

RISK MANAGEMENT SERVICES REFERRAL PROTOCOL FOR LEGAL SERVICES

March 1 _____, 2019

Introduction

Risk Management Services (“**RMS**”) and the Office of University Counsel (“**OUC**”) have developed this protocol to direct and manage requests for legal services from RMS to OUC (the “**Protocol**”). This Protocol aims to improve the quality of services received by RMS from OUC by strengthening continuity of services, facilitating the development of higher levels of knowledge and understanding between OUC and RMS.

General Principles

This Protocol was established to:

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

The Protocol

1. OUC’s primary contact in RMS is the Chief Risk Officer for UBC (the “**RMS Contact**”).
2. **In order to ensure that the leadership within RMS is aware of all matters that require the involvement of OUC, where a member of RMS (the “Member”) believes that the Member needs legal advice or assistance, the Member should first approach the RMS Contact to discuss the matter.**
3. If possible, to facilitate greater control over the use of legal services, the RMS Contact should draw on the RMS 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 RMS Contact determines that the matter should be referred to OUC, the RMS Contact will refer the matter to the Contact Lawyer (as defined below).

5. RMS will establish these internal communication and escalation processes with the goal of ensuring that the leadership within RMS maintains visibility in respect of the legal matters being handled by OUC for RMS.
6. RMS' primary contact in OUC is Mark Hulstein (the "Contact Lawyer"). The Contact Lawyer's email is mark.hulstein@ubc.ca and his telephone number is 604-822-4104. The Contact Lawyer may involve other lawyers in OUC or externally, as necessary.
7. After the RMS Contact has engaged OUC on a matter, the Contact Lawyer and the RMS Contact will decide on the appropriate communications channels. To ensure that the RMS Contact remains engaged in the matter and can provide additional instructions, the RMS Contact 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 RMS 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 RMS.
10. If someone other than the RMS 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 RMS Contact quarterly or as needed to discuss ongoing legal matters handled by OUC for RMS, RMS' priorities, and other matters that may require the assistance of OUC.



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Ron Holton, Chief Risk Officer