



Articling Student Program Profile

Legal Services Branch

**Manitoba Justice
Crown Law
Division**

WHAT IS LEGAL SERVICES BRANCH?

Legal Services Branch (“LSB”) is the Government of Manitoba’s in-house law firm. It consists of 1 Director, 67 Lawyers, 22 Legal Assistants/Support Staff, 5 Administrative Staff, and 4 Articling Students.

LSB provides legal services to all government departments, to most provincial agencies, boards, commissions and committees, and to those government corporations that do not have their own legal counsel. Its lawyers do not provide legal services to the public.

LSB’s work enables the Minister of Justice and Attorney General of Manitoba to fulfill their constitutional and statutory responsibility as the Chief Legal Advisor to Government, and as the guardian of the public interest with respect to matters of civil law.

Organizationally, LSB is housed within the Crown Law Division of Manitoba’s Department of Justice, and reports to the Assistant Deputy Attorney General. Its office space is at 405 Broadway (the Woodsworth Building) in Winnipeg – notably the 7th floor, and most of the 12th floor. Conveniently, it shares an intersection with the Law Courts and the Legislature.

The LSB Articling Student Program

As an LSB Articling Student, you will work with a focused team of guiding lawyers who are committed to helping you achieve success during your articling year. The nature of the legal services provided by LSB inherently requires a high degree of collaboration, cooperation and consultation by all members of the office. Your articling experience will have you integrate into that.

All counsel at LSB are very supportive of our Articling Students. All have an "open door" policy. Still, structured mentorship and guidance are key for the development of our Articling Students. The following defined elements of the LSB Articling Student program ensures each student will be given every opportunity to succeed:

Principal: Responsible for supporting students’ success throughout the articling year. They provide regular check-in sessions with students to discuss any concerns that may arise over the course of the year. The Principal works with the students and lawyers in the office to ensure a manageable workload and ensure that the students have exposure to a broad range of experiences that are fundamental to their articles.

Articling Student Committee: A team of 6-7 lawyers conduct regular meetings to provide support and discuss any areas of concern the students may have. The lawyers will canvass any items of interest that are coming up within the following month and assist with finding work in areas which the students express a particular interest in developing.

Mentors: Out of the committee members, at least one lawyer will be assigned as a mentor to each student. Students are encouraged to make connections with additional colleagues.

Support Staff: The students share one support staff person.

You: The person who best knows which experiences you want to have, and the skills you want to develop during your articling year, is you. If you can think of an area of law that you would like experience in, it is highly likely that a lawyer in LSB is working on just that kind of work. LSB's support network, as described above, is certainly able to assist in connecting you with both people and opportunities – just let us know your interests! But remember also that your articling experience is the best time for you to have your awareness raised about areas of law about which you might not have thought could be of interest to you. Your articling year is an experience that should overall cause you to have an appreciation for the kind of career you will want to have in law.

Orientation

A comprehensive orientation session is scheduled for the Articling Students at the beginning of the year. This serves as an introduction to your office environment and provides you with an overview of your responsibilities and roles within the office. The orientation session deals with various topics, including:

- An introduction to LSB counsel.
- An overview of LSB office systems.
- An overview of the articling students' responsibilities.
- An introduction to the areas of practice within LSB.
- An overview of conducting legal research and writing legal opinions.
- An introduction of Manitoba legislation.
- An overview of key government public registries.

Practical Experience

It would be impossible to list all the opportunities available to you during your articling year with LSB. If you can think of an area of law, then LSB likely has an expert in that area and you can gain exposure and experience in those areas. To aid in your professional development, you will be given opportunities to work in any of LSB's Sections, draft legal memoranda and contracts, as well as participate in advocating for the Government's positions in litigation.

As an LSB Articling Student you will have the opportunity to partake in a variety of work, including:

- (a) Legal research and opinions on a wide range of legal issues and on the interpretation of legislation.
- (b) Litigation and administrative law matters:
 - drafting pleadings, briefs, affidavits and other court documents;
 - interpreting and applying court rules;
 - document discovery and attending examinations for discovery;

- researching issues related to litigation and administrative law matters;
 - attending court and administrative tribunal hearings – usually with senior counsel;
 - small claims;
 - preparing court documents for garnishment orders and other enforcement proceedings.
- (c) Corporate and commercial matters:
- reviewing/drafting agreements and documents;
 - conducting Land Titles, Personal Property Registry and Companies Office searches; and
 - researching issues.
- (d) Family Law:
- conducting Maintenance Enforcement dockets and show cause hearings; and
 - learning about the processes surrounding inter-jurisdictional establishment and variation of support orders.

Salary and Benefits

The Articling Student salary is \$45,000.

The tuition fees for the Practice Readiness Education Program (PREP) administered by the Canadian Centre for Professional Legal Education (CPLED) will be reimbursed by LSB. This does not include the Call to the Bar fee.

If a student is kept on after the articling year, robes are provided if it is determined that Court Attire is required for the performance of assigned duties as Crown Counsel.

Application Process

Students applying for articling positions should forward the following documents by email to: LSBArticlingStudent@gov.mb.ca

- Cover letter;
- Resume;
- Transcripts for undergraduate studies (copies are acceptable);
- Transcripts for law school program (copies are acceptable); and
- Short writing sample, may be an excerpt (max 5 pages).

Because of the nature of the Articling Student's work in the Department of Justice, all successful candidates are required to pass an **enhanced security screening** process administered by the Department. This is to be completed in the months prior to the start of

the employment period.

The deadline for applications is as set out by the Law Society of Manitoba Recruitment Guidelines. Further information about the articling student program may be obtained by contacting: LSBArticlingStudent@gov.mb.ca

Frequently Asked Questions

Q: Can I expect to be hired after the articling experience?

Students who article with LSB are given preference for job openings, based on their articling experience, their knowledge of departmental policies and practices, and the needs of LSB. The majority of LSB's counsel began as LSB Articling Students. However, the possibility of continuing depends on a number of factors, including budget, staff attrition, and performance. Accordingly, LSB is not able to make any prior commitment or guarantee of employment after the conclusion of the articling year.

Nevertheless, because LSB's Articling Student Program is generally recognized in the profession as an extremely valuable experience, students who have been through it tend to be "marketable".

Q: How will I be able to manage the articling student's workload and the CPLED Program at the same time?

LSB recognizes that successful completion of the CPLED Program is one of several competing priorities placed on Articling Students throughout the year. As such, LSB makes a point of allowing all Articling Students to dedicate their designated time to the CPLED Program without undue intrusion from LSB work. For example, when an Articling Student is focusing their attention on the Program (including exam days), there is no expectation that LSB office work should interrupt the focus of their attention to CPLED.

Q. What are the start and end dates of articles?

Articling at LSB generally starts in June and ends the following June, in the week of the Call to the Bar.

Q: What are the office/support arrangements?

Articling Students are each provided with a shared office with other Articling Students, a laptop, a mobile phone and administrative assistance.

LSB has the capacity to accommodate students working from home exceptionally and when necessary. However, the general expectation is that all students will be working in the office.

Q. Will I be required to record my time?

Articling Students are required to record and track their time. Timekeeping is an extremely important skill to learn prior to being called to the Bar, and timekeeping is covered during the orientation sessions.

The timekeeping and caseload of each student is reviewed to ensure they find the right balance of making the most of their articling year while not taking on too heavy of a workload.

Q: Will I have time for a personal life?

LSB is committed to the wellness of all of its employees, including Articling Students. It is a necessary component of an effective articling experience for every student to continue to have their personal time outside the office.

In terms of the work itself, the primary focus for each student is to ensure the work that is expected to be done is completed in a timely and professional manner. There is no written expectation that students should regularly stay in the office beyond regular business hours. Still, the dictates of the profession of law – including in Government – are such that it would be unrealistic to expect to never be required to work extra hours.

Q. Any advice?

Talk to people. The best way for you to figure out if LSB is the place for you, is for you to talk to people who are already in LSB.

LSB has a large number of current and former Articling Students who are happy to talk to you about working with LSB, about the hiring process, and to answer any questions you might have. To connect with one of our current students or a lawyer, please contact: LSBArticlingStudent@gov.mb.ca

Practice Groups

LSB organizes its lawyers into six Sections:

- Aboriginal and Natural Resources Law
- Constitutional Law

- Corporate, Commercial and Information Technology
- Crown Law
- Family Law
- Litigation

Aboriginal and Natural Resources Law

This Section advises and represents Government and extended agencies on a wide range of matters related to Aboriginal law, as well as matters related to Crown land and natural resource management. Its expertise extends to:

- (a) Indigenous self-government.
- (b) Treaty and Aboriginal rights.
- (c) Duty to consult and accommodate.
- (d) Treaty Land Entitlement.
- (e) Shared management agreements.
- (f) Negotiating and drafting multi-party agreements.
- (g) Mediation, arbitration and litigation involving Aboriginal law issues.
- (h) Development, interpretation or advice on natural resource related legislation, regulations and policies (*The Crown Lands Act, The Environment Act, The Wildlife Act, The Forest Act, The Mines and Minerals Act, The Water Power Act, etc.*)
- (i) Development and advice for the Government of Manitoba for the implementation by Indigenous governing bodies of their own child and family welfare services (re. Bill C-92).

Counsel assigned to this Section meet frequently with representatives of Indigenous communities, lead and participate in negotiations, are routinely engaged in the development of provincial programs and legislation, and actively participate in designated litigation and dispute resolution matters.

Constitutional Law

This Section provides legal advice and services to Government and extended agencies on all matters of Constitutional Law. This includes:

- (a) All aspects of the *Canadian Charter of Rights and Freedoms*.
- (b) Federalism and the distribution of powers.
- (c) Aboriginal and treaty rights.
- (d) Fundamental principles of a parliamentary democracy.
- (e) Judicature and judicial independence.
- (f) Taxation.
- (g) Amendment to the Constitution of Canada.
- (h) *The Manitoba Act* (i.e. provincial constitution).
- (i) Minority language rights.

Counsel assigned to this Section specialize in a highly intellectualized field of the law. These counsel are routinely engaged in the development and/or defence of provincial programs and legislation and participate in civil and criminal litigation. Criminal work typically involves the defence of *Charter* motions – either on behalf of Manitoba Prosecution Service, or alongside counsel from that Division. Within LSB, it is counsel in this Section who appear most frequently in the Supreme Court of Canada.

Corporate, Commercial and Information Technology Law

This Section provides legal advice and service for most of the government's business transactions. Its expertise extends to:

- (a) Drafting and advising on an extensive range of contracts and agreements. This includes consulting and service purchase agreements, research agreements, funding agreements, federal/provincial agreements, construction contracts, and memoranda of understanding.
- (b) Supporting Government procurement of goods and services by drafting procurement documents, participating in negotiations with vendors, drafting agreements and providing related advice.
- (c) Documenting arrangements with respect to information technology, including software licences, hardware acquisition and related services.
- (d) Drafting documents and providing advice with respect to loans and guarantees, investment agreements, and bond issues.
- (e) Assisting clients in the negotiation of interjurisdictional trade agreements and providing advice with respect to the interpretation of Canadian and international trade agreements.

- (f) Preparing and approving documentation for the purchase, sale and lease of real property, development agreements, and various interests in real property, including mortgages and easements
- (g) Providing advice regarding the creation, governance and dissolution of various business structures.

Counsel assigned to this Section are routinely engaged in negotiations, and frequently participate in the development of provincial programs and legislation.

Crown Law

This Section provides legal advice and service on cross-government issues, is a key liaison with Central Government offices, and works broadly in an advisory capacity to Government departments, divisions and agencies. Its expertise extends to:

- (a) Access and privacy law, including information sharing agreements, privacy policies, notices and consents, privacy impact assessments, and responding to privacy breaches.
- (b) Education law.
- (c) Environmental licensing and regulation.
- (d) Policing and security.
- (e) Provincial taxation.
- (f) Records management and security of information.
- (g) Legislative and policy development.
- (h) Orders in Council.
- (i) Election-related issues including Government publications and advertisements during election periods.
- (j) Executive government organization.
- (k) Relationships with the Ombudsman, the Auditor General and other officers of the Legislature.
- (l) Application of parliamentary conventions (e.g. the Caretaker Convention).

Counsel assigned to this Section are routinely engaged in providing advice on all manner of laws and legal principles, the development of provincial programs and legislation, and may actively participate in designated litigation.

Family Law

This Section provides legal services and advice, and participates actively in policy development, in the area of family law. This Section has expertise in general family law issues and other specialized areas, including:

- a) Provides family law advice and support for the Family Law Modernization Initiative, including to Family Resolution Service, and provides legal support for responses to public enquiries concerning family law matters received by the new Manitoba Justice Get Guidance service and other government offices.
- b) Works with the Legislative Counsel Office as instructing officers for family law legislation and as a Manitoba Justice representative on the Statutory Rules Committee with respect to proposed Court of King's Bench Rules amendments.
- c) Provides Crown opinions/charging authorization in appropriate cases to law enforcement officials throughout Manitoba in parental child abduction cases and provides assistance and legal interpretation advice to law enforcement officials respecting disputes between parents related to custody orders and enforcement of custody orders.
- d) Provides training and advice to domestic violence service providers, protection order designates, and Victim Services workers regarding the requirements and processes under *The Domestic Violence and Stalking Act*.
- e) Fulfills the responsibilities of the Minister of Justice as the Manitoba Central Authority in cases involving international child abduction under The Hague Convention on the Civil Aspects of International Child Abduction.
- f) Fulfills statutory responsibilities as designated authority under *The Interjurisdictional Support Orders Act* and under the *Divorce Act (Canada)* and is the Manitoba Central Authority under The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance.
- g) Provides lawyer-mediator services to parents in cooperation with Manitoba Justice's Family Resolution Service, including mediating family issues, particularly those involving children.

Counsel assigned to this Section provide family law legal services to a number of government departments and programs (including the Maintenance Enforcement Program, the Director of Child and Family Services, certain regional child protection agencies, the Director of Assistance, the Director of Vital Statistics, and the Family Resolution Service), and help Government and the Department of Justice develop family law policy, programs and legislative initiatives.

Litigation

This Section provides civil litigation services to government and some of its extended agencies. Its expertise extends to:

- (a) Appearing in all levels of court, including the Court of King's Bench (including small claims), the Manitoba Court of Appeal, federal courts, and the Supreme Court of Canada, as well as in alternative dispute resolution processes such as mediation and arbitration.

- (b) Conducting government civil litigation, including:
 - (i) Defence to, or advancement of, claims for negligence, breach of contract, nuisance and other private law causes of action;
 - (ii) Judicial review of administrative decisions, matters of public law, and matters of statutory interpretation;
 - (iii) Working with the Constitutional Law Section in responding to Constitutional questions;
 - (iv) Seeking, and responding to requests for, injunctions;
 - (v) Asserting specified statutory Crown claims, including under *The Criminal Property Forfeiture Act*;
 - (vi) Responding to non-party motions.
- (c) Appearing before numerous quasi-judicial and administrative boards and tribunals including:
 - (i) Human rights adjudications;
 - (ii) Labour Board;
 - (iii) Land Value Appraisal Commission;
 - (iv) Municipal Board;
 - (v) Liquor, Gaming and Cannabis Authority;
 - (vi) Social Services Appeal Board.
- (d) Representing Government in disputes under inter-jurisdictional trade agreements, including the Canadian Free Trade Agreement and the New West Trade Partnership Agreement.

Counsel assigned to this Section also advise Government and extended agencies on procedural and administrative law principles, act as counsel for certain boards and tribunals, and can be engaged in the development of provincial programs and legislation.