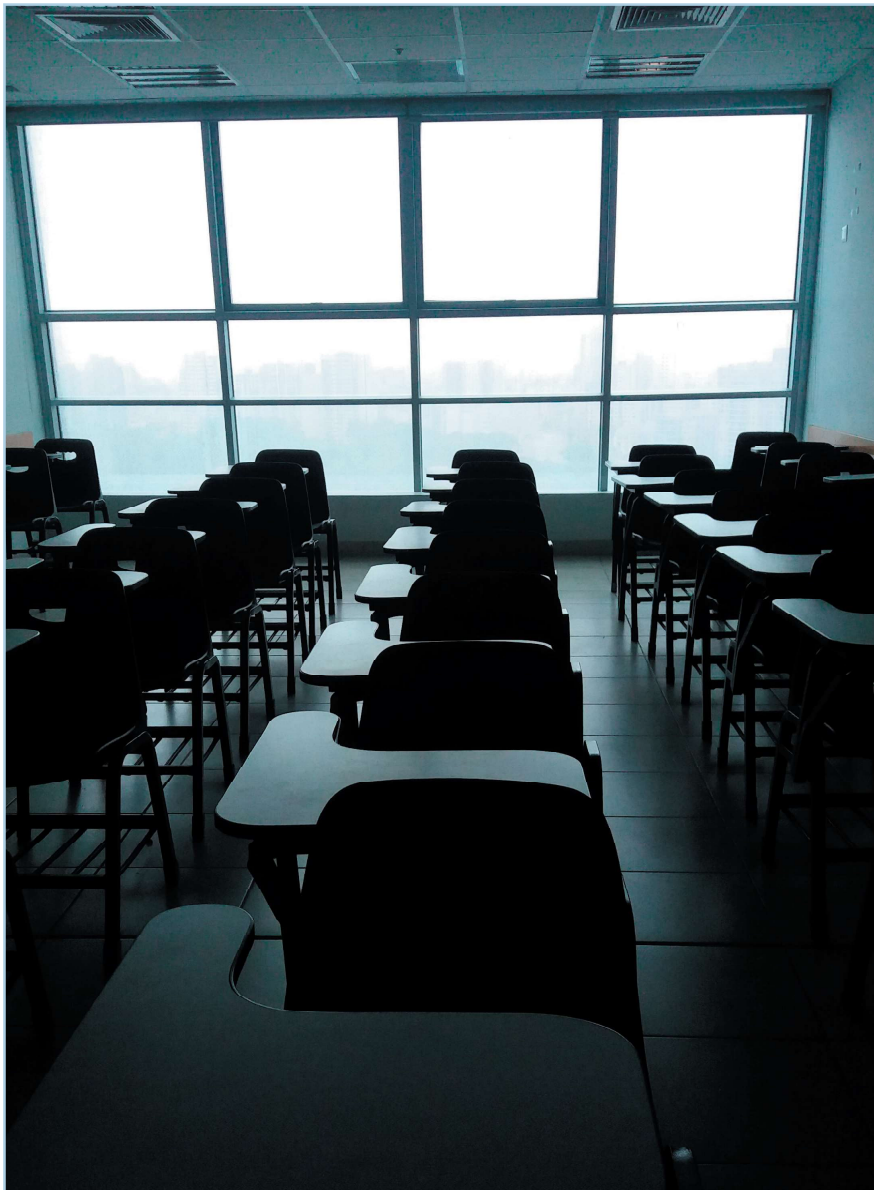


WELDON

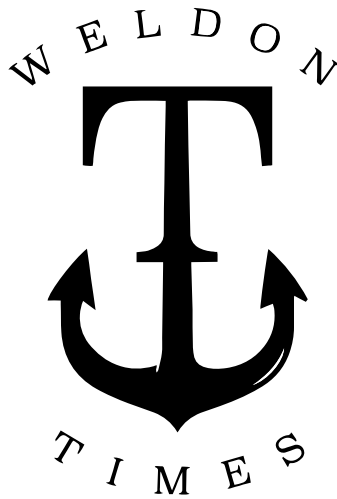
QUARTERLY

Winter 2022

Since 1975



A publication of the Weldon Times



The Weldon Quarterly is written and published by the law students of Dalhousie University.

Editors-in-Chief

Zainab Adejumobi & Tiffiany Ward

Business & Advertising Manager

Madison Ranta

Graphic Design & Layout

Alexandra Fox

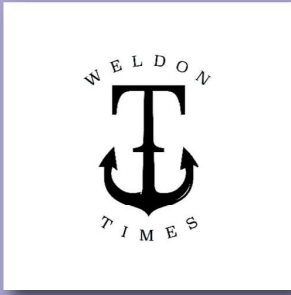
Photographers

Syameena Pullai

Contributors

<i>Tiffiany Ward</i>	<i>Leandra Bouman</i>
<i>Zainab Adejumobi</i>	<i>Shaniqwa Thomas</i>
<i>Syameena Pillai</i>	<i>Madison Ranta</i>
<i>Madeline Heink</i>	<i>Jordan Upton</i>
<i>Liz Marr</i>	<i>Noah Brownstone</i>
<i>Lan Keenan</i>	





Happy Winter, Weldon!

Tiffany Ward 2L

Happy Winter, Weldon!

Well. It has been a time, hasn't it? Life at Weldon continues to be a roller coaster.

The year started so smoothly – Together Again at Weldon like we had all hoped to be. We had In-person classes, events, DOMUS, and we felt the regular law school experience...

But that was to be short-lived – *Cue Twilight Zone theme song*

First, the flooding of the Weldon building happened and then there was a resurgence of Covid with the Omicron variant. Classes were first moved to either new locations or online, and then suddenly we had a pivot back to online exams. We found ourselves reliving last year's unprecedented online life at Weldon.

It even forced us here at the Weldon Times to postpone our Winter edition – usually issued in mid-December until now.

Excuse me, sir, I would like to get off this ride, please.

January has been another challenge as we found ourselves back to full-time online – but there is hope!

In-person classes returned for 1Ls on the 31st of January and upper years on February 7. Though most of those classes are not in Weldon as Weldonites permeate the four corners of Dalhousie – classes are being held just about anywhere space exists.

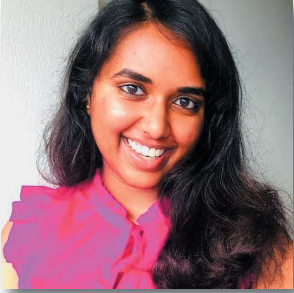
Mind you, there are still some classes that will remain online, and some other unexpected results – 2L Moots were all via Zoom, and it appears that most if not all of the upper-year short courses are online as well. But 1L Moots are in person, which is a solid opportunity for these students to get the comprehensive experience that many upper years have not.

Though not the finale to this year that we all hoped we'd have – we're not home in Weldon, we're not all together, but at least we can see and engage with one another in our classrooms and our societies and groups. Let's make the most of it!

-Tiff Ward



How it started



The Schulich School of Law looked a little different in January 2022, when Dalhousie announced a virtual delivery of classes and the Weldon building flooded. Students were forced to learn the law from coffee shops, apartments, library rooms, and couches. However, being in the profession that we are in, we were forced to be resilient and overcome the challenges of “learning” in a virtual environment. Online classes tried their best to simulate real-life classrooms, and students powered through every technical challenge, muted speaker, broken cameras, and blurry pictures.

-Syameena Pillai 1L



How it's going



We hope you enjoy this Winter Issue of the Weldon Times. Special thanks to our amazing contributors, fantastic contributions from the Dalhousie Black Law Students' Association and the Dalhousie Legal Aid Clinic, and our wonderful photographer Syameena Pillai. We look forward to our next issue, expected in late March. If you have an article you would like to submit, please contact us at weldontimes@dal.ca.

We are also developing some Weldon Times merch featuring our fantastic logo - stay tuned or get in touch for details.

Zainab & Tiff



Celebrating Black Achievement

Leandra Bouman 2L, and Shaniqwa Thomas 3L

Black History Month is an important time to acknowledge the barriers that Black people face due to deep-seated racism and colonialism. With that being said, in reflecting on these challenges, we at the Dalhousie Black Law Students' Association (DBLSA) would also like to celebrate our current students and alumni as well as highlight the fact that members of our communities continue to make strides in spite of everything.

For instance, Family Court Judge Corrinne Sparks retired at the end of 2021, after 34 years of service, with the distinction of being the first African Nova Scotian judge appointed in the province. She will continue to play an important role in our legal system, as a commissioner and adjudicator for issues of land title in historic African Nova Scotian communities. DBLSA continues to honour her spirit of leadership and community service by annually giving an award in her name to a student who embodies those qualities.

Another Schulich School of Law alumna, and a graduate of the Indigenous Black and Mi'kmaq Initiative, Angela Simmonds, was elected as MLA for Preston in the 2021 provincial election. She was selected as one of two deputy Speakers of the House and is the first Black woman to take on this role. She currently sits in the House of Assembly with three other Black MLAs, Suzy Hansen, Ali Duale and Tony Ince. This in itself is another record and achievement.

The Schulich School of Law has also made tangible progress in advancing the cultural awareness of its student population, with the input of some of DBLSA's members. It will now be required that all incoming students complete a Critical Race Theory course. Additionally, the law school is supporting an initiative to re-establish the Julius Alexander Isaac Moot for students interested in delving into critical race approaches to the law. These steps, we know, will aid in shaping the Weldon environment and

academics. Further, they will transcend to positively affect the legal profession and, by extension, our society for the better.

These are but a few examples of what is possible through commitment and meaningful allyship. Amongst these visions of success, we need to continue to make efforts in society to create a brighter future. On that note, we would like to remind anyone in need that there are resources to help. For example, students faced with anti-Blackness in any form can always reach out to Dalhousie's Black Student Advising Centre or to DBLSA, as we have contacts in the broader community who may be able to offer assistance in difficult times.

“Amongst these visions of success, we need to continue to make efforts in society to create a brighter future.”

Contact information for DBLSA:

Email: dblsacontact@gmail.com

Facebook: Dalhousie Black Law Student Association

Instagram: @dblsa



We've Already Dipped Our Toes In: Part one to the three-part series on trauma-informed learning at the Schulich School of Law.

Madeline Heinke 1L

Across three pieces, I'll be discussing one of the most important changes being made to the way professors communicate material, shape their classrooms, and equip students with tools for their future legal careers. This first piece will focus on what's been done so far, while the next two will give a glimpse of what is going on now and where we hope to go in the future with trauma-informed learning.

In my first year, I began to worry about learning certain issues in law school. Classes can contain sensitive material that could touch on different trauma students live with. I feared that as future lawyers, we would be expected to have 'tough skin' when handling this material. Treat the content objectively and neutral, just like the law does.

There's a glaring problem with that approach. It denies the real human experiences not only behind the law we study, but also the very subjective perspective we have as learners. Fortunately, I was not the only one who took issue with ignoring this reality.

Before she became LSS VP Executive, Grace Mangusso (2L) was a first-year section rep. After her class completed the sexual assault topic, students approached her to share how they felt uncomfortable with an in-class experience. Students from another class shared they disclosed personal experiences for their perspectives to be heard in the class discussion. "Unfortunately," Grace recognized, "there was nothing in place to prevent that from happening."

This past summer, Grace had an opportunity to change that. Working in the Dean's office, Grace was asked to compile an introductory report for faculty use on trauma-informed learning in the legal context. She created a survey asking faculty members to answer what they knew about the practice. The responses communicated an overwhelming curiosity to learn more and genuine honesty in acknowledging they didn't know where to start. By the end of the summer, the introductory report detailed suggestions and resources professors could use to integrate trauma-informed learning into their classrooms. Its impact

was so significant, it transformed the mandate of the Schulich Teaching & Teaching Evaluation Committee for the coming year.

This year, getting on the path to trauma-informed learning is the Committee's priority. In the Fall, they hosted a discussion with the faculty where they had honest conversations about this practice. The faculty talked through concerns and challenges in applying this learning to the legal context. Professor Acharya, Chair of the Committee, remarked she was amazed by the candor which marked the discussion.

I asked Professor Acharya if one of the concerns brought up was the same worry I had. Speaking from her own experience teaching Alternative Dispute Resolution, she emphasized teaching law and trauma-informed learning does not need to be in tension. Rather, by combining these two practices professors can support students in building resilience by teaching with an ethic of care.

All signs point to Schulich having dipped its toes in to a vast and deep topic that will bring about change in how professors interact with students. The work which has already been done so far is incredible, but only introductory. Diving-in is the next step.

“All signs point to Schulich having dipped its toes into a vast and deep topic that will bring about change in how professors interact with students.”



Hustled Reviewed: Why You Should Always Tip Your Couriers

Liz Marr 1L

When most people think of food couriers, they picture people buzzing down the streets on bicycles, working flexible hours, and making money fast. The podcast *Hustled*, hosted by Toronto Star journalist Sara Mojtehdzadeh, challenges this impression and gives us a glimpse into the reality of Canada's gig economy as couriers at food delivery service giant Foodora, attempt to unionize. In reviewing the podcast, I will first consider Mojtehdzadeh's own experience as a food courier to highlight the rationale for unionizing, consider the hurdles workers faced in doing so, and make reflections on what Foodora's eventual withdrawal out of Canada tells us about the gig economy at large.

Mojtehdzadeh entered the scene at the moment when Foodora couriers were in the process of unionizing. When Mojtehdzadeh signs up to become a courier herself, we follow along as she makes deliveries. The first shock is how little workers make on the job. After almost four hours of working, she makes \$48.61 (including a rare \$20 tip) *before* expenses. Mojtehdzadeh also discovered the work isn't as flexible as it claims – only seasoned couriers get first pick at weekly shifts. Also, while Foodora offers a choice between biking and driving, neither are favourable. Biking can offer the convenience of parking but can be physically strenuous and downright dangerous, and driving, while it can lead to picking up higher paying orders, the profit is offset by the cost of gas and commercial insurance.

Average income evaporates if you get sick, hurt on the job, or if there are dangerous driving conditions that render you unable to work. While employment insurance (EI) would usually cover this loss of income, couriers, like other independent contractors, often do not receive EI. The COVID-19 pandemic only peeled back another layer of precarity as Foodora did not provide personal protective equipment, nor enforce other changes to offer any level of protection to its workers. The only changes it made was to expand its business model to allow pickup of other essentials, including pharmaceuticals – one worker reported delivering “cold and flu medication” to apartments.

A scorecard is often relied on administrative tribunals to determine whether a worker is an independent contractor or employee. One criterion relates to supervision – does the company control and supervise the work? In Foodora's case, couriers are supervised through the app and are reprimanded for “bad” behaviour as slight as having a phone battery die on the job. This is one example of Foodora emulating employee status to maintain uniform across deliveries all while keeping their workers labelled as independent contracts because it is more profitable.

Throughout the podcast, Mojtehdzadeh addresses the common “get another job” rebuttal. The unfortunate reality is that sometimes this is the only job available – especially in a pandemic. Besides, one's reason to work as a food courier is ultimately not relevant to the fact that forming a union would allow workers to level the playing field with the employer and lead to increased security and fixed wages, as it has for food couriers in Norway, for example.

Moreover, the nature of the food delivery industry is unique in that workers must establish they are employees, not independent contractors first *and* there is no location where deliverers can physically meet each other and discuss collective arrangements. This barrier was exacerbated by COVID-19, which made physical meetups impossible at a critical time – right as the Ontario Labour Board established couriers were employees and able to unionize.

In the end, these obstacles didn't matter; the fight was already over. Despite its growth in the pandemic, Foodora pulled out of Canada in August 2020. The irony of this move is that it is symbolic of the gig economy's hands-off policy. Luckily, not all was lost. As Mojtehdzadeh points out, janitorial services, airport workers, and drivers are just a few of the jobs that follow a similar business model. The Labour Relations Board's decision to side with couriers is still a historic move to be considered in decisions, such as the *Heller v Uber* case.



Have You Tried These Law School Hacks Yet?

Zainab Adejumobi 2L

Use these technologies to make your law student life a bit easier

Wordtune - Wordtune is an app that uses Artificial intelligence technology to rewrite sentences to make them sound more concise. The software lets you shorten sentences, lengthen them, and change the tone from informal to formal. This app has a limited free version, but the paid version has several features. This app is specifically helpful for law students who are writing a paper, Legal Research and Writing (LRW) students who need to edit a memo, etc.

The case summary feature on Lexis Nexis or Vlex - Granted, there are many cases to read in law school. It is easier to read a case when you know where the case is going. Case summaries help to give you a solid highlight of the most important material. The case summaries on Lexis Nexis are a helpful feature. Whenever a case summary on Lexis Nexis is too lengthy, try looking for the same case on Vlex - they tend to have shorter summaries.

The copy citation feature on Lexis Nexis - Citation using the McGill format does bring its own level of stress. Lexis Nexis has a "copy citation" feature on cases, some articles, etc., which lets you copy the citation for the document. A good tip here is to copy the citation, then check it for accuracy using the McGill 9th edition citation guide and edit it where it is off. This method should save you some time.

Speechify - Speechify is a text-to-speech app that can read pdfs, word documents, etc. Whenever you get eyestrain from looking at the computer, you can use speechify to listen to your readings on audio. If you are the sort of person that can listen to audio files while doing something else, then this would be particularly helpful. Imagine listening to your readings while putting on your makeup or cleaning your room.

Google images & Google maps - Okay, I admit, this suggestion might seem a bit random. However, words on text are often just that sometimes, words on text. Being able to search images of the places mentioned

in readings or find exact addresses with google maps, makes the readings come alive a bit more. Additionally, this can give your eyes a break from constantly staring at texts.

Use these apps to achieve some work-life balance

Instacart - If you spend too much time grocery shopping, then Instacart is for you, it will allow you to select what you want to buy, and a delivery person would deliver them to your door. The downside though, is that there is a service charge.

Supercook - YouTube video recipes are awesome but many a time, the cook includes ingredients you do not have at home. Supercook is a free app that searches the internet for recipes and makes recommendations on what you can make based on the ingredients you have. You input the name of the ingredients you have, and the app does the rest. The app also segments what you can make based on meal types.

Purple - Looking for what to wear? Purple is an app that can tell you what to wear for the day, based on the clothes you have. You input a picture of each of your clothes on the app + answer some questions about them, and it can automatically suggest clothing combinations for you. You can reject, accept, and even save their recommendations on the app.

TAO - Therapy Assistance Online (TAO) is an app that is paid for by Dalhousie. As law students, we have access to this app through the school. The app has several videos that speak on how to deal with anxiety, stress, etc.

Daylio - Daylio is a journaling app that makes it easy to journal your day. The app uses icons to allow you to log how you have spent your day, and what you have done to relax. The app lets you take a picture to go with your entry, and it keeps track of your mood throughout the days.



Bennett Jones

Explore | Engage | Learn

Developing Future Leaders in Law.

BennettJones.com/Students



Encouraging a Hybrid Model at Schulich Law

Lan Keenan 1L, Vice President of Finance, Schulich Disability Allies

When the pandemic began in March of 2020, it turned the world upside down. Multiple new challenges presented themselves to university staff and students globally. As the situation has evolved, it has only grown more evident that the 'pre-covid world' as we knew it, is gone. The first year of the pandemic brought innovative and creative solutions from universities in attempts to engage and retain student populations during a mostly online academic year. However, these innovations and temporary solutions were largely discarded by several universities, including Dalhousie in September 2021.

The emergence of digital-format classes has been beneficial for many university students, particularly those living with chronic illnesses and other disabilities. Students with disabilities were often denied accommodations that then became available during the 2020-2021 academic year, when COVID-19 had first resulted in closure of universities. Types of accommodations that were made available to the overall Dal population during the pandemic and were discontinued this fall include being able to attend: all meetings, office hours and classes, virtually, asynchronous course options, digital format exams, access to recorded lectures, and auto-generated transcripts to lectures (in real time). This list is not exhaustive but should demonstrate many of the barriers present in the pre-COVID-19 university structure. The current lack of accessible options in classrooms is creating an unequal education system between students who are able-bodied and those with disabilities.

The response of Canadian universities to the COVID-19 pandemic demonstrated how quickly and effectively institutions can adjust and foster learning in alternative ways. Dalhousie's return to strictly in-person only classes this fall, reintroduced many barriers to inclusive education, that had been improved last year.

A hybrid model makes lectures accessible for students who are struggling or unable to attend in-person lectures. Readily available technologies (laptops, Zoom, and Microsoft Teams) can allow for in-person

and online education to exist concurrently. To move toward fostering a more inclusive educational environment, a cohesive and comprehensive hybrid education model should become the new standard approach to university education. Dalhousie University and Schulich Law have failed to provide hybrid-model classes to accommodate students with disabilities. Yet, when situations arise when the majority of the student population require such accommodations, such as our building sustaining damage or surges in COVID-19 cases, the university administration once again has no trouble shifting the classroom model back to online.

Regressing without learning from the experience demonstrates a lack of commitment to improving accessibility within our law school and the legal profession. Schulich Law's decision to operate exclusively in-person, blatantly ignores the needs of students with disabilities. The available data demonstrates the benefits of hybrid models in expanding accessibility within universities. Adapting a hybrid model will foster accommodating and inclusive learning environments. Implementing a hybrid model at Schulich law will alleviate disadvantages faced by law students with disabilities. Schulich's inaction reinforces the prolonged ableism within the legal profession and the prolonged discrimination faced by law students with disabilities.

“The emergence of digital-format classes has been beneficial for many university students, particularly those living with chronic illnesses and other disabilities.”



A Clinic for All Seasons: Summer, Fall and Winter Term Students Reflect on their Semesters at the Dalhousie Legal Aid Clinic

Madison Ranta (3L), Jordan Upton (3L),
and Noah Brownstone (3L)

Winter Term 2022: Madison Ranta

I knew from my first year at Dal law that I wanted to spend a semester working at the school's legal aid clinic as a 3L. Law school courses teach you the necessary fundamentals of law – how to determine the division of family property during a divorce proceeding, different approaches for getting hearsay admitted as evidence, the process for appealing an administrative decision. That being said, I would argue that law school does little to prepare students for many of the realities they will face as a practicing lawyer – how to manage your clients, how to appear before a judge, how to draft legal documents.

This is where the clinic steps in. The past three weeks have seen the latest cohort of clinic students participate in seminars and simulations on interviewing and counselling skills, negotiation skills, direct examination and cross-examination, family law, and youth criminal law, among others. Prepared with training on how to ask good questions and be an effective advocate, students are paired up with supervisors on a variety of active files to assist in moving their cases forward. I've been assigned to work alongside clinic staff on files related to residential tenancies issues, child support, child custody, and more.

I feel that my semester spent working at the clinic will better prepare me for life as an articled clerk and practicing lawyer after graduation. More importantly, it also allows me to lend my energy and efforts towards helping some of the most marginalized people in the Halifax community through some of the most difficult situations in their lives.

I've been fortunate to connect with numerous Dal law alumni during my past two summers working on Prince Edward Island. Many of them had completed a semester at the clinic during their time as students, and all of those who did had nothing but positive things to say about the experience. I look forward to joining their ranks upon graduation!

Fall Term 2021: Noah Brownstone

"The Clinic was my favourite part of Dal Law"

Everyone I spoke to about Dalhousie Legal Aid Service said the same thing – that the clinic was their favourite experience in law school. The practical experience and opportunity to work alongside a cohort of experienced family and criminal lawyers was invaluable. After two semesters of remote school due to the COVID-19 pandemic, working in person in an office surrounded by seventeen other students felt like a return to normalcy. Most of us did not know each other before but by the end of the term we were a close-knit group. Everyone had diverse caseloads and by the end of the semester we were all 'experts' in different areas based on the work that we had done and helped each other out accordingly.

By the end of the term, I had around twelve open files, and none of them were alike. I had about twenty court appearances on different files throughout the semester, about three quarters of which were by teleconference. My Youth Crim file was one of my busiest files but was also one of my most gratifying. I will never forget the experience of getting to tell a client and his mother that he would not be spending any time in prison. In addition to giving submissions in court, I shadowed one of the supervisors successfully advocating for the release of a cognitively impaired man who had been in jail for close to a year. Doing different kinds and amounts of work for different supervisors kept the experience varied. The clinic is defined by the file supervisors – a diverse team of lawyers and community legal workers. They each bring unique experiences to the table, and these are reflected in their styles of advocacy. Learning and witnessing firsthand the efficacy of their different approaches will inform my own advocacy in my future career.

Summer Term 2021: Jordan Upton

Working at the Dalhousie Legal Aid Clinic is truly an experience that can compare to no other. One of the experiences that perhaps best encapsulates my time at the Clinic came as a result of a caller into our legal information phone line. The caller, Norm (not his real name), shared with me his story of being evicted from his public housing apartment amid the ongoing pandemic. A community legal worker and I arranged to meet him and conduct an intake upon which time we learned of several others like Norm who were facing impending evictions from public housing. Through working on this file and others I was able to file appeals and appear in small claims court to attempt to keep these people from being evicted into homelessness.

On the morning of August 18th, I found myself at the Court on Spring Garden Road in line waiting to collect documents related to one of these appeals. I could scarce believe it as I watched police and demonstrators clash literally across the street as workers attempted to remove temporary housing structures and homeless encampments. In a very real moment, the stakes for my work were laid out before me, if I was not filing appeals for people like Norm there is a chance they might be in those tents and shelters being shaken awake by police telling them to leave. This will truly be one of the formative experiences I credit to my time at the Clinic in shaping the type of advocate I hope to continue to be in my future career.





St. Valentine's Day Massacre & Al-Capone Trial (1929)

Zainab Adejumobi 2L

On February 14, 1929, gunshots and gang violence rocked the city of Chicago. Chief gang leader "Al 'Scarface' Capone" sought to eliminate his rivals in illegal trade. The United States had passed the 18th amendment, which made it illegal to manufacture, transport, or sell intoxicating liquors. Gangsters like Al Capone gained an income from illegal alcohol sales and other activities. It is reported that Capone had garnered about \$100 million in net worth.

On February 14, 1929, a group of men dressed up as police officers opened fire on seven men associated with Irish gangster George "Bugs" Moran, a rival to Al Capone. The shooters fired about 70 rounds of ammunition. When the real police arrived at the scene, they found eyewitnesses and a dying gang member. The police gathered from the information that they received that the shooters pretended to be policemen who were there to arrest the gang members.

Though he was their chief suspect, it was hard to link Al Capone to the murders, because he claimed an alibi. He said he was in his home in Florida when the events occurred. No one was ever brought to trial for the murders. Newspapers designated Al Capone as Public Enemy Number One.

Federal authorities later investigated on Capone and arrested him for contempt of court because he failed to appear before a grand jury after being subpoenaed. He was thereafter released and again rearrested for carrying concealed weapons. Capone spent 9 months in prison for the concealed weapons charge, after which he was released. Afterward, federal authorities indicted him for tax evasion, and this time, he spent 11 years in prison but was again released.

Al Capone died in 1947. To this day, there is no direct evidence linking him to the St. Valentine's Day massacre which remains one of the greatest unsolved crimes in history.

“To this day, there is no direct evidence linking him to the St. Valentine's Day massacre which remains one of the greatest unsolved crimes in history.”

Sources:

History.com Editors. (2009, November 9). St. Valentine's Day Massacre. History.com. Retrieved January 31, 2022, from <https://www.history.com/topics/crime/saint-valentines-day-massacre>

Does your society have
an event coming up?

W E L D O N



T I M E S

If so, your advertisement could go here!

Please contact Madison Ranta at
wt.business.manager@gmail.com

IN THIS ISSUE

ZAINAB ADEJUMOBI

SYAMEENA PILLAI

MADLINE HEINK

LIZ MARR

LAN KEENAN

LEANDRA BOUMAN

SHANIQWA THOMAS

MADISON RANTA

JORDAN UPTON

NOAH BROWNSTONE