

CAMPUS AND COMMUNITY PLANNING REFERRAL PROTOCOL FOR LEGAL SERVICES

February 13, 2019

Introduction

UBC Campus and Community Planning (“C+CP”) and the Office of University Counsel (“OUC”) have developed this protocol to direct and manage requests for legal services from C+CP to OUC (the “Protocol”). This Protocol aims to improve the quality of services received by C+CP from OUC by strengthening continuity of services, facilitating the development of higher levels of knowledge and understanding between OUC and C+CP.

General Principles

This Protocol was established to:

- provide C+CP with a single point of contact within OUC who is a subject-matter expert in areas relevant to C+CP and who is aware of all matters being handled by OUC for C+CP; this will enable C+CP to receive coordinated and consistent services from OUC;
- set out a communication plan between C+CP and OUC regarding ongoing matters handled by OUC in connection with C+CP;
- allow C+CP to prioritize legal services it is receiving from OUC in accordance with its needs;
- develop a reciprocal understanding between C+CP and OUC about their respective operations in order to ensure that efficient services are provided to C+CP and that scarce institutional resources are used effectively and efficiently; and
- create processes within C+CP to vet and potentially resolve legal matters before they are escalated to OUC, allowing C+CP to build on previous knowledge acquired through its work with OUC and ultimately better equipping C+CP to manage its own affairs.

The Protocol

1. OUC’s primary contacts in C+CP are, depending on the nature of the problem, the:

- Associate Vice-President, C+CP;
- Director of Planning, Development Services;
- Director, Planning and Design;
- Director, Community Development;
- Director, Sustainability and Engineering;
- Director, Campus Planning and Development, Okanagan campus and
- Manager, Policy Planning

(each a “C+CP Contact”, and together the “C+CP Contacts”).

2. In order to ensure that the leadership within C+CP is aware of all matters that require the involvement of OUC, where a member of C+CP (the “Member”) believes that the Member needs

legal advice or assistance, the Member should first approach one of the C+CP Contacts to discuss the matter.

3. If possible, to facilitate greater control over the use of legal services, the C+CP Contact should draw on the C+CP Contact's knowledge, experience, and previous work with OUC to provide the Member with direction that may avoid the need to refer the matter to the OUC.
4. If the C+CP Contact determines that the matter should be referred to OUC, the C+CP Contact will refer the matter to the Contact Lawyer (as defined below).
5. C+CP will establish these internal communication and escalation processes with the goal of ensuring that the leadership within C+CP maintains visibility in respect of the legal matters being handled by OUC for C+CP.
6. C+CP's primary contact in OUC is Chelsea Thompson (the "Contact Lawyer"). The Contact Lawyer's email is chelsea.thompson@ubc.ca and her telephone number is 604-822-5500. The Contact Lawyer may involve other lawyers in OUC or externally, as necessary.
7. After the C+CP Contact has engaged OUC on a matter, the Contact Lawyer and the C+CP Contact will decide on the appropriate communications channels. To ensure that the C+CP Contact remains engaged in the matter and can provide additional instructions, the C+CP Contact and, if appropriate, the remaining C+CP Contacts, will remain involved in the communications and be copied on all electronic messages, even if the communication with the Contact Lawyer is primarily through the Member.
8. If the C+CP Contact contacts a lawyer in OUC other than the Contact Lawyer, that lawyer will refer the matter to the Contact Lawyer.
9. The Contact Lawyer (or if the Contact Lawyer is unavailable, the University Counsel) may decide that it may be more appropriate for another lawyer to take carriage of the file. For example, the Contact Lawyer could be unavailable, or the matter could be time-sensitive or require particular expertise. In such cases, the lawyer who takes carriage of the file will brief the Contact Lawyer on the matter on an ongoing basis so that a single point of contact remains accountable for the legal services being provided to C+CP.
10. If someone other than the C+CP Contact contacts the Contact Lawyer or any other member of OUC, the Contact Lawyer or other OUC member, as applicable, will refer such person to this Protocol.
11. The Contact Lawyer will meet with the Associate Vice-President, C+CP quarterly or as needed to discuss ongoing legal matters handled by OUC for C+CP, C+CP's priorities, and other matters that may require the assistance of OUC.



Hubert Lai, Q.C., University Counsel



Michael White, Associate Vice-President