

FACULTY OF MEDICINE

REFERRAL PROTOCOL FOR LEGAL SERVICES

September 23, 2020

Introduction

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

General Principles

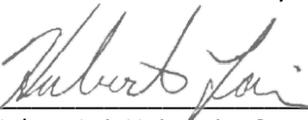
This Protocol was established to:

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

The Protocol

1. FoM’s primary contact in OUC is Kacey Krenn of Harris & Co (the “**Contact Lawyer**”). The Contact Lawyer’s email is KKrenn@harrisco.com and her telephone number is 604-891-2241. The Contact Lawyer may involve other lawyers in OUC or externally, as necessary.
2. OUC’s primary contacts in FoM are, depending on the nature of the problem, the:
 - Dean;
 - Vice Dean Academic;
 - Vice Dean, Education;
 - Vice Dean, Health Engagement;
 - Vice Dean, Research, and
 - Managing Director(each an “**FoM Contact**”, and together the “**FoM Contacts**”).

3. In order to ensure that the leadership within FoM is aware of all matters that require the involvement of OUC, where a member of FoM (the “**Member**”) believes that the Member needs legal advice or assistance, the Member should first approach the Member’s head of academic or administrative unit (the “**Unit Head**”) to discuss the matter.
4. If possible, to facilitate greater control over the use of legal services, the Unit Head should draw on the Unit Head’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.
5. If the Unit Head and Member are unable to resolve the issue, the Unit Head should refer the Member to the appropriate FoM Contact.
6. If the FoM Contact determines that the matter should be referred to OUC, the FoM Contact will refer the matter to the Contact Lawyer.
7. FoM will establish these internal communication and escalation processes with the goal of ensuring that the leadership within FoM maintains visibility in respect of the legal matters being handled by OUC for FoM.
8. After the FoM Contact has engaged OUC on a matter, the Contact Lawyer and the FoM Contact will decide on the appropriate communications channels. To ensure that the FoM Contact remains engaged in the matter and can provide additional instructions, the FoM Contact and, if appropriate, the remaining FoM 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.
9. If the FoM Contact contacts a lawyer in OUC other than the Contact Lawyer, that lawyer will refer the matter to the Contact Lawyer.
10. 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 FoM.
11. If someone other than the FoM 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.
12. The Contact Lawyer and the University Counsel will meet with the FoM Contacts quarterly or as needed to discuss ongoing legal matters handled by OUC for FoM, FoM’s priorities, and other matters that may require the assistance of OUC.



Hubert Lai, University Counsel



Dermot Kelleher, Dean, Faculty of Medicine