CAMPUS AND COMMUNITY PLANNING
REFERRAL PROTOCOL FOR LEGAL SERVICES

March 24, 2014

Introduction

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 the OUC, and ensure the best possible quality of service.

The goals of this Protocol are:
- the development of reciprocal knowledge and understanding within the OUC and C+CP;
- efficient and responsive service to C+CP; and
- effective use of scarce institutional resources.

This Protocol establishes:
- A single point of contact in the OUC who is a subject-matter expert in areas relevant to C+CP and is aware of all matters being handled for C+CP;
- Flexibility to utilize other lawyers in the OUC where appropriate;
- A process within C+CP for vetting, and potentially resolving, issues before the OUC is engaged;
- A communications plan for ongoing matters; and
- Regular meetings between the C+CP and OUC on general legal issues and priorities.

The Protocol

1. Michal Jaworski, Legal Counsel, is C+CP’s primary contact in the OUC. Michal will involve other lawyers in the OUC or externally, as necessary.

2. Michael White, the Associate Vice-President, C+CP is the OUC’s primary contact in C+CP. In the following sections, a reference to a Director means an individual holding one of the following positions:
- Director of Planning, Development Services
- Director, Planning and Design
- Director, Campus Programs and Animation
- Director, Sustainability and Engineering
3. Where a member of C+CP believes that he or she needs legal advice or assistance, he or she should first approach either the Associate Vice-President, or the appropriate Director, to discuss the issue.¹

4. If the Associate Vice-President/Director determines that legal advice is required², he or she will refer the matter to Michal or direct the member to do so on their behalf.

   (a) If Michal is contacted by a Director, Michal will presume that the Associate Vice-President is generally aware of the matter.

   (b) If Michal is contacted by a member of C+CP without the apparent knowledge of the Associate Vice-President or a Director, the matter will be referred back to the Associate Vice-President or the appropriate Director.

5. After the OUC has been engaged on a matter, communications will be between the appropriate individuals, on the basis that the Associate Vice-President/Director will remain involved and be copied on electronic communications (unless, otherwise directed by the Associate Vice-President/Director).³

6. Where any member of C+CP contacts a lawyer in the OUC other than Michal, that lawyer will generally refer the matter back to Michal, unless it would be more appropriate for another lawyer to take carriage of the file (for example, if Michal is unavailable, the matter is time sensitive, and/or particular expertise is required). In such cases, the lawyer with carriage of the file will brief Michal on the matter at the earliest opportunity and on an ongoing basis.

7. Michal and the University Counsel (Hubert Lai) will meet with the Associate Vice-President quarterly or as needed to discuss ongoing legal matters and priorities for C+CP.

¹ The presumption is that if a matter is important enough to require the involvement of the OUC, it is important enough that the Associate Vice-President, or the appropriate Director, is aware of it as well.

² The Associate Vice-President or Director is expected to draw on his or her knowledge and experience to provide the member with direction that may avoid the need for legal advice/services.

³ The purpose of this is to ensure that the Associate Vice-President/Director remains engaged in the matter and can provide additional instructions, if required.