

Think small

Canada's smaller communities are crying out for young lawyers to move there and take over from retiring senior practitioners. Here are four lawyers who answered the call.

By Bev Cline

Ryan Sookorukoff knows exactly what he wants to practise when he graduates from law school — “I’m interested in civil litigation,” he says — and more importantly, where he wants to practise: he wants to come home to small-town interior British Columbia. On the latter count at least, that sets Sookorukoff apart from many of today’s law graduates.

A 2007 Law Society of British Columbia study asked articling students where they would most like to practise. A whopping 74% would opt for Metro Vancouver and another 8.5% would choose Victoria, with the remainder scattered throughout the province. Surveys in other provinces would yield very similar results.

Ironically, however, small towns and rural areas represent some of the best prospects, and offer the most advantages, for young lawyers right across the country — if only they would decamp from major urban centres. That’s because the small-town bar is greying rapidly — the average age of practitioners in smaller towns and rural areas hovers around the mid-50s. But so far, few students are even banging at the door.

This past summer, Sookorukoff, after finishing his second year of law school at the University of British Columbia, worked with Michael Kew, a sole practitioner who runs a civil litigation practice in Trail, located in the West Kootenays.

Some of the funding for this “match” came about courtesy of the Rural Education and Access to Lawyers (REAL) Initiative of the Canadian Bar Association’s B.C. Branch. The three-year program, with a grant from the Law Foundation of B.C., funded 11 second-year summer student positions in communities with populations of fewer than 100,000 and with more than 500 people per lawyer.

Sookorukoff, who hails from Castlegar, a 15-minute drive from Trail, is amazed and excited by the diversity of the files he’s found in this small-town practice. “One week I’m working on contaminated sites, and the next, human rights and bailment, and it goes on and on,” he says. “It’s a



LARRY DOELL

broad spectrum of files.”

As to the lifestyle, “I really like the small-town feel,” says Sookorukoff, who has been living in Vancouver for the past seven years. “It’s nice to get out of the crowd and the traffic and the noise, nice to have a bigger piece of land to go home to.”

For Kew, mentoring Sookorukoff is also a way to give back to the community. “I look around, and I’m one of the

young guys around here,” says the 54-year-old Kew. “There are fewer lawyers here than when I moved up here in 1981. It’s really kind of scary, in terms of what’s going to happen [for providing services to clients] in the future.”

“The hope is that by providing these students with experiences in small communities, they will stay on as articling students and later practise there,” says Michael Litchfield,

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Ryan Sookorukoff and Michael Kew — *Michael Kew Law Office, Trail, British Columbia*





“Life is really about the experiences you have, not what money you collect.”

Robby Ash — *Poole Althouse, Corner Brook, Newfoundland*

the CBA-BC’s regional legal careers officer who’s responsible for the REAL program.

“There was a high level of interest among students,” he reports, “a real recognition of the opportunities that exist in small communities to get good mentoring and, possibly, be groomed to take over the practice when senior practitioners retire.”

An access solution

It’s much the same situation across the country. One would

expect, given the legal needs of small communities and the decreasing number of lawyers available to meet those needs, that there would be waves of new lawyers choosing to locate in non-urban areas. Instead, it’s a mere trickle.

Take northern Manitoba, for example. “There’s a really acute shortage of lawyers in areas like Thompson,” says Mike Law, a partner with Chapman Goddard Kagan in Winnipeg and a Manitoba Bar Association representative on the Law Society of Manitoba’s Access to Justice Committee. “The private bar is dwindling and few new lawyers are choosing to move there, while the population is growing rapidly,” he says.

The best source of recruitment for northern Manitoba, although by no means the only one, might lie in finding ways to entice law students from the area to come home. “If you are a student from Thompson, Flin Flon or The Pas, you are already familiar with the area,” and could perhaps thrive, Law says.

Currently, the Access to Justice Committee is working on ways to boost the number of lawyers in northern Manitoba. “One of the most immediate, and one that has been on the radar for some time, is ‘forgivable loans,’” says Law. “The law society, the [University of Manitoba] Faculty of Law and the MBA have submitted a funding proposal to the Manitoba Law Foundation Access Initiative, and we are currently awaiting a response.”

Under the proposal, he explains, “new spots in the law school would be created and reserved for students in under-served communities whose living expenses would be covered by loans while they attended law school. If they returned to practise in an under-served community, the loans would be forgiven at the rate of 20 percent per year.”

No lifestyle compromise

Robby Ash practises criminal law, civil litigation, personal injury and family law as an associate with Poole Althouse in Corner Brook, Newfoundland. Born in nearby Stephenville, Ash graduated as a Blakes Scholar from the University of New Brunswick Faculty of Law in 2007. He and his wife, a teacher who also hails from Stephenville, explored their options in Toronto. But in the end, they wanted the lifestyle of the west coast of the island, and both of them have family nearby.

Ash doesn’t feel that practising in Corner Brook restricts his practice in any way. “In a smaller centre like this — Corner Brook is the centre for the west coast of Newfoundland, with all the government offices — the opportunities that I thought might only be available if I worked in a

Petit centre = grandes occasions

Les perspectives d'emploi dans les grands cabinets juridiques se raréfient pour les étudiants en droit. Parallèlement, les communautés moins peuplées ont grandement besoin de relève. National a interviewé quatre avocats qui ont répondu à cet appel.

Ryan Sookorukoff

Ryan Sookorukoff veut devenir avocat en litige civil à Castalgar, sa petite ville natale en Colombie-Britannique.

Ce faisant, M^e Sookorukoff se distingue, comme en atteste l'étude de 2007 menée par la *Law Society of British Columbia* sur le lieu où les stagiaires préféreraient pratiquer le droit. L'étude indique que 74 % des stagiaires opteraient pour Vancouver et 8,5 % choisiraient Victoria. Cela fait ressortir le peu d'intérêt des étudiants pour les plus petits centres, ce que des études dans d'autres provinces corroboreraient.

Or, les petites villes et les zones rurales offrent les meilleures perspectives d'emploi aux jeunes juristes. L'âge moyen des avocats tourne autour de 55 ans et il faudra inévitablement les remplacer.

M^e Sookorukoff s'est joint à l'avocat solo spécialisé en litige civil Michael Kew à Trail, à la fin de sa seconde année d'étude à la faculté de droit de l'Université de la Colombie-Britannique. Il est ravi par la diversité des dossiers qu'il traite. Tantôt il s'occupe des sites contaminés; tantôt, des droits humains et des sûretés. Il apprécie également son nouveau style de vie, loin des foules et du bruit.

Le financement de la *Rural Education and Access to Lawyers (REAL)*, une initiative de l'ABC de la Colombie-Britannique, a rendu le rêve de M^e Sookorukoff possible. Ce programme de trois ans, subventionné par la Law Foundation de C.-B., a financé les emplois d'été de 11 étudiants de deuxième année dans des communautés peuplées de moins de 100 000 habitants et desservies par un avocat pour 500 personnes.

Selon Mike Law, associé chez Chapman Goddard Kagan à Winnipeg et représentant au *Manitoba Bar Association*, une pénurie

d'avocats existe dans le nord du Manitoba, comme à Thompson. Il considère que la meilleure source de recrutement proviendrait d'étudiants en droit issus de cette région. La *Law of Society* et l'Université du Manitoba ont déposé une proposition de financement à la *Manitoba Law Foundation Access Initiative* en ce sens. Cela permettrait aux étudiants des communautés sous-représentées de contracter des prêts pour couvrir leurs frais pendant leurs études. Une fois de retour pour travailler dans une communauté sous-représentée, ils seraient dispensés de rembourser 20 % de leur prêt annuellement.

Robby Ash

Robby Ash est un avocat natif de Stephenville et spécialisé en droit criminel, litige civil, droit familial et droit du dommage corporel chez Poole Althouse à Corner Brook, Terre-Neuve. Une fois son diplôme de l'Université du Nouveau-Brunswick obtenu, sa femme originaire de Stephenville et lui ont exploré leurs perspectives de carrière à Toronto, mais sont finalement restés au bercail en raison de la qualité de vie.

« Corner Brook est le centre de la côte ouest de Terre-Neuve et comprend tous les bureaux gouvernementaux habituels », informe M^e Ash. Il s'occupe d'enquêtes préliminaires et de procès courants portant sur les accidents automobiles, la drogue, les propriétés. Par contre, M^e Ash avertit que les domaines de l'immigration, du droit corporatif et commercial et du droit sur la sécurité sont beaucoup moins en demande à Terre-neuve qu'à Toronto.

John Rowinski

John Rowinski est en partie Mohawk et a

œuvré comme avocat au centre-ville de Toronto durant sept années. Il a cessé de faire la navette entre les routes engorgées de Toronto et sa maison à Brooklin.

Il y a créé son propre cabinet en 2008 et continue à y servir ses clients majoritairement composés des Premières Nations de l'Ontario. Depuis son déménagement, M^e Rowinski alloue plus de temps à la gestion et à l'administration qu'à Toronto. Mais il estime que sa paix d'esprit est une large compensation.

Pascale Daigneault

Pascale Daigneault a commencé sa carrière dans un grand cabinet d'avocats à Edmonton. La rencontre à la réunion annuelle de l'ABC à London de son homologue et futur mari a été décisive. Ils ont déménagé ensemble à Point Edward, en Ontario en 1991.

Dans ce village où elle dispense des services juridiques portant sur le préjudice corporel, les testaments et successions, elle apprécie son sentiment d'appartenance à la communauté. À son avis, maintenir une bonne réputation est particulièrement important dans un petit centre et ouvre facilement des portes.

En outre, elle apprécie son nouveau mode de vie : tout est à 10 minutes de trajet en voiture, le loyer est moins cher et la nature est à proximité.

Elle conseille aux jeunes avocats de saisir les occasions offertes par les petits centres où les cabinets plus petits, qui offrent plus de flexibilité. D'ailleurs, à Point Edward, le droit familial est en demande et beaucoup de retraités devront céder leur place. **N**

— Yasmina El Jamaï

larger city have materialized,” he says.

“I have the same preliminary inquiries and trials, drug conspiracy cases, motor vehicle accidents, people suing each other over property, that are common whether you live in a rural, large urban, or smaller centre,” he says.

Ash is realistic that a few practice areas might not lend themselves to small centres. “Immigration is not a big field here in Newfoundland. If I practised corporate/commercial law or intellectual property law, in Toronto these would be on

a much larger scale. If you want to practise securities law, you don't move to Corner Brook, Newfoundland.”

As to the myth that it's hard to become involved in the profession from a smaller center, Ash says it all depends on how active the lawyer chooses to be. “I'm on the executive of the CBA-Newfoundland, I sit on a medical research ethics board of the local health authority, and I still have only a five-minute drive to my office.”

What about the salary levels? Ash is clear about what's

most important to him in life: “Even factoring in cost of living in Newfoundland, I would still come out financially ahead if I was working for a large firm in Toronto. But that’s not really what it is all about for me. Life is really about the experiences you have, not what money you collect.”

The long way home

Robby Ash made the decision right after law school to return to his geographical roots, but sometimes the homeward trek takes a little longer.

John Rowinski practised aboriginal law and civil litigation for seven years in downtown Toronto. But gradually, he came to realize that he didn’t need to make the long, traffic-jammed commute to Toronto from his home in Brooklin (near Whitby) to service his clients.

Rowinski is part Mohawk, and his clients are mostly First Nations people located all over Ontario. When he needs to see clients face-to-face — these days, technology means fewer and fewer actual meetings, he says — he generally travels to meet them.

Then, in April 2008, Rowinski took the plunge into solo practice, opening an office with one assistant in Brooklin. A year later, he is satisfied that the move was the right one for him.

There has been no change in terms of visiting his First Nations clients. But there has been a bonus in terms of his civil litigation practice. “It’s of assistance to some of my institutional clients that I’m located out here,” explains Rowinski. “For example, I do work for LawPro in this geographic location.”



“My personality suits a smaller venue and I’m not really a corporate player.”

John Rowinski — Brooklin, Ontario

Four reasons to think small

1. Less competition for jobs: Looking for work in smaller centres puts you ahead of the game. “Some years I don’t get any résumés at all for articling,” says Pascale Daigneault. “You’re not likely to be competing against 50 or 100 students.” Similarly, says Michael Kew, “I’m not exactly deluged with résumés for articling jobs or jobs after graduation, but when I do receive a few, ironically they’re not from UBC, but almost always from the Prairies and Saskatchewan. I guess they see B.C. as a good place to settle,

but maybe they’re not coastal people, they want to enjoy the mountains.”

2. Mentoring opportunities: Lawyers in small communities usually feel a sense of responsibility to ensure continuing access to high-quality legal services in their area. As a result, there’s a real impetus to help and mentor young lawyers, and integrate them into the community, says REAL’s Michael Litchfield.

3. The technology advantage: Most work can be done with a phone and a computer. “In today’s day and age, there is so much mobility and so much technology that you don’t need to be located in a particular centre to service a particular clientele or area of law,” says John Rowinski. Nor do you have to sacrifice your professional

development. “Increasingly, CLE programs are delivered electronically,” he says.

4. Unique experiences: Although his office is in Corner Brook, Robby Ash represents clients in circuit court convened in small Newfoundland towns like Rocky Harbour or St. Anthony. “Sometimes the court is held in a seniors’ centre, a community hall or the local legion hall,” he explains. “They bring out an official bench or sometimes, a kitchen table for the judge, and use whatever tables are handy for the court clerk and counsel.” Often, the whole community comes out to watch. It’s an interesting experience that I don’t think you’d get if you worked in a larger centre.” It’s a rewarding experience too, says Ash. “We bring the court to the community. We bring justice to the community.” **N**



“Housing is more affordable; parking is less expensive; nature is more accessible.”

Pascale Daigneault — *Fleck & Daigneault, Point Edward, Ontario*

He’s had to make some adjustments in the way he runs his practice. He doesn’t view these changes as negative; he simply wants to point out that in a smaller centre, you might well spend a larger proportion of your time on practice management and administrative tasks.

“For example, if I have a big photocopy job, I don’t want my assistant spending her whole day photocopying. It’s not like in a big-city law firm in an office tower, where there’s a shop in the basement that can handle the job very quickly. There may not be process servers; your options may be more limited and less convenient,” says Rowinski.

What he does have is peace of mind. “Be true to yourself,” Rowinski tells new lawyers. “I have no regrets [about practising in a large firm in Toronto], but the reality is that for guys like me, looking back, I realize that I was always going to end up in something like this. My personality suits a smaller venue and I’m not really a corporate player. I always wanted to be my own boss in a location that is suitable for me.”

Small-town success

Like many lawyers, after graduating from law school, Pascale Daigneault started out practising in a large law firm (in her case, in Edmonton). But after meeting her future husband and law firm partner Carl Fleck at a CBA annual meeting in London, England, Daigneault moved east in 1991 to the village of Point Edward, Ontario, surrounded by the city of Sarnia.

Life in a small town can be dramatically different than in a larger centre, says Daigneault, who was raised in Montreal. Salesclerks know who you are; people in the business and

legal community know each other by sight. “You become part of a community,” she says, and while she really enjoys that, “it does come with a greater responsibility on both the personal and professional level. If you are respected, it goes a long way.”

While her firm specializes in personal injury litigation and wills and estates, there are areas of practice in her community that are under-serviced: “I know that in some areas such as family law, Sarnia-area clients are going to larger centres such as London,” she says. “Depending on your focus, a new lawyer could find themselves in real demand in some smaller centres.”

For Daigneault, one of the main attractions of her location is the Sarnia lifestyle. “You’re never more than ten minutes from anything in your car,” she says. “Housing is more affordable; parking is less expensive; nature is more accessible.”

On a professional level, she notes, “young lawyers often have a lot more opportunities in smaller centres, since usually you find smaller [law] firms, which often means less structure and more flexibility. If I was a young lawyer, I would figure out what area I want to practise in, and then look for a sole practitioner or law firm with two or three lawyers in a smaller centre.

“While you would have to sell yourself, the older lawyer is going to want to retire one day,” Daigneault concludes. “And you may walk into a practice without having to make the huge financial commitment that you would have to in a big firm.” **N**

Bev Cline is a business and history writer in Toronto.