

# PARKDALE COMMUNITY LEGAL SERVICES: AN INVESTMENT IN LEGAL EDUCATION<sup>©</sup>

BY MARILYN L. PILKINGTON\*

We celebrate tonight twenty-five years of Parkdale Community Legal Services (PCLS) and twenty-five years of Osgoode's Intensive Programme in Poverty Law. Those years have gone by very quickly for many in this room.

Community legal clinics now seem as inevitable as the needs they seek to address. It is thus important that we start with a sense of the real dimensions of the achievement we celebrate this evening. I invite you to reflect for a moment on how law schools work, how the Law Society works, how government works, and how all three of these institutions interact with communities. Parkdale Community Legal Services was not an inevitability twenty-five years ago.

Parkdale has been created and sustained with institutional support, but it demonstrates that committed and effective individuals make the difference. Many such individuals are gathered here this evening, and the institutions represented here salute you.

During dinner, I have been sitting with former Dean and former Justice Gerald Le Dain and Chief Justice McMurtry and, let me tell you, if we had turned on the microphones, you would have shared some wonderful reminiscences about the founding of the clinic, the negotiations with the benchers of the Law Society and other interesting aspects of the Parkdale history. I trust the conversations at your tables have been as rich with memories of Parkdale's twenty-five year history, and that you will find some of your memories reflected by our speakers.

Our featured speaker this evening is the Honourable Roy McMurtry, Chief Justice of Ontario, one of Osgoode's most distinguished alumni, a strong supporter of the law school and the only graduate to receive his LL.B degree and an honorary Doctor of Laws on the same day—at our special Centennial Convocation held in 1991.

---

© 1997, M.L. Pilkington.

\* Dean, Osgoode Hall Law School, York University. This text is based on remarks delivered as chair of the twenty-fifth anniversary dinner for Parkdale Community Legal Services and the Intensive Programme in Poverty Law, 14 November 1996, at the Sheraton Centre, Toronto.

He has an outstanding record of public service as Chief Justice of the Ontario Court of Justice, High Commissioner to London, former Attorney General of Ontario and a leading barrister. Among his many accomplishments, we remember this evening his role as a builder of the legal clinic system in the province of Ontario.

As attorney general, Roy McMurtry made a significant contribution to Parkdale as its initial funding ran out and its future was at risk. His government appointed Mr. Justice Osler as an independent commission to consider the role of clinics. Ian Scott (himself later the attorney general) was appointed as counsel to the commission. Attorney General McMurtry, drawing on the recommendations of Mr. Justice Osler, advocated a varied system of delivery of legal services. He worked with the Law Society and his own caucus, sometimes against compelling opposition, to create a structure and a funding mechanism of the clinic system. The system then established served us well for many years until a further review by the Honourable Sam Grange led to the system that now supports a network of legal clinics throughout the province. The chief justice provided important leadership and support at a critical point in Parkdale's history, and we are very pleased that he has joined us this evening.<sup>1</sup>

I have been reading some of the dean's office files going back to the time that Parkdale was created twenty-five years ago. There is a good deal of correspondence with the Law Society and there is quite an interesting array of internal memoranda discussing strategy in relation to the Law Society.

I have tried to think of ways of characterizing the society's role in the setting up of PCLS. I think it can best be described—or most tactfully described—as being a chamber for sober second thought. I understand that, at one stage, some benchers felt that an injunction would be the best vehicle for conducting further discussions with the law school in relation to the project. But fortunately, today, the Law Society—and the benchers of the Law Society—share an appreciation of the work that lawyers and community legal workers and law students do through community legal clinics. We are very pleased to have with us this evening the treasurer of the Law Society, Susan Elliott, and the chair of the Clinic Funding Committee, Bencher Paul Copeland.<sup>2</sup>

---

<sup>1</sup> See his remarks, reprinted in this issue: Hon. R.R. McMurtry, "Celebrating a Quarter Century of Community Legal Clinics in Ontario" (1997) 35 Osgoode Hall L.J. 425 at 426-27.

<sup>2</sup> See the remarks of these speakers, reprinted in this issue: "Remarks Delivered Following the Chief Justice" (1997) 35 Osgoode Hall L.J. 431.

Speaking on behalf of Attorney General Charles Harnick tonight is his deputy, Larry Taman. Larry is not here only to speak in his institutional capacity, but on his own behalf, because Larry was one of the key players in the development of the clinic. It is not very often that faculty council committees at Osgoode are chaired by students, but when the Parkdale project was conceived, the clinical training committee (now the clinical education committee) was chaired by Larry Taman, then a student.

In the early stages of conceptualizing the clinic, Larry was assisted by Terry O'Sullivan, also a student at the time, and by Professors Garry Watson, Stephen Borins, and Bill Neilson. Others became involved with the clinic as the role of the committee expanded. Some of the names in the files will be well-known to you, including Andrew Roman, Ian McDougall (now a member of the faculty), Edward Belobaba (a former member of the faculty), Mary Lou Goldfarb, Terry Hunter, Cheryl Appel, and Douglas Ewart, who co-chaired the arrangements for this celebration tonight.

The quality of the students' work in the proposal to establish the poverty law clinic was absolutely superb. With strong support by the faculty and the dean, they developed an ambitious and influential project, funded by foundations and governments. It is no wonder that Larry was identified as someone to watch for appointment to the faculty. He built his early career as a law teacher before undertaking challenges in the private practice of law and in public service, and we are pleased that he is with us this evening.<sup>3</sup>

The Parkdale initiative, now the Intensive Programme in Poverty Law, has continued to enjoy substantial support from students, faculty, and deans for more than twenty-five years. The founding dean, the Honourable Gerald Le Dain, who has been referred to frequently by our speakers, is, I am glad to say, with us tonight. He is very selective of the invitations he accepts for events outside of Ottawa, but he accepted this one without hesitation. He is joined by former Deans Stanley Beck and Mr. Justice Jim MacPherson. Unfortunately, Harry Arthurs is at another university event and John McCamus is out of town. Both asked me to convey their regrets and their best wishes.

It is not surprising that Parkdale emerged from Osgoode Hall Law School in the early 1970s. The school, almost a century old and based on a firm foundation of professionalism, was—and is—committed to exploring law as an instrument of social change and social justice. Osgoode became committed to this clinic program as a vehicle for

---

<sup>3</sup> His remarks are also reprinted: *ibid.*

effective education, of law reform, and service. Those three objectives remain the guiding principles behind the clinical program today.

The Parkdale project has put law at the service of a much wider range of interests in society, and the model of education that has been developed at Parkdale—integrating theory, policy, and practice within the context of service—has had tremendous impact, not only within Osgoode itself, but beyond.

We now have a number of clinical programs at Osgoode, but the poverty law program has really been the flagship. Our role in clinical education, and in particular poverty law education, is recognized nationally and internationally. It provides a catalyst and a laboratory for the study of poverty law and law reform, and it attracts visitors and opportunities to the law school. The program has remained central to our curriculum because its energy attracts students and faculty who are committed to its focus on social justice. In turn, the program reinforces the commitment to social justice within the law school.

A wide range of faculty members has been associated with the Parkdale program and sustained it over twenty-five years. When Bryant Garth, director of the American Bar Foundation, undertook an external review of the law school four years ago, he particularly commented on our success in staffing the academic program with a succession of members of the full-time faculty—a record that is not matched in most American law schools.

Fred Zemans, as you know, was the first director of Parkdale. He was followed by Ron Ellis, and by Archie Campbell. At that stage, the directorship split between an academic director and a director of the clinic. Mary Jane Mossman served an interim period as academic director, followed by Jack Johnson, Bill Angus, R.J. Gray, David Draper as acting academic director, Shelley Gavigan, Dianne Martin, and Simon Fodden. Some have signed on for more than one tour of duty—among them Ron Ellis and Shelley Gavigan, our dedicated current director.

The list of faculty involved with the program goes beyond the academic directors. Others have served on the board of Parkdale and on the clinical education committee of the law school. The program is broadly based within the faculty. It is very much part of the ethos at Osgoode Hall Law School—one of the strengths that defines and differentiates us from other excellent law schools.

The academic program operating within the community-based clinic, drawing on the expertise and commitment of staff lawyers and community legal workers, with the support of the community and of members of the legal profession, creates a tremendously rich learning experience for our students. The needs for legal services are compelling,

and there is always creative tension in keeping an appropriate balance for our students between education, law reform, and the provision of legal services. It is one of the issues that is never fully resolved and continues to attract our attention.

We are very grateful for the interest that all of the teachers at the clinic take in our students. The supervising lawyers, the community legal workers, and staff—all have impact on our students. In particular, I would like to acknowledge the contributions and tremendous service provided to the clinic by its directors on the non-academic side.

Mary Hogan served for seven years as director of the clinic, and went on to serve as deputy attorney general and as a judge of the Ontario Court of Justice (Provincial Division). I also want to acknowledge Gerald Green, Phyllis Gordon, and the current director, Kevin Smith. We express our appreciation and gratitude for the investment that you and the lawyers and staff have made in our students.

It was not easy to determine who we would ask to speak on behalf of the staff of Parkdale, but I feel that you will all agree that we have made an inspired choice. A number of people have moved in and out of the Parkdale clinic, but one person has remained for more than twenty years. Dorothy Leatch, the clinic's receptionist since 1975, mentor to all who meet her, problem solver extraordinaire, embodies the heart and soul of the clinic.<sup>4</sup>

I express our appreciation to the volunteer members of the board of the clinic, including members of the community and members of the legal profession. The clinic draws on the strength of these dedicated individuals, and I particularly mention lawyers like Ruth Wahl, our current chair, and other practitioners from large firms and small who volunteer their time on the board and at the clinic.

Parkdale Community Legal Services was the prototype community legal clinic in Ontario, and it continues to be the flagship of a network of clinics across the province. We at Osgoode value our connection with Parkdale, value the opportunity to educate our students to serve a wider range of needs for legal assistance. Our graduates have moved into positions of leadership within the clinic system, and they have moved into positions of leadership within the profession and the administration of justice from which they can support the clinic system. Many of those graduates are here tonight to celebrate the twenty-fifth anniversary of Parkdale and to reflect on what has been achieved—a productive partnership between a law school and a community,

---

<sup>4</sup> See D. Leatch, "Reflections on 22.2 Years as Receptionist at Parkdale Community Legal Services" (1997) 35 *Osgoode Hall L.J.* 663.

supported by the Law Society and by government, operated by a dedicated team of staff and succeeding classes of committed students. Thank you for the contributions each of you has made to the continuing success of PCLS and Osgoode's Intensive Programme in Poverty Law, and thank you for joining us to celebrate this anniversary.