

Oliver Litigation, Edmonton

October 2018-Present

ADR focused civil and criminal litigation. Enhanced focus on reconciliation in legal and societal contexts pursuant to section 35 of the *Constitution Act*, 1982. Assisting the Office of the Child, Youth Advocate with training lawyers assigned to on-reserve child welfare files. Invited to participate in the Family Justice System Reform project. Member of the Alberta Courts' *R v Gladue* advisory committee. Organizer for Alberta Courts' Indigenous Law Day most recently held on-line (2020) due to COVID-19: see <https://youtu.be/rOGwoEfgTw>. Invited to present at Law Society of Alberta's Indigenous Laws and Legal Issues Conference on February 20, 2019; prepared research paper titled "Gladue and the Justice System: *We Can Do Better*" shared with lawyers in attendance.

Recent published decisions:

- *Western Cree Tribal Council v Goodswimmer*, 2021 ABQB 967, rev'g *Western Cree Tribal Council, Child, Youth and Family Enhancement v Goodswimmer et al* (10 February 2021), Grande Prairie CP021000555 (ABPC): unprecedented child welfare decision of Justice D.L. Shelley on least intrusive procedures aimed at reducing court delay and focusing respondent parents on remedying intervention concerns to enable safe and lasting reunification with their children.
- *Stamos v Virk*, 2021 ABQB 143, aff'g 2018 ABQB 349: interlocutory decision of Master W.S. Schlosser refining the law of limitation periods in the context of negligent legal practice, in this case since disbarred lawyer Navdeep Virk.
- *MM v Alberta (Child, Youth and Family Enhancement Act, Director)*, 2021 ABPC 317: unprecedented child welfare decision of Judge J.C. Lloyd on the law of intervenor status in private guardianship applications where the child's First Nation, in this case Sturgeon Lake Cree Nation (Treaty 8), is now presumed to be required to assist the Court understand, appreciate and utilize the unique views and services offered by the First Nation in support of the child's best interests; see decision summary at <https://www.linkedin.com/pulse/path-subverting-exclusion-first-nations-canadas-child-anthony-oliver/>.
- *R v Poncelette*, 2021 ABPC 192: unprecedented sentencing decision of Judge A. Brown on cross-border travel considerations for members of Treaty 7 First Nations and inclusion of elders, community officials, and civilians to assist the Court with crafting sentences that reduce recidivism, expand victim healing, and restores human potential at First Nations.

Boutique Law Firm, Edmonton

April 2018-October 2018

Developed a private practice in criminal, civil and administrative law, with mentorship from managing partner Bruce Laycock (former Director, Alberta Justice, Energy). Contracted by Sturgeon Lake Cree Nation for the role of Legal Officer in response to *Sturgeon Lake Cree Nation v Hamelin*, 2018 FCA 131.

Alberta Crown Prosecution Service, St Paul & Grande Prairie

May 2015 – April 2018

Managed heavy caseload of provincial and federal matters. Provided nine (9) RCMP detachments with pre-charge advice and ongoing support. Docket and trial work on criminal and regulatory offences, including summary conviction appeals. Developed collaborative relationships with Councils at Sturgeon Lake Cree Nation, Beaver Lake Cree Nation and Saddle Lake Cree Nation. Speaking to students at schools in St Paul and Beaver Lake Cree Nation. Organized lunch-and-learn session for Crown Prosecutors in Edmonton on gendered violence *via* Alberta Council of Women's Shelters. Invited by Lloydminster Sexual Assault Services to participate as Crown representative on Sexual Assault Response.

Published decisions:

- *R v Micks*, 2014 ABPC 140 (student-at-law): leading survey decision of Judge M.G. Allen on police use of force when dealing with assaultive subjects.
- *R v Williams*, 2016 ABQB 327, rev'g 2015 ABPC 221: unprecedented ruling of Justice P.B. Michalyshyn on flight being a general intent offence, proof of specific intent not required.
- *R v Lofstrom*, 2016 ABPC 197, aff'd 2018 ABCA 5: trial decision of Judge R.S. Saccomani refining the law of contact conditions in domestic violence.
- *R v Fournier*, 2017 ABQB 533, aff'd 2019 ABCA 265: trial decision of Justice J. Ross which corrected lower court rulings that required police to show reasonable grounds that detainees posed safety risks before performing safety searches.
- *R v Sydorko*, 2017 ABPC 269: sentencing decision of Judge J. Sihra with expansive survey of aggravating factors resulting from reckless conduct jeopardizing the lives of pursuing police officers and members of the public.
- *R v Norris & Norris*, 2017 ABPC 282: trial decision of Judge D.R. Shynkar refining jurisprudence on medical evidence unnecessary to establish bodily harm.
- *R v Cardinal*, 2017 ABPC 309: trial decision of Judge J. Sihra showing proper use of *WD* in domestic violence.
- *R v Virginia Papastesis* (6 November 2017) Grande Prairie 160984423S1 (ABQB), rev'g *R v Virginia Papastesis* (6 July 2017) Grande Prairie 160984423P1 (ABPC): unprecedented summary conviction appeal decision of Justice K.G. Nielsen endorsing the Trespass and Residency Bylaw prosecution program developed by then Chief Richard Kappo, Sturgeon Lake Cree Nation, then S/Sgt. Carolin Respet, Valleyview RCMP, and myself for the Crown.

Federal Court of Canada, Ottawa

August 2014 - May 2015

Judicial Clerkship with The Honourable Leonard (Tony) Mandamin. Wrote bench memoranda and provided advice on issues of evidence, questions of law (often novel) and statutory interpretation on Aboriginal, administrative, constitutional and civil cases and Federal Court procedure. Assisted at hearings and trials including the Alderville Litigation resulting in an unprecedented settlement between Canada, Ontario and the Williams Treaties First Nations aimed at restoring the self-sufficiency of the First Nations. Assisted with developing Federal Court *Aboriginal Litigation Practice Guidelines*. Organized lunch-and-learn sessions for Judicial Clerks with The Honourable Frank Iacobucci and The Honourable Michael Moldaver.

Alberta Justice and Solicitor General, Edmonton

June 2011 – July 2014

Summer (2011, 2012) and articling (2013-14) terms with the following departments:

- **Prosecutions and Criminal Appeals:** Second chair on *R v Raynor* (sexual assault causing bodily harm), *R v Lopez-Garcia* (aggravated sexual assault); *R v Porter* (fatal hit and run), *R v Noel* (prolific bank robber). Completed provincial and criminal trials with just outcomes.
- **Social Enhancement Legal Team:** Completed litigation files involving Child Protection, Child Support, Maintenance Enforcement, and Office of the Public Guardian.
- **Civil Litigation:** Obtained orders relinquishment of property and monies seized from the drug traffickers under the *Victims Restitution and Compensation Payment Act*. Helped draft record in judicial review of decision to close Michener Centre, Alberta's remaining institution for people with developmental disabilities.
- **Office of the Public Trustee:** Served 22 trust officers and their clients. Assisted a vulnerable Albertan with removing squatters from his property in Mannville.

- **Aboriginal Law:** Provided direction to 10 client ministries on consultation and accommodation. Assisted legal team with drafting response to SCC leave to appeal application in *R v Hirsekorn* (leave refused). Conducted chambers applications and examinations for discovery. Conducted research for trial and appellate matters.
- **Central Services (Solicitors):** Completed administrative licence suspension appeal submissions on behalf of the Registrar of Motor Vehicle Services for the Alberta Transportation Safety Board (creating a fulsome practice of response that was adopted by Alberta Justice). Drafted services contract for Chief Medical Examiner.

Called to the Alberta Bar on August 4, 2014, by former Ass. Chief Judge James (Jim) Wheatley

British Columbia Legal Services Society, Vancouver

March - August 2013

Contracted by Legal Aid to improve objectivity in Gladue reports. Provided training to writers, edited reports, and organized an information session for students at UBC Law.

Justice and Attorney General, Surrey

January – May 2013

Invited by British Columbia Prosecution Service (Surrey Crown) to participate in a non-academic Performance as Judicial Intern led to Surrey Crown invitation to job shadow prosecutors including Winston Sayson QC who had me assist as second chair on *R v Soderberg*, a robbery and unlawful confinement judge and jury trial (note-taking, researching points of law, victim relations).

Provincial Court of British Columbia, Surrey

September – December 2012

Chosen by selection committee for Judicial Internship supervised by The Honourable Melissa Gillespie and The Honourable Kenneth W. Ball. Researched points of law and drafted materials for 13 judges at BC's highest volume Provincial Court. Participated in Circuit Court with Judge J. Wingham in *Bella Bella* (Heiltsuk First Nation) and *Klemtu* (Kitasoo First Nation). Assisted then Judge K.W. Ball in *R v Christensen*, 2012 BCPC 0374 (providing research on constitutionality of mandatory minimum sentences). Assisted Judge J. Jardine with his publication "Warrants to Search: Investigative Tools or Judicial Roadblocks?"

Indigenous Community Legal Clinic, Vancouver

September – December 2011

Articled temporarily in Vancouver's Downtown Eastside under Director Sarah Rauch, provided free legal services to the Indigenous community in areas of criminal law, family law (including mediations), civil claims, and administrative tribunals and appeals. Completed Independent Assessment Process and Common Experience claims for residential school survivors.

London Drugs, Western Canada

March 2007 - August 2010

Worked full-time as an Internal Investigator, then part-time during undergraduate studies as an External Investigator. Highlights included training new hires, terminating a major counterfeit credit card operation, helping arrestees with recovery plans, running child identification clinics, and narrating the company's employee training video.

Alberta Sheriffs, Northern Alberta

November 2005 - January 2007

Elected recruit training class valedictorian. Coordinated Sheriffs' inaugural participation in 2006 Peace Officers' Memorial. Provided enforcement during 2006 Stanley Cup riots in Edmonton.

VOLUNTEERISM

2021-Present: Civics Director, Parkdale-Cromdale Community League.

2019-Present: Vice President of the Alberta Criminal Justice Association Board of Directors.

2018: Invited to teach students at Norquest College about the legalization and regulation of cannabis in Canada. Appearances on Global News and 630 Ched regarding the same.

2017: Member of Alberta Council of Women's Shelters' Social Legal Issues and Ethics Committee. Commissioner for Peace Region High School Rugby League. Participant with Special Olympics hockey (pickup games) in Grande Prairie. Organized lunch and learn session for Crown Prosecutors on gendered violence (with educators from the Alberta Council of Women's Shelters) in Edmonton.

2015-16: Board Member of Alberta Council of Women's Shelters. Participant and coach with Special Olympics basketball in St Paul. Runningback Coach for St Paul High School Lions Football Club. Speaking to students at primary schools and secondary schools about criminal law and cyber bullying.

2015: Organized lunch-and-learn sessions with The Honourable Frank Iacobucci and The Honourable Michael Moldaver for Judicial Clerks at the Federal Court in Ottawa.

2013-14: Member of Alberta Courts' *R v Gladue* advisory committee. Initiated Crown Prosecution Services Teddy-Bear-Drive for the Edmonton Humane Society and the Edmonton Emergency Relief Services Society. Helped raise over \$18,000 for the Canadian Cancer Society as member of "Take It All Off For Cancer" charity event.

2011-12: Board Member with Vancouver Police Service's Aboriginal Community Policing Centre Society. Assisted Vancouver Police Board with drafting new Missing Women and Children policy following "The Report of the Missing Women Commission of Inquiry" (Deputy Chief Constable Doug LePard formally recognized my contribution when policy was introduced to VPB). Member of BC Legal Services Society's *R v Gladue* advisory committee. Initiated student-led goods drive for victims of 2011 wildfires in northern Alberta utilizing distribution services of Treaty 8 Tribal Council.

EDUCATION

Juris Doctor, University of British Columbia

September 2010 - May 2013

Vice President (1L) and President (2L) of the Indigenous Law Students' Association Society & 1L Representative and Executive Director of Indigenous Perspectives on Student Development (2L) for the Law Students' Association:

- Organized volunteers to solicit Vancouver law firms to raise funds for high profile academic and social events.
- Organized monthly lecture series and yearly Indigenous Awareness Week activities.
- Worked collaboratively with Faculty on fee restructuring, accommodation, admissions, and curricula.
- Organized annual Courage-in-Law Award (1L, 2L, 3L).
- Invited by Dean Mary Anne Bobinski to co-host The Honourable Beverley McLachlin at Allard Hall grand opening on September 23, 2011.
- Member of Faculty Curricula Reform Committee, which achieved implementation of Canada's first program for 1L students on Aboriginal and Treaty Rights taught by Indigenous scholars.

Law Ambassador / Legal Education Outreach

- Initiated “Ice Breaker” event for incoming first year law students from Edmonton (2L). Provided law presentations for Grade 12 students (2L). Provided information and conducted building tours for past and future students (2L, 3L).

Recipient of the Graduating Class of 1967 Award based on academic achievement, athletic achievement, and contributions to the university and community.

Represented UBC Law at 2012 Kawaskimhon Moot in Saskatoon (2L).

Bachelor of Education (History), Simon Fraser University January 2008 - August 2011

Researcher for “Letters for the Inside”, non-profit university service providing federal inmates with post-release actions plans for education, training and employment.

Undergraduate awards included Aboriginal Student Leader Award, Ethel Barbara Tuck Scholarship in Education, Rosslyn & Mary Penney Service Award.

Scholarships for high GPA in all three years of undergraduate study.

Faculty recommended publication of research paper on *Indian Act* and need for reconciliation between the Crown and First Nations.

Police Diploma, Grant MacEwan University September 2002 - April 2004

Elected Class President both years.

Organized student volunteer opportunities with Crimestoppers Edmonton.

Louise McKinney Scholarship for highest GPA in first year studies.

Participated on inter-faculty Project HOPE student team that raised \$35,000 before traveling to Guatemala to build a three-room schoolhouse for the Indigenous population (Summer 2014).

EXTRA-CURRICULAR

Running, hiking, and travel - most recently a bike tour through south-west Ireland.