

DEVELOPMENT AND ALUMNI ENGAGEMENT REFERRAL PROTOCOL FOR LEGAL SERVICES

January 18, 2024

Introduction

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

General Principles

This Protocol was established to:

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

The Protocol

1. DAE’s primary contacts in OUC are:

- Erika Brimacombe (erika.brimacombe@ubc.ca or 604-822-2451) for privacy-related matters;
- Liz Moxham (elizabeth.moxham@ubc.ca or 604-827-4421) for endowment, estate, and tax-related matters; and
- Matthew Murray (matthew.murray@ubc.ca or 604-307-5543) for gift, sponsorship, and grant agreements that do not involve endowment funds, as well as any other Development-related matters.

(each, a “**Contact Lawyer**”)

2. OUC’s primary contacts in DAE are, depending on the nature of the request, the:

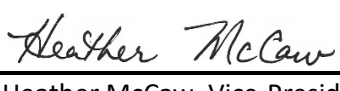
- Associate Vice-Presidents;
- Executive Directors; and
- Managing Director, Advancement Services.

(each, a “**DAE Contact**”).

3. In order to ensure that the leadership within DAE is aware of all matters that require the involvement of OUC, where a member of DAE (the “**Member**”) believes that legal advice or assistance is needed, the Member should first approach the Member’s Director, Senior Director or Assistant Dean (each, a “**Unit Leader**”) to discuss the matter.
4. The Unit Leader should draw on the Unit Leader’s knowledge, experience, and understanding of previous advice from OUC to provide the Member with direction as appropriate.
5. If the Unit Leader and Member are unable to resolve the issue, the Unit Leader should refer the Member to the appropriate DAE Contact.
6. If the DAE Contact determines that the matter should be referred to OUC, the DAE Contact will refer the matter to the Contact Lawyer.
7. DAE will establish these internal communication and escalation processes with the goal of ensuring that the leadership within DAE maintains visibility in respect of the legal matters being handled by OUC for DAE.
8. After the DAE Contact has engaged OUC on a matter, the Contact Lawyer and the DAE Contact will decide on the appropriate communications channels, which may include the relevant Member or Unit Leader engaging directly with the Contact Lawyer. To ensure that the DAE Contact remains engaged in the matter and can provide additional instructions they will remain involved in the communications and be copied on all electronic messages.
9. If the DAE 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 is more appropriate for another lawyer to take carriage of the file. For example, the relevant 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 relevant 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 DAE.
11. If someone from DAE other than a DAE 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 DAE Contacts will meet quarterly or as needed to discuss ongoing legal matters handled by OUC for DAE, DAE’s priorities, and other matters that may require the assistance of OUC.



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Heather McCaw, Vice-President,
Development and Alumni Engagement