains unresolved.

### Access to justice and the role of pro bono work

For Gélinas-Faucher, the E. Neil McKelvey, Q.C. Award is closely tied to questions of access to justice. Much of his constitutional litigation is done on a pro bono basis, a choice he sees as integral to the functioning of the legal system in this area.

“Many issues of fundamental constitutional importance—particularly those affecting minority communities—would simply never reach the courts without that kind of commitment,” he says. “Access to justice in this area often depends on the willingness of lawyers and scholars to step in where resources are limited.”

The award, he adds, is also a reflection of his role as an academic engaged in practice.

“As academics, we often critique decisions and argue that the law should evolve or be applied differently. I see this work as a way of moving beyond critique in the abstract and engaging concretely in that evolution.” That practical experience, he notes, also informs his teaching, allowing students to engage with constitutional litigation not only as doctrine, but as a lived and evolving process unfolding before the courts.

He hopes the recognition will signal something broader about the field itself— not as an endpoint, but as a reaffirmation of responsibility.

“I hope the award signals the importance of language rights work more broadly, and recognizes that this area of law remains both vital and unfinished.”

For Gélinas-Faucher, constitutional law is not a fixed set of answers, but an ongoing negotiation between institutions, communities, and the promises embedded in Canada’s constitutional order. That negotiation continues in the evolving life of a bilingual province still defining what equality between its linguistic communities truly requires.

# Alumni UPDATES

*Stay up to date on the latest accomplishments of our alumni—King’s Counsel designations, partnership announcements, judicial and government appointments, distinctions and awards!*



'71

**HON. GEORGE RIDEOUT** (LLB) was awarded the Order of Moncton in recognition of his exceptional and long-lasting contributions to the community. Rideout is considered the architect of “The Moncton Miracle,” an economic turnaround

and shift in attitude that transformed the city and endures to this day.



'72

**CHERRILL EDWINA SHEA** (LLB) was awarded an Honorary Doctor of Laws at UNB’s 43rd Convocation. A trailblazing lawyer and business leader, Cherrill built an impressive career spanning complex business litigation in Canada, the

United States, and Europe. She later transitioned into the cellular and mobile data industry, where she was a pioneer in the 1980s and 1990s, leading advancements across North America, Europe, and Australia.

'90

**ALEX SCHOLTEN** (LLB) was awarded the 2025 YMCA Peace Medallion, an honour recognizing individuals who bring peace to life through participation, empathy, advocacy, community, and empowerment. Alex was recognized for his work as New Maryland Deputy Mayor and Village Councillor, his work at Victory Meat Market, his support for Greener Village, his years of coaching youth soccer, and his commitment to helping newcomers thrive through the Business Immigrant Mentorship Program.

'91

**CHERYL HODDER, K.C.** (LLB) was appointed to the Medavie Board, a national health solutions partner headquartered in Moncton, NB. Over her 30-year career as a lawyer, executive leader, and governance expert, Hodder has served on more than 30 boards. She has advised CEOs, senior leadership teams, and directors across sectors, including health, business, culture, and public service.



'95

**KRISTA J. MACKAY** (LLB) was appointed as the new Chief Judge of the Provincial Court of Prince Edward Island. Chief Judge MacKay practised civil and criminal litigation with Cox & Palmer from 2001 to 2015, becoming a partner in 2008. In 2015, she joined Legal Aid, practising both family and

criminal law. Prior to her appointment as a Provincial Court judge in 2020, MacKay served as Prothonotary and Registrar of the Court of Appeal and Supreme Court of Prince Edward Island.



'92

**HON. DOMINIC LEBLANC, P.C., K.C., M.P.** (LLB) was voted Parliamentarian of the Year by fellow MPs. LeBlanc currently serves as Minister responsible for Canada-U.S. Trade, Intergovernmental Affairs and One Canadian Economy, President of the King's Privy

Council for Canada, and Minister of Internal Trade. Over the past year, Minister LeBlanc has played a central role in Canada's trade and intergovernmental agenda, including negotiations with the administration of U.S. President Donald Trump during ongoing trade tensions, convening Canada's 13 premiers to address internal trade barriers, and advancing major nation-building initiatives aimed at strengthening the national economy.



'93

**GEORGE L. COOPER, K.C.** (LLB) was appointed the 10th Chancellor of Mount Allison University. Cooper serves as the Chief Executive Officer and Partner at Cox & Palmer, where he maintains a commercial litigation and transaction practice. He has contributed extensively to public

and community service. He previously served as Chair of Mount Allison's Board of Regents and Chair of the Greater Moncton International Airport Authority.

'01

**MICHAEL EWENSON, K.C.** (LLB) was appointed a judge of the Alberta Court of Justice, Calgary criminal division. Ewenson previously served as interim CEO of Alberta's Police Review Commission and, prior to that, as acting and then permanent Executive Director of the

Alberta Serious Incident Response Team. He also spent more than 15 years with the Alberta Crown Prosecution Service as a Crown Prosecutor, conducting complex criminal and homicide prosecutions, and later served as Assistant Chief Crown Prosecutor, where he took on major litigation and managerial responsibilities.

'03



**MARY ANNE CAMPBELL** (LLB) was appointed General Counsel at the Workers' Compensation Board of Nova Scotia. In this role, she joins the executive team, providing strategic leadership and overseeing the organization's legal functions, including policy development, internal appeals, and legal matters across the

board. Campbell brings extensive experience from her time at the Nova Scotia Health Authority, where she served as Associate General Counsel.

**MICHELLE KELLY, K.C.** (LLB)

was appointed a Judge of the Supreme Court of Nova Scotia, sitting in Bridgewater. She is widely respected for her broad and accomplished legal practice, as well as her commitment to advancing women's rights and public service. Throughout her career, Justice Kelly has been deeply engaged in her community, volunteering with Alice House—an

organization supporting women and children fleeing intimate-partner violence—and serving as President of the Advisory Council on the Status of Women. She has also been a leader within the Nova Scotia Barristers' Society, serving as President and contributing to numerous committees, including as co-chair of the Gender Equity Committee.

'04

**GARY G. DEMEULENAERE, K.C.** (LLB) was appointed a Judge of the Supreme Court of Prince Edward Island in Charlottetown. Called to the Prince Edward Island bar in 2005, his legal career spans two decades. Justice Demeulenaere has built a broad and impactful litigation practice with a focus on commercial, healthcare, insurance, civil, criminal, and regulatory matters. He has also demonstrated a longstanding commitment to public service through his work with community organizations and the legal profession, including service on committees of the Law Society of Prince Edward Island and board involvement with the PEI Association for Newcomers to Canada.

'05

**MORGAN PETERS** (LLB) was named the National Executive of the Year for Large Chambers (2024–25) by the Chamber of Commerce Executives of Canada (CCEC). Peters is the Chief Executive Officer of the Fredericton Chamber of Commerce, where he has served for more than 13 years. This national recognition highlights his leadership, advocacy, and commitment to building a future-ready business community in Fredericton and beyond.

'07

**SARAH MACDONALD** (LLB) was appointed Vice President, Construction Contracting and Commercial at Osisko Development. MacDonald has more than 18 years of experience in leadership roles spanning legal, contract, and corporate affairs. She joins from Dumas Contracting Ltd., a STRACON Group company, where she served as General Counsel and oversaw legal matters supporting underground mining operations across Canada, Mexico, and the United States, with a particular focus on construction contracting and complex commercial arrangements. She also led initiatives related to enterprise risk management, corporate governance, and sustainability reporting, and supported projects and partnerships involving major mining companies, including Torex Gold Resources Inc. and Pan American Silver Corp.



'09

**ROSE CAMPBELL** (LLB) was appointed Judge of the Provincial Court of New Brunswick, sitting in Woodstock. With 15 years of experience at the Office of the Attorney General of New Brunswick, including recent work in the constitutional law unit, Judge Campbell brings deep experience

to the bench and a strong commitment to public service.

'15



**MAURYAH MCLAUGHLIN** (JD) has joined Osler, Hoskin & Harcourt LLP's Calgary office as a Partner in the firm's Energy Group. McLaughlin's practice is focused on mergers and acquisitions, with deep experience leading complex, high-value transactions in Canada and internationally. In addition

to the energy sector, she leads transactions across health care, real estate and land assets, senior living, technology, and hospitality.

**CARLA SAUNDERS** (JD) was appointed Lead Counsel at Maximus Canada, where she oversees the firm's legal and contracts function, providing strategic counsel on governance, compliance, and regulatory matters. Saunders brings over a decade of experience in corporate/commercial law, risk mitigation, regulatory compliance, and facilitating innovative change.



'16

**AMBER CHISHOLM** (JD) was appointed chair of the NB Human Rights Commission. Chisholm worked as a lawyer with a private firm until 2018, then joined the Public Legal Education & Information Service of New Brunswick, where she currently serves as associate director.

She has worked to ensure access to justice rights for vulnerable groups in New Brunswick and provided support to marginalized people and communities in the areas of family law, tenant rights, access to justice in both official languages, sexual harassment in the workplace, and the rights of LGBTQ2IA+ people.

**JUSTIN HEWITT** (JD) was appointed to the Board of Directors of the YMCA of Newfoundland and Labrador. A Partner at Stewart McKelvey in St. John's, Hewitt represents businesses, organizations, and individuals in a wide range of corporate, commercial, and real estate matters. His leadership and expertise will be an asset to the YMCA, an organization that has been strengthening communities in Newfoundland and Labrador since 1854 through programs in health and fitness, childcare, employment, and newcomer services.

'19

**ALEX PATE** (JD) was named Partner at Gorham Vandebek, Trial and Appeal Lawyers. Pate regularly appears on criminal matters throughout New Brunswick and Atlantic Canada. His practice focuses on drinking and driving offences, assault, drug and firearm offences, theft, robbery, and other criminal offences.

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# *In Memoriam*

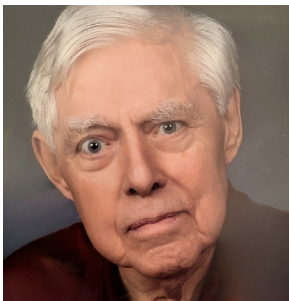
Obituary excerpts shared from: McAdam's Funeral Home, Castle Fallsview Funeral Home, Elhatton Funeral Home Ltd., Rushnell Funeral Homes Inc., W.J.Dooley Funeral Service Ltd., Fergusons Funeral Home, Carnell's Funeral Home, and Dignity Memorial.



***Ray William Dixon, K.C. (BCL'65)***

***1938 - 2025***

Ray practised law in Fredericton for 46 years, during which his professional activities included serving as Clerk of the Legislature and president of the New Brunswick branch of the Canadian Bar Association. He was honoured with the designation of Queen's Counsel in 1986 and received a 50-year life membership from the NB Law Society in 2015. In addition to being a longtime member of Christ Church Cathedral, Ray actively participated in numerous community organizations, including the Rotary Club of Fredericton, where he received the Paul Harris Award for Service.



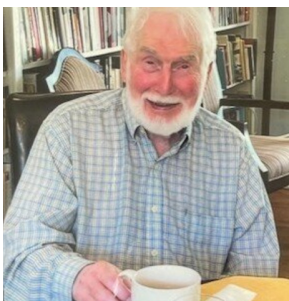
***D. Leslie Smith, K.C. (BCL'68)***

***1941 - 2026***

[Leslie] began his career in 1969 with the Ryan and Graser Law Firm and finished with McInnes Cooper in 2016. He was named a Queen's Counsel in 1987. He studied independently and was granted admission to the Nova Scotia Bar in 1988. He also lectured at UNB, including a course in Construction Law for Engineers.

His law work was his pride and joy. He was included in the 1996 edition of Canada's Who's Who. Leslie was also named to the 2013 edition of Best Lawyers. He was nominated as the Fredericton Corporate and Commercial Litigation Lawyer of the Year.

Leslie was on the Executive of the NB Law Society, starting in 1983 and finishing as President in 1986.



***Frank Alexander Rodgers (BCL'68)***

***1937 - 2025***

After high school, [Frank] left Newfoundland and within a few years had joined the RCMP. The dashing RCMP Officer met his future wife at The Cabin restaurant in Fredericton, NB, in 1960.

While Dad was working as an RCMP Officer, he admired the Crown Prosecutors, and Dad decided he wanted to be a lawyer. With two children (at that time), Dad went to University for a Business degree and then a Law degree from UNB.

After University and a short time as a Crown Prosecutor in St. John's, NL, Dad and his family moved to Saint John, NB where he worked for the City as the City Solicitor for 27 years. Retiring in 1996.



***Harry H. Williamson, K.C. (LLB'75)***

**1949 - 2025**

In addition to his career as a highly respected lawyer, [Harry's] service to the community extended beyond Bathurst. He was a member of the New Brunswick Law Foundation and the Rotary Club, a founding member of the Bathurst Marina, a board member of the New Brunswick Securities Commission, President of the Law Society of New Brunswick, and Chairman of the Bathurst Trust Foundation and the Port of Belledune. His most cherished contribution was that of mentor to six articling students, all of whom have gone on to have acclaimed careers; he was immensely proud of all of them. He also cared very deeply for everyone who worked with him and for him, both at the office and at home.



***Cynthia Joan Weaver (Cindy) (LLB'86)***

**1957 - 2025**

Originally from Trenton, Cindy chose to build her life, law career, and family here in Brighton when she bought her first home with Dave on Harbour Street in 1989. Cindy became part of the fabric of the community in the course of raising her two children, and was loved beyond words by many who came to know her. A fundamentally kind, generous, and caring soul, she always made her home available as a place of peace and support for those who needed somewhere to go. Though naturally a quiet person, Cindy bonded deeply with people and animals alike, especially her many beloved cats she cared for over many years. Her moments of purest happiness were spent in the summers on the shores of Brighton Bay together with her family, from her own childhood years all the way to this most recent summer. Her life was a gift, and she will be dearly missed.



***Mora MacLennan (LLB'89)***

**1951 - 2025**

A graduate of the University of New Brunswick Law School, Mora was a well-known lawyer in the community and surrounding area for many years. She was devoted to providing care and support for her clients during her years of practice. A gentle soul with a profound love for nature and animals, Mora found joy in the beauty of the natural world and dedicated much of her life to the care and well-being of animals.



***George H. LeBlanc, K.C. (LLB'84)***

**1955 - 2026**

George was a long-time champion of the city of Moncton, which he loved and was so deeply proud of. His political career spanned over 20 years, with him serving three terms as a city councillor (1995–2004) and culminating in his tenure as Mayor of Moncton from 2008 to 2016.

George's leadership was defined by vision, honesty, empathy, and forward thinking. He was instrumental in helping to unite and rebuild the community in the aftermath of the 2014 tragedy. He recognized the importance of our community's youth voice and established the Mayor's Youth Advisory Council. George's legacy may indeed be in his fulfilling the vision of revitalizing the downtown core and the construction of the Avenir Centre. In a beautiful full-circle event, George—who established the Order of Moncton to honor exceptional citizens—became a recipient of the prestigious award himself in 2024.

# *In Memoriam*



*Nick DiCarlo (LLB'86)*

*1959 - 2026*

As a teenager, Nick worked at DiCarlo's Home Hardware in Chipman, where he learned the enduring values of hard work, responsibility, and service to the community. He went on to attend St. Thomas University, graduating in 1981. Driven by a lifelong dream, he later pursued law, earning his degree from the University of New Brunswick Law School in 1986. Nick practiced law for 37 years, earning deep respect for his professionalism, dedication, and genuine care for his clients.



*David Anthony James McCarthy (LLB'95)*

*1969 - 2026*

Born and raised in Newfoundland, David was a proud Topsail boy who carried his roots with him wherever he lived. The second of four siblings, he drew lifelong strength from his family and from the bond of the "McCarthy boys," a brotherhood that defined him.

After earning a BA from Memorial University and an LLB from the University of New Brunswick, David built a successful legal career, eventually settling in the Waterloo region as a respected litigator. For over 20 years, Ontario became his surrogate home, where he formed deep friendships, embraced community life (and golf), and, most importantly, raised his family.



*Jane Ellen O'Neill, K.C. (LLB'96)*

*1971 - 2026*

[Jane] articulated with the Federal Court of Canada, and she clerked for the Honourable Michel Bastarache at the Supreme Court of Canada before joining McInnes Cooper, where she spent many years as a highly respected partner of the firm.

Jane was widely admired for her exceptional ability to analyze and simplify complex legal issues—an ability few could rival. She embraced her role as an advocate and was truly in her element when litigating on behalf of her clients.

While Jane influenced the outcomes of many significant legal cases, her greatest professional impact was on the people she mentored. Through her guidance, friendship, and generosity of spirit, she helped shape the careers of many lawyers. Never one for pretense or formality, Jane had a natural ability to lead and put people at ease. She rejected hierarchy and treated everyone with humility and respect.

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*Thanks to everyone who contributed to this issue*