

# INFORMATION TECHNOLOGY REFERRAL PROTOCOL FOR LEGAL SERVICES

September 25, 2020

## Introduction

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

## General Principles

This Protocol was established to:

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

## The Protocol

1. OUC's primary contacts in IT are, depending on the nature of the problem, the:
  - Chief Information Officer and Associate Vice-President, Information Technology;
  - Deputy Chief Information Officer;
  - Director, Digital Delivery & Solutions;
  - Director, Engagement Services; and
  - Chief Information Security Officer.(each an "IT Contact", and together the "IT Contacts").
2. **In order to ensure that the leadership within IT is aware of all matters that require the involvement of OUC, where a member of IT (the "Member") believes that the Member needs legal advice or assistance, the Member should first approach the Member's head of administrative unit (the "Unit Head") to discuss the matter.**
3. 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.

4. If the Unit Head and Member are unable to resolve the issue, the Unit Head should refer the Member to the appropriate IT Contact.
5. If the IT Contact determines that the matter should be referred to OUC, the IT Contact will refer the matter to the Contact Lawyer (as defined below).
6. IT will establish these internal communication and escalation processes with the goal of ensuring that the leadership within IT maintains visibility in respect of the legal matters being handled by OUC for IT.
7. IT's primary contact in OUC is Paul Hancock (the "Contact Lawyer"). The Contact Lawyer's email is paul.hancock@ubc.ca and his telephone number is 604-822-2451. The Contact Lawyer may involve other lawyers in OUC or externally, as necessary.
8. After the IT Contact has engaged OUC on a matter, the Contact Lawyer and the IT Contact will decide on the appropriate communications channels. To ensure that the IT Contact remains engaged in the matter and can provide additional instructions, the IT Contact and, if appropriate, the remaining IT 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 IT 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 IT.
11. If someone other than the IT 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 will meet with the IT Contacts quarterly or as needed to discuss ongoing legal matters handled by OUC for IT, IT's priorities, and other matters that may require the assistance of OUC.

  
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