

## **Remarks of the Honourable Chief Justice Robert J. Bauman**

**Trial Lawyers Association of British Columbia**

**2013 Bench & Bar Awards Luncheon**

**5 April 2013**

---

President Hori, Chief Justice Finch, Judicial Colleagues, Benchers, Distinguished Counsel, Doctors, Ladies and Gentlemen:

Thank you. I am very honoured to accept the 2013 Bench Award and I do so really on behalf of the judges of my Court who, in truth, deserve the recognition for their dedicated service to the citizens of British Columbia.

I thank the Trial Lawyers Association of British Columbia. This is a wonderful organization. You are clearly dedicated to educating your members and the public generally, not only through your excellent publication "The Verdict", but, as well, through your educational seminars. Importantly, I know that you are dedicated to mentoring young, and not so young, lawyers; to preserving the camaraderie of our profession. This Association and its members really represent so much that is good in lawyering.

And, we as lawyers, as you well know, are facing significant challenges these days: access to justice issues are daunting and potentially fatal to our profession as we know it. Similarly, public confidence in our profession and in its institutions, especially the Courts, is a continuing challenge.

Richard Susskind famously asked in his book: *The End of Lawyers?* It is today the very question we should ask ourselves. The willingness of government and the public to abandon lawyers and the Courts as the dispute resolvers of choice is startling and disturbing. As a profession if we are not accessible and accountable and importantly, seen to be, we risk the possibility of losing all relevance.

Now is a time for all of us to pull together; to remind our neighbours and our greater neighbourhoods that we are lawyers, members of a proud and caring profession. We are a critical profession in our respective communities.

The CBA - BC Branch is doing its part. You know their initiatives. I stress especially the Envisioning Equal Justice Summit taking place later this month. The TLABC is, I believe, doing its share as well. The Law Society, through initiatives like the paralegal pilot project, the expansion of the scope of practice for articling students and the unbundling of legal services, is doing its part as well. And the Courts of our province are doing their best to navigate these interesting times - visit our websites and you will see that we have just signed a Memorandum of Understanding with the Attorney General which seeks to define the responsibilities of the Executive and the Judiciary in managing the justice system in British Columbia. It is an important document and we hope that it will form a strong foundation on which to build a better justice system; a justice system which will serve the public interest and earn the confidence of all British Columbians.

Now is the time, I suggest, for all of us to wake-up, speak-up, and shake-up.

- Wake-up to the realities of these challenges;
- Speak-up about our value and our critical relevance in the lives of ordinary Canadians; and
- Shake-up our attitudes towards lawyering.

Wake-up; speak-up; shake-up.

How do we do it? I certainly don't have the answers but I have suggestions and they begin with rekindling some of the passion we all of us have had at one point in our careers as lawyers.

Then how do we do it?

- By renewing our dedication to serving the public as a learned profession.
- By embracing the possibility of change, while preserving our important and relevant traditions.
- By participating in the developing critical mass that is blossoming around the "access to justice" initiative nationally.
- By, and you do this so well, mentoring our young lawyers in the ethics and best practices of our profession.
- By never letting an opportunity pass to explain ourselves and our profession to an unfortunately incredulous and misinformed public.

- By continuing our long tradition of community service and involvement in the political life of our province and our country.

Over the next year, let's monitor our progress on these issues; on developing these attitudes. I invite you all to hold me, at least, to account for my contributions in the year to come.

Again, thank you very much for this award.

Robert J. Bauman  
Chief Justice  
Supreme Court of British Columbia  
5 April 2013