

News

Moves

■ **Josh Rosen** has joined *Goldman, Sloan, Nash and Haber* as an associate. He practises corporate/commercial law and commercial leasing. Rosen was called to the Ontario Bar in 2014.

■ A number of new associates joined intellectual property and technology law *Smart & Biggar* at various locations. In Ottawa, **Nicole Vidinu** practises trademark law, including the preparation, filing and prosecution of trademark applications and performing registrability and availability searches for clients located in Canada and internationally. **Kendra Caan** focuses on assisting clients with obtaining Canadian patents in the areas of life sciences, biotechnology, medical diagnostics and pharmaceuticals. Caan obtained her PhD in biochemistry and medical genetics from University of Manitoba in 2007. In Montreal, **Renaud Garon Gendron** focuses on litigation in all areas of intellectual property law, primarily in the fields of trademarks, patents and copyright and media. **Julien Verneau** practises in intellectual property has a particular emphasis on patent and trademark prosecution, licensing and intellectual property management and intellectual property litigation in the fields of patents, trademarks and copyright. He obtained his PhD in chemical engineering from the University of Waterloo in 2007. **Michael Ionescu** focuses on filing and reviewing patents. In Vancouver, **Artemis Lai** focuses on patent prosecution and drafting in mechanical, electrical and computer-based technologies and also involves trademark applications, litigation and licensing.

Picturing a broader legal medium

ANN MACAULAY

If it's true that a picture is worth 1,000 words, imagine what a video could be worth. That's the concept Osgoode Hall Law School will explore as it launches its new Fund for Innovation in Law and Media (FILM) to develop and deliver new visual advocacy approaches in the justice system.

Experiential legal education programs will be created at the school, focusing on using visual advocacy for social justice issues, educating the public about the law and the legal process and enhancing dispute resolution.

Osgoode Hall dean Lorne Sossin, said FILM's mandate is "to explore the frontiers of how visual media can improve and enhance the justice system, make it more accessible, make it more effective, make advocacy more compelling and ultimately modernize how we think about justice and advocacy in ways that reflect other changes in society."

Law has been one area particularly resistant to change, Sossin added, "So we're hoping this opens up that conversation about what change looks like, what its implications might be, what its potential might be."

He pointed out that legal advocacy is practised much the same way in 2015 as it was in 1915, using written, numbered paragraphs in submissions, briefs and factums. But as technology has evolved, "the idea that law should remain largely a written enterprise in the exact same way, resistant to the transformation that's going on around us, is a puzzling one. How do you embrace the same kinds of evolutionary and revolutionary change that's going on in the rest of society in how we engage in advocacy?"

A key inspiration for using video came from first-person narratives during the Truth and Reconciliation Commission, said

Sossin. They "immediately show the impact of what visual advocacy could be all about." As he watched them, "the first question that came to my mind is why isn't all advocacy about this? This is exactly what reaches people, what's persuasive, what's compelling, what's meaningful in ways that a number of paragraphs I think really can't convey."

The initial FILM project to explore what Sossin describes as the "intersection between law and visual media" is the Gladue Documentary Project, which involves the creation of several five-minute video profiles of aboriginal offenders by award-winning filmmaker Lisa Jackson.

FILM's documentary-style videos will be plain, with minimal editing and no musical score. They are meant to supplement written Gladue reports in the sentencing process for those accused of victimless crimes in cases where there is collegiality between the Crown and defence and no major sentencing submission discrepancies, said Jackson.

Each day-in-the-life video will portray an accused offender and the people in his or her life, including family members, friends and legal workers. The idea is to portray "a sense of the offender's life beyond what you could maybe glean from a written report — or from a very, very nervous person in front of you in the courtroom," said Jackson.

While sitting in on Toronto's Gladue Court, Jackson was "struck by how challenging communication with the offender is in the context of a courtroom, even when the judge's communication skills and commitment to hearing the offender's point of view are exemplary. And one thing I know a lot about as a documentary filmmaker are the subtleties of making people feel comfortable and safe to talk freely about their lives, person by person.



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Lorne Sossin
Osgoode Hall Law School

"I've had the privilege of listening to scores of personal stories, many of them painful or traumatic. And even small disruptions, such as a crew member fussing with a light or my attention wandering for a moment, and the safe environment for communication can be lost."

Since the Gladue process requests that courts "bridge the gap in order to understand the unique circumstances of each aboriginal offender, video — though not an unproblematic medium — could provide a more complete picture of an offender's life," according to Jackson.

Another upcoming FILM project at Osgoode Hall will feature supervised, student-produced legal information videos for the public. The Justice Video Information Project will be developed in partnership with other non-governmental organizations and justice-sector providers.

Sossin is enthusiastic about the potential for future FILM projects. He said one idea involves creating a visual advocacy clinic for students. Another idea is similar to American clinical programs in which documentaries are used in the victim impact process and the criminal justice system.

"The minute we start exploring where would we be able to enhance the advocacy process through visual media, I think the more you scratch at that, the more opportunities and potential you find," said Sossin. "So we hope this is really the leading edge of a transformative moment in the Canadian legal system as we move from a primarily paper-based and oral model of advocacy to one that combines oral and visual in new ways that are completely intuitive with all the rest of our lives."

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