

REFERRAL PROTOCOL FOR LEGAL SERVICES

July 4, 2024

Introduction

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

General Principles

This Protocol was established to:

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

The Protocol


1. OUC’s primary contacts in FoM are, depending on the nature of the problem, the:
 - Dean;
 - Vice Dean Academic;
 - Vice Dean, Education;
 - Vice Dean, Health Engagement;
 - Vice Dean, Research, and
 - Managing Director(each an “**FoM Contact**”, and together the “**FoM Contacts**”).
2. In order to ensure that the leadership within FoM is aware of all matters that require the involvement of OUC, where a member of FoM (the “**Member**”) believes that the Member needs legal advice or assistance, including for review of contracts or other agreements, the Member should first approach the Member’s head of academic or administrative unit (the “**Unit Head**”) to discuss the matter.
3. The Unit Head should draw on their knowledge, experience, and understanding of previous work with OUC to provide the Member with direction as appropriate.

4. If the Unit Head and Member are unable to resolve the issue, the Unit Head should refer the Member to the appropriate FoM Contact.
5. If the FoM Contact determines that the matter should be referred to OUC, the FoM Contact will refer the matter to the Contact Lawyer (as defined below). The Contact Lawyer may involve other lawyers in OUC or externally, as necessary.
6. FoM will establish these internal communication and escalation processes with the goal of ensuring that the leadership within FoM maintains visibility in respect of the legal matters being handled by OUC for FoM.
7. FoM's primary contacts in OUC are:
 - Kacey Krenn (KKrenn@harrisco.com or 604-891-2241) for education/academic, policy, discipline, human rights, and litigation matters; and
 - Matthew Murray (matthew.murray@ubc.ca or 604-307-5543) for non-research contracts and agreements, as well as any other FoM matters.

(each, a "**Contact Lawyer**")

8. After the FoM Contact has engaged OUC on a matter, the Contact Lawyer and the FoM Contact will decide on the appropriate communications channels. To ensure that the FoM Contact remains engaged in the matter and can provide additional instructions, the FoM Contact and, if appropriate, the remaining FoM 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 FoM 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 FoM.
11. If someone other than the FoM 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 Lawyers and the University Counsel will meet with the FoM Contacts quarterly or as needed to discuss ongoing legal matters handled by OUC for FoM, FoM's priorities, and other matters that may require the assistance of OUC.


Hubert Lai, K.C., University Counsel


Dermot Kelleher, Dean
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