Honourable Don Scott  
Minister of Innovation and Advanced Education  
402 Legislature Building  
10800-97 Ave SW  
Edmonton AB  T5K 2B6

November 6, 2014

Dear Honourable Mr. Scott:

RE: Support of Advanced Education and University of Alberta Faculty of Law  
Market Modifiers Proposal

We have been provided with a copy of the proposal from the University of Alberta Faculty  
of Law requesting consideration of a market modifier adjustment. We appreciate the  
extensive background work that went into this proposal, and particularly note the efforts  
made to consult with the Law Students’ Association at the University of Alberta and to  
accommodate their concerns and arrive at a reasonable and balanced proposal. We also  
appreciate the effort made by the Faculty to engage Edmonton law firms, who are  
affected by the investment in legal education in this City and in the Province. In turn, the  
Branch Executive has discussed the proposal and the supporting materials internally and  
has received input from our Law Students Section.

The Alberta Branch of the Canadian Bar Association represents over 5500 members of the  
legal profession, including lawyers, judges and law students. On their behalf, we are  
writing to confirm the basic principles that we believe should inform the consideration of  
law school funding generally and this market modifier request in particular.

You may be aware that this past summer the Canadian Bar Association’s Legal Futures  
Initiative released a report entitled Futures: Transforming the Delivery of Legal Services in  
Canada (www.cbafutures.org). Innovation, choice and flexibility are the overarching  
themes of the Futures report; several recommendations in the report focus on how these  
values should be reflected in how we educate and train lawyers to meet the challenges of  
tomorrow.

If lawyers are to be properly equipped to respond to the changing legal services  
environment, they need access to quality legal education, especially experiential and  
practical learning and what the Futures report calls “translational knowledge”.  
Experiential learning is a key element of the investment plan proposed by the University  
of Alberta Faculty of Law, as is the provision of top instructors to deliver this  
programming.
The CBA Futures report also stresses that access to legal education is critical to populate and maintain a diverse and reflective legal profession. Amid concerns expressed during the Futures consultation that tuition and fears of student debt may limit socio-economic diversity in the student body and the legal profession, CBA is encouraged that the University of Alberta Faculty of Law’s market modifier proposal pledges to contribute 20% of the increased funds received toward student scholarships and bursaries, aimed particularly at low income students, students with dependents or from historically disadvantaged groups, or students who will commit to public service, rural or underserved areas of practice.

Further, CBA Alberta has advocated strongly for rigorous and expanded delivery of legal services in small communities. Through a collaborative project to encourage law students to consider placements outside of Alberta’s two large cities, CBA Alberta knows first-hand how important the work of the law school career officer is to recruitment in small town and rural practices. Investing in additional career services officers will ensure that these practices can continue to be presented as viable options for students.

The Futures report makes clear that legal education institutions must be prepared to adapt and change. Adequate funding is critical to give law schools the ability to innovate and flexibility and choice to deliver the best education to future lawyers while at the same time making that education affordable to a diverse population.

We ask you to keep these principles in mind as you consider the request from the University of Alberta for a market modifier adjustment.

Yours truly,

CANADIAN BAR ASSOCIATION
ALBERTA BRANCH

Steven N. Mandziuk, QC
President

cc. Doug Goss, QC, Chair, Board of Governors, University of Alberta
Dr. Paul Paton, Dean, Faculty of Law, University of Alberta
Siwei Chen, CBA Alberta North Law Students Section Co-chair
Lyndsay Butlin, CBA Alberta North Law Students Section Co-chair