



Position: Litigation Director

Desired Start Date: July 2022

Application Deadline: May 29, 2022 at 11:59 pm PST

Applications including cover letter and resume in one combined PDF can be emailed to careers@bccla.org with the subject line “Litigation Director Application” and are due by 11:59pm PST on May 29, 2022.

About the position:

The BCCLA’s Litigation Director position requires a talented individual to lead the public interest litigation efforts of the association. This is a full-time, 1.0 FTE permanent position.

A member of the senior leadership team and reporting to the Executive Director, the Litigation Director leads and supervises the work of the litigation department comprised of two Staff Counsel positions, a Litigation Coordinator, and articling/summer students.

We are seeking a talented individual to implement and execute the nationwide legal program, including managing the litigation of cutting-edge, impact-driven cases and interventions on a wide range of issues at the trial and appellate levels of court, often in partnership with pro bono lawyers. The Litigation Director is responsible for securing court representation from external counsel as well as representing the BCCLA publicly through speaking engagements and media interviews, and collaborates with litigation staff and staff in other departments to set goals and implement strategies that advance the BCCLA’s priorities. This position also engages in non-litigation advocacy to uphold civil liberties and human rights throughout Canada.

Our current legal cases include a legal challenge to prohibit the use of lockdowns in federal prisons. We also litigate high profile interventions at the Supreme Court of Canada and all other levels of court across Canada, such as interventions related to online entrapment and challenging Canada’s designation of United States as a “safe third country” under the Safe Third Country Agreement.

The successful candidate will have a deep knowledge of and interest in human rights and civil liberties issues, strong ethics, and a deep commitment to equality, justice, and freedom.

This position is based at our office in Vancouver at #306-268 Keefer St, on unceded Indigenous lands belonging to the x^wməθkwəyəm (Musqueam), Skwxwú7mesh (Squamish), and səliłwətaʔl/Selilwitulh (Tsleil Waututh) nations.

In light of COVID-19, this position will work partially in-person, in compliance with WorkSafeBC guidelines for in-office work during the pandemic, and partially remotely. A laptop and access to all required platforms will be provided.

We anticipate interviews will be conducted by BCCLA staff through video-conference in mid-June, with an ideal start date of July.

What We Offer:

Compensation: Salary is based on the BCCLA's Salary Structure, with a base at \$89,000 for an eighth year call, and proceeding through to \$96,000 for a 12th year of call and beyond, and additional gross compensation equal to 7.5% of the salary established for their year of call. For this position we are currently aiming to hire a senior lawyer with at least 8 years of call with a strong preference for more.

BCCLA also offers a holistic and competitive work package:

- Room for salary growth over the lifetime of all staff positions
- Annual salary progression for all staff, and regular COLA increases.
- Comprehensive health benefits that includes extended health and dental plan for all staff, spouses and dependents.
- Life insurance, Long-term Disability Insurance, and AD&D for staff, family and dependents included within health benefits.
- Health benefits starting immediately and not dependent on completion of probationary period.
- 20 days of paid Annual Vacation, plus an additional 1-2 week December office closure.
- 10 Statutory and 1 other paid days off every year.
- 15 days of paid Sick Leave, including sick days, family care days, and personal wellness days.
- Paid breaks.
- A generous parental leave policy including a parental leave top-up.
- Annual professional development funding for each staff.
- Team-wide professional development and training.
- Team-wide staff celebrations and staff appreciation.
- A family-friendly, child-friendly, and dog-friendly work environment that supports flexible work arrangements and time in lieu arrangements with an emphasis on work life balance.
- A workplace where your experience and voice are valued.
- A staff team of diverse backgrounds that is committed and passionate about civil liberties, human rights, equity and justice.

Application Process:

To apply, please email your resume and cover letter in one combined PDF to careers@bccla.org with the subject line “Litigation Director Application” no later than May 29, 2022 at 11:59pm PST. Candidates are invited to share their LinkedIn and Twitters profiles, but are not expected or required to do so.

The BCCLA is committed to ensuring that equity, diversity, and inclusion are priority considerations, including in building a workplace that honours the particular experiences and expertise of communities marginalized through state violence and social oppression. The BCCLA strongly encourages applications from all qualified Indigenous people, Black people, immigrants and refugees, people of colour, working class people, and LGBTQ+ people. Applicants are encouraged to self-identify, should they feel comfortable doing so, in their cover letter and are invited to share how their lived experience would inform their approach and ethics in this position.

About the BCCLA:

The BC Civil Liberties Association (BCCLA) is a non-partisan, not-for-profit national leader whose mission is to promote, defend, sustain, and extend civil liberties and human rights. The BCCLA is the oldest and most active civil liberties and human rights group in Canada. The BCCLA has been actively advancing human rights and civil liberties through litigation, law reform, community-based legal advocacy, and public engagement and education for the last half century. Though we are based in BC, our work is national in scope with legal interventions and law reform advocacy across Canada.

BCCLA focuses on the relationship between people and the state, and the ways in which the state can limit or advance human rights and liberties. BCCLA's work pays particular attention to the needs of vulnerable individuals and oppressed communities, who would otherwise have difficulty getting redress for violations and limitations on their rights despite being the most susceptible to state regulation and violations of their fundamental rights. We recognize that liberty, dignity and equality are mutually-reinforcing, and that such rights are inalienable and necessary for the flourishing of individuals and human society.

With a mandate that includes work on police accountability, government transparency, democratic rights including freedom of expression, prisoners' rights, patients' rights, privacy rights, surveillance and national security issues, immigration detention, and criminal legal reform, we are one of the most vibrant and visible advocacy groups in Canada. The BCCLA is a small team with a big reach, and we want you to be a part of our work.

Skills and Qualifications Required:

A full job description is provided below.

- J.D. with at least 8 years' practice as a litigator, with complex trial and appellate experience. Less experienced lawyers with exceptionally outstanding abilities and

experience will be considered; at least five years of litigation experience. Individuals with more experience are strongly encouraged to apply;

- Demonstrated experience with constitutional litigation is an asset;
- Member of the Law Society of British Columbia or eligible for call to the BC Bar;
- Exceptional analytical, research, writing, and speaking skills;
- Substantive knowledge and understanding of constitutional law and civil liberties issues as well as the ability to think creatively and to use non-litigation strategies to promote objectives;
- Ability to maintain and build relations with external legal counsel;
- Demonstrated skills in litigating independently, jointly, and under pressure;
- Experience in media and/or public speaking;
- Passion for civil liberties and human rights issues;
- Must be extremely well-organized, able to prioritize tasks and meet deadlines, and work independently and as part of a team;
- Experience mentoring and supervising others;
- Lived experience of or experience (paid or volunteer) working on issues related to BCCLA's mandate are assets;
- Ability in languages other than English are assets;
- Ability to adapt work priorities and methods in response to changes in the legal and political landscape.

Job Description:

The BCCLA Litigation Director has an overall and general responsibility for the proper management and conduct of the BCCLA's Litigation Program. Subject to any direction from the Executive Director, the BCCLA Litigation Director will have the following specific responsibilities.

Duties include but are not limited to:

Identification and Evaluation of Potential BCCLA Litigation

The BCCLA Litigation Director will be responsible for identifying and evaluating potential appropriate cases and interventions for BCCLA litigation. The Litigation Director will:

- undertake timely review of appellate litigation across Canada;
- develop relationships with influential and leading legal counsel;
- draft and presenting case evaluations for review according to the Litigation Policy to determine litigation priorities; and
- provide the BCCLA with advice with respect to case and intervention acceptance.

BCCLA Pro Bono Litigation

Where the BCCLA uses external legal counsel to provide representation to the Association, the BCCLA Litigation Director will be responsible for the proper coordination and management of such cases. The Litigation Director will:

- develop and maintain good relationships with external legal counsel who represent or may represent the BCCLA in litigation;
- identify appropriate external legal counsel to represent the BCCLA in specific cases;
- serve as supervising counsel to and instruct external legal counsel as appropriate;
- assist external legal counsel with research, drafting and advocacy as appropriate;
- review and approving disbursement invoices;
- comment in the media on particular cases when appropriate; and
- delegate conduct to appropriate members of the Litigation Department staff and supervise and support as necessary.

Initiating and Conducting BCCLA Litigation

The BCCLA Litigation Director is responsible for all aspects of initiating and conducting litigation as legal counsel for the BCCLA in approved cases and interventions. The BCCLA Litigation Director will:

- undertake litigation preparation including legal research, communicating with appropriate witnesses, preparation of evidence;
- draft and file materials (affidavits, pleadings, arguments, factum) and communication with other counsel;
- attend court, tribunal or other appropriate hearings; and
- comment in the media on specific cases when appropriate.

Litigation Program Management

The BCCLA Litigation Director will be responsible for the general management of the BCCLA Litigation Program. The Litigation Director will:

- review, draft and update current and new BCCLA policies appropriate for the BCCLA Litigation Program for approval from the Executive Director and where appropriate the Board of Directors including the Litigation and Evaluation Criteria Policy and the Litigation Disbursement Policy;
- ensure the proper application and administration of such policies;
- undertaking strategic and operational planning for the BCCLA Litigation Program;
- maintain appropriate records/file management and reporting regarding all BCCLA litigation;
- provide appropriate direction, supervision, and mentorship to Litigation staff and BCCLA Articling and Summer Students;
- draft and manage the annual litigation budget;
- regularly meet with all litigation staff and the team as a whole to create a collaborative and aligned team; and
- Engage and maintain relationships with coalition partners, legislators, legislative staff, and community representatives working on similar issues, building issue networks across the country as appropriate.

Law Reform Activities

In addition to managing the litigation department, the BCCLA Litigation Director will, if time permits, is appropriate, or if directed by the BCCLA, support the Policy Department by engaging in BCCLA law reform activities including drafting and advocating submissions to appropriate government agencies or other organizations as well as providing input and advice to the Executive Director and Policy Director regarding their law reform activities.

Administrative and Professional Responsibilities

- Participate and provide leadership in BCCLA strategic planning and other organizational activities;
- Work with the BCCLA's full staff team to implement integrated public education, fundraising, and legal advocacy strategies;
- Pro-actively communicate with the BCCLA's staff and the Board of Directors so that they are well informed of upcoming hearings, judicial decisions, and important developments in the litigation department;
- Actively participate in and support staff and Directors meetings and collaborate with other departments to ensure consistent organizational strategy;
- Where requested, participate in public, education, and fundraising events for the BCCLA;
- Collaborate with Engagement and Communications on the creation of communications materials and written products for the website, membership, and public;
- Be a member in good standing with the Law Society of British Columbia;
- Ensure completion of Continuing Professional Development credits;
- In your capacity as an in-house lobbyist of the BCCLA, monitor and report any required monthly lobbying activity to the Litigation Director and Managing Director;
- Ensure compliance with the Law Society Rules and the Code of Professional Conduct;
- Adhere to internal systems for recordkeeping and information sharing; and
- Other duties as assigned.

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