

Experts in Canadian-American business law and policy gathered at the University of Windsor Law School on June 3-4, 2005 to discuss established practices and new developments and share recommendations for the maintenance of a harmonious cross-border commercial relationship. The Canadian-American Research Centre for Law and Policy hosted the colloquium on *Business Law at the Border*. The colloquium, involving both educators and practitioners, addressed various issues including remedies, secured transactions, corporate crime, and corporate responsibility.

David Denomme, Vice President and Senior Legal Counsel at CIT Financial Ltd. and a member of the teaching group in the Law School's Advanced Business Law Seminar, suggested that Ontario, which has not revised its Personal Properties Securities Act (PPSA) since 1989, lags far behind other Canadian jurisdictions that have since developed either new or revised PPSAs. "The law that relates to secured transactions has really only become more complex as our commercial economy has become more complex," he explained. "The issue, from a law reform perspective, is whether our laws are keeping pace with this change."

it. I understand that it's bad, but I've got to do it."

Professor Frankel said she attributes this trend to a relaxed vigilance with respect to fraud. A solution may begin with a shift in perspective. "We are going to have our rogues and our dishonest people, sure. Always. But the one thing that we may be able to change is our own judgment of them," stated Professor Frankel. "I don't want to live in a society in which people who have gotten away with it are admired and followed, especially by the young people."

Osgoode Hall professor Poonam Puri addressed the enforcement of securities laws in capital markets and the difficulties of obtaining compliance, both in Canada and the United States. "Stakeholders at all ends of the spectrum state their position quite vehemently," said Professor Puri. "While investors allege that there is insufficient enforcement activity, or that self-regulatory agencies are guilty of conflicts of interest, those who are regulated, market participants, complain that regulation is flawed—too many rules and enforcement is too rigid."

"And this debate is not only going on in Canada. We see it in the U.S. We see it in other jurisdictions," Professor Puri said, adding that

Corporate crime, particularly the North American attitude towards corporate fraud, was also examined. Tamar Frankel, of Boston University, suggested the American business culture is at a crossroad, where it is becoming more acceptable to justify fraudulent transactions. She noted: "Among the justifications is... 'I assume that other people are doing it, that my competitors are doing it; and if I'm not doing it, then I'm going to fail. I'm going to go bankrupt. I've got to do

effective enforcement is vital to achieving policy objectives of securities regulation—investor protection, efficiency of capital markets, and a high level of public confidence in the markets. Professor Puri advised reserving criminal sanctions for only the most exceptional of capital market offences.

Windsor Law professor Sukanya Pillay focused her address on global corporate social responsibility. She illustrated her presentation with reference to the devastating 1984 industrial accident in Bhopal, India where, in one night, 27,000 tons of a poisonous gas was leaked from a Union Carbide chemical plant. Within two days, more than 7,000 people were dead. The number of deaths is estimated to be much higher 20 years after the incident, standing today at 20,000.

"Holding a transnational corporation (TNC) accountable for human rights violations is difficult," Professor Pillay said. Transnational corporations are often incorporated in one country, but headquartered in another. Said Professor Pillay: "Clearly, there are some problems right off the bat. What recourse does a plaintiff, such as a slum dweller, or anybody who is injured by a transnational corporation, have if they want to seek a remedy against that TNC?"

People are growing less tolerant and more vigilant, however. "Times are changing," Professor Pillay stated. "Civil society organizations and individual shareholders are all much more educated, savvy and interested in ensuring that corporations take care in their activities abroad."

## Other conference papers delivered by Windsor Law Professors:

Jeff Berryman on: Remedies and Recognition of Judgments

Ruth Kuras on: Financial Services Regulation

Tom Denholm on: Corporate Crime

Paul Ocheje, Sukanya Pillay, and Aaron Dhir on: Corporate Responsibility

Proceedings available on the Internet at: <http://cfl-x.uwindsor.ca/CARC/2005/default.htm>

## inside this issue:

letter from dean elman – p2 ..... faculty opinion: marcia valiante – p3 ..... faculty focus on bill bogart – p4 ..... transjudicialism in action – p5  
agp campaign – p6&7 ..... the venerable george stewart – p8

## dear alumni and friends:

It is hard to believe that I have completed one five-year term as Dean and have now embarked upon a second. Working together – students, faculty, staff, and alumni and friends – we have accomplished a great deal since 2000. Allow me to give you a snapshot of those accomplishments.



### The J.D./LL.B. Program

We should be very proud of the creation and re-introduction of our J.D./LL.B. Program. Under the leadership of George Stewart, now Professor Emeritus, we re-examined and re-designed the Program. The J.D./LL.B. Program provides students with the credentials to be called to the Bar in either Canada or the United States. More importantly, the Program furnishes students with an understanding of two legal systems and two legal cultures which are similar in origin but very different in development. Our J.D./LL.B. Program is unique, integrated, comparative, and cross-border. Other schools are trying to follow our lead in the development of these programs. We have graduated 40 students from the Program in the past two years.

### Growth of Faculty and Staff

Our Faculty and Staff have grown over the past five years. Our appointments include: eight tenure track professors, a Reference Librarian for the Paul Martin Law Library, a new Director of Clinics, and a new Director of the University of Windsor Mediation Service. Our new colleagues have brought vigour and energy to our Law School. As a bonus, we have reclaimed Professor Charles James from the University Counsel's Office.

We believe that Legal Research and Writing (LRW) is the basic course on which all of our clinical and experiential programs are built. Recognizing its importance, we have increased the number of LRW Lecturers from two to three to reduce the student/faculty ratio in the course by 1/3, and we have provided the instructors with teaching assistants. We have invested heavily in this Program but we believe it is worth it.

Support for our students has always been one of our main goals. We now have more staff to carry out that mission: we divided the Career and Alumni

Development Office into two parts – Career Services and Alumni and Fund Development – and we have a Director for each. Further, we added a Director for the J.D./LL.B. Program, a new staff Supervisor in the Library, four support staff and an IT technician. In the next few months, we will be adding an Assistant Dean for Student Services, two additional support staff, and a second IT Assistant.

### Growth in Courses

We have gone through quite a transformation in our course offerings as well. In 1999-2000, we were offering 55 regular and special topics courses to upper year students; In 2004-05, we offered 68 regular and special topics courses. Some course such as Torts and Civil Procedure now have three sections for greater flexibility in student timetables. First year courses usually have four sections. And, of course, these are only numbers. We have many new courses including a newly designed 6-weight first year course in Access to Justice.

### Technology, Physical Environment, and Financial Support for Students

Three other areas of growth deserve mention: the Physical Environment, Technology, and Financial Support for Students. Among the areas of the building that have been renovated are the Student Organization offices, the Career Services and Alumni Development Offices, other Administrative Offices, the Alumni Lounge, and parts of the Library. Some minor redecorating has occurred in the Faculty offices, the G.O. and the administrative area. This summer, we are working on the downstairs classrooms, the PIT and the Gavel. The technological upgrades include the development of SMART classrooms in the Moot and the Wings, upgrades to the computer labs, staff and Faculty computers, and a wireless project in the PIT and

Gavel. This year, we will be developing two new SMART classrooms downstairs and extending wireless to the entire building except for the second floor of the Library.

In 1999, we gave out approximately \$50,000 in Faculty and University based financial support to students. By 2001-02, the amount had risen to \$371,091 and, by 2004-05, we were providing \$1.344 million in student support – an average of \$4,300 per student with need. We have been able to achieve this result through the re-investment of tuition funds and thanks to the generous donations of alumni and friends. Since 2001, our Endowments for Student Support have almost tripled from \$790,000 to \$1.925 million. This is good; but with your assistance, we can do better.

So this is a look back. Let's take a glance ahead. What might we strive for over the next five years?

### 1. Solidify existing programs; initiate new ones:

It goes without saying, that we have to ensure that our LL.B. and J.D./LL.B. Programs are meeting the varied and diverse needs of our student body. We need to remain current both with trends in substantive law as well as new developments in course delivery. For a variety of reasons, including research development and funding, I believe we must consider instituting a Master of Laws program in the near future. This could be a great opportunity for the Law School.

### 2. Re-examine our Curriculum in light of Learning Outcomes:

We need to determine the competencies – knowledge and skills – that Windsor Law graduates should possess when they graduate from our school and, moreover, determine how to best ensure that they have acquired those competencies. I personally

believe that we must provide greater opportunities for clinical and experiential learning with a further emphasis on professionalism and transnational law.

### 3. Support for Research and Scholarship:

We must examine how best to support the research efforts of our professors, whose work is so vital to the development of both law and policy. We know that law does not exist in a vacuum. Law (and the absence of law) affects individual and societal behaviour. It is important that our Faculty members are part of the public discourse on important legal and policy questions. I am certain that we can do more to support and facilitate the scholarly efforts of both faculty and students.

### 4. Examine Clinic

#### Amalgamation/Rationalization:

This issue has been with us for some time. We have two clinics funded by Legal Aid Ontario. This is somewhat of an anomaly. Our funder has told us that they want us to undertake a rationalization of our clinics. This is a good reason to look at this issue. But there is a better reason: perhaps through an amalgamation or rationalization – well thought-out and carefully designed – we will actually be able to deliver better service to our clients and the community generally and also provide an enhanced educational experience for our students. We also operate the Mediation Service and we might consider some other new initiatives. We have the knowledge, experience, and capacity to become a "Centre of Excellence" in Clinic Law. We should seize the opportunity and strive for this goal.

### 5. Set Service/Advancements Targets:

We need to examine how to better serve our students and, in some instances, our alumni. These goals will range from course counselling to financial counselling to career service and alumni relations. We have worked hard at this over these years and the addition of the Assistant Dean for Student Services will enable us to offer more enhanced services to our student body.

All of these goals will involve a careful examination of such consequential issues as our enrolment targets, our admissions process, the size and composition of our Faculty and Staff, the extent of future technological enhancements, and, perhaps most importantly, building renovation and expansion. As we go forward, we will be consulting you on the future development of your law school.

But it is all exciting! And we thought we would kick-off the Dean's new term with a new (and clearly more jazzy) Dean's Newsletter, now called **windsor law now**. We hope you enjoy it.

Bruce P. Elman  
Dean of Law

## faculty opinion: marcia valiante

protecting great lakes  
waters?



Who owns water and who should have rights to use it? Should water be treated as a commodity, like oil, and be subject to international trade regimes? Can water be protected for the exclusive benefit of those who reside where it is found, even when others face severe shortages? These legal and policy questions are at the heart of a recent initiative regarding the waters of the Great Lakes.

Looking at the Great Lakes, with 20% of the world's available fresh water, it is hard to imagine there could be a concern with water shortages. Yet, that is exactly the concern that has driven the Governors of eight states and the Premiers of Ontario and Quebec to spend five years negotiating a comprehensive arrangement on joint management of the waters of the Great Lakes Basin, known as the *Great Lakes Charter Annex Implementing Agreements*.

Underlying this is a fear that interests from outside the region will seek to divert or export water to replenish depleted supplies elsewhere. Such a fear stems from a thwarted plan in 1998 to export water by tanker to Asia, from the growing impact of global warming, and from a commonly held view that the existing legal parameters – trade rules and the U.S.

Constitution – would limit the ability of regional officials to refuse such a proposal.

Rather than ban all diversions and exports, proposals will be subject to regional review and stringent environmental criteria that will make significant new diversions or exports practically impossible. These stringent criteria are justified

by the potential impact on this important ecosystem and are long overdue.

Ontario played a central role in pushing the others to adopt strong environmentally-based criteria. It is one of the few jurisdictions in the region that already has a comprehensive water management scheme in place. Michigan, for example, has none and will take many years to catch up. All of the legal and policy questions surrounding the protection of Great Lakes waters are not resolved by these agreements and the political will for further negotiations is running out. Some issues will be difficult to resolve to the satisfaction of all stakeholders. One is how to treat the Chicago Diversion; another is how to satisfy the needs of communities that are within signatory states but are located just outside the geographic definition of the "Great Lakes Basin"; and another is how to effectively bind the parties to an international agreement.

The agreements' ultimate success will be determined in the years to come as future leaders face the difficult questions of implementation. But if the test is whether the environment will be better off with these agreements than without them, then the answer surely is "yes".

*Professor Marcia Valiante teaches Environmental Law, International Environmental, Land Use Planning, and Judicial Review. She is currently on Sabbatical leave.*

## Q&amp;A

faculty focus:  
bill bogart

can Canadians reclaim a confidence in representative politics?



## education:

B.A. 1971, University of Toronto  
LLB 1974, University of Toronto  
LLM 1980, Harvard Law School

## appointments:

Associate Professor of Law, 1980  
Professor of Law, 1984

## teaching (2005-2006):

Civil Procedure  
Judicial Review of Administrative Action  
Access to Justice

## publications:

Courts and Country:  
The Limits of Litigation and the Social and Political Life of Canada  
Civil Litigation:  
Cases and Materials 3rd, 4th, and 5th eds (with G. Watson and others)  
Consequences:  
The Impact of Law and its Complexity  
Access to Justice for a New Century:  
The Way Forward (with J. Bass and F. Zemans)  
Good Government? Good Citizens?:  
Courts, Politics, and Markets in a Changing Canada

In his latest book, Windsor Law professor Bill Bogart dispels a myth central to the Canadian citizen's growing disillusionment with representative politics. *In Good Government? Good Citizens? Courts, Politics, and Markets in a Changing Canada*, he shows that exiting the arena of representative politics and searching for alternatives for democracy is no way to revitalize a fractured and distrustful citizenry. **Bill Bogart** recently spoke with **Laura Pearce** about his fifth book, and getting Canadians back on track.

**You have said that representative politics today is in disarray, largely because of a progressive decline of the citizen's confidence in government. What prompted this decline?**

This is a phenomenon that is seen in many industrialized nations. But I think there is a particular manifestation of it in Canada. That decline has come about for a number of reasons that have asserted themselves in more or less the last two decades—such things as the ascent of courts, the expansion of markets. The relationship among the changes in our institutions are both cause and effect in terms of the growing disenchantment with representative politics.

**One thing you wrote a lot about was the Charter, and the enhanced role it gives to judges. Can you explain?**

I think that one of the things that I try to do in the book is not blame judges. I think that the Charter has given them a job to do, and we shouldn't be surprised when they do it. So no one should be amazed to see an enhanced role for the judiciary in the age of the Charter. What I try to suggest is that we'll have less concern for the judicial role under the Charter if we return to a more confident faith in representative politics and its capacity to make fundamental decisions. The emphasis I place on fundamental decisions are around something that I call "good public goods": education, protection of the environment, health care, and the social safety net. We need to return to a confidence in representative politics—to a belief that good public goods benefit all of us.

**Can you explain the role of markets in severing the ties between citizens and a representative government?**

I consider myself a political moderate. As part of that characterization, I certainly see a role for markets in terms of wealth creation. But we don't want the

market triumphant—the producer and distributor of virtually everything in society. I think good public goods are essential to the building of a vibrant civic society. We should be careful about the role that the market has, especially regarding public goods.

**In what ways do you think Canadians are becoming too dependent on the Internet as an alternative avenue for representative politics?**

I want to talk about something that I discuss in a number of places, and that is the "myth of exit". What I see taking place in terms of the Internet, but also in terms of the market and in terms of the Court, is a belief that the Court, the market, and cyberspace are alternatives to representative politics when in fact, in many instances, that's simply not the case. We have these people who are kind of bragging about the capacity of the Internet to reshape individual and societal existence at any number of levels. And they hype that. They attract attention. And when people are so disenchanted with representative politics they look around for alternatives. They kind of feed on this hype.

**When is the Internet actually good for democracy?**

The Internet will probably have more of an impact on democracy in societies that are not free. A tyrant's success depends upon a number of factors, one of which is to keep people ignorant of what's going on. And the Internet does have the capacity to spread knowledge regardless of almost any barriers that are erected. So I think there's potential there.

**You just don't want the citizen to develop an over-reliance on the comfort of the Internet.**

I think that's actually part and parcel of deflating the exaggerated claims for cyberspace. These claims describe individuals as very active



## transjudicialism in action

university of windsor spearheading palestinian judicial education project by laura pearce

The Federal government has increased by \$4.5 million its financial commitment to a Palestinian Judicial Education Project that will be implemented by the University of Windsor, the Institute of Law at Birzeit University, and the Palestinian High Judicial Council. Windsor Law professor Reem Bahdi will work closely with Dr. Mudar Kassis of the Institute of Law at Birzeit University, and Justice Assad Mubarak, High Court Judge and Chair of the Palestinian Judicial Education Committee, in overseeing the Project.

The funding announcement came May 27th, following a meeting between Prime Minister Paul Martin and Mahmoud Abbas, President of the Palestinian Authority during a meeting in Ottawa. In early February, Professor Bahdi participated in a 3-day conference entitled *The Conference on Judicial Education and Human Dignity*, which was attended by about 40 high-ranking Palestinian judges and other legal experts. Held at Birzeit University, the conference focused on the promotion of human rights and respect for human dignity in the Palestinian judicial process.

Federal Court Justice Doug Campbell, Chief Justice of Alberta Catherine Fraser, and retired Supreme Court Justice Claire

L'Heureux-Dubé helped lead the conference at Birzeit, and continue to volunteer their expertise in the development of the Project.

"Dr. Fayaz Manji of the Human Security Program at Foreign Affairs was the first person to understand the importance and potential of this project," observes Bahdi.

"Foreign Affairs Minister Pierre Pettigrew and International Cooperation Minister Aileen Carroll, have indicated their strong support for the partnership, as it is consistent with the Prime Minister's commitment to support Palestinian institutions."

"Ongoing dialogues, and a sense of trust, are essential to making

the program work" explains Professor Bahdi. "The judges work in partnership with us at every level, including the development of policy and programming and in the actual implementation of the education sessions."

"We should do more of this kind of thing," says Professor Bahdi, noting that the project can help her and her Canadian colleagues learn more about our own legal system, and ways it can be improved.

**"Ongoing dialogues, and a sense of trust, are essential to making the program work." Professor Reem Bahdi**

and very engaged, in terms of any number of public issues, and all of this is facilitated through the Internet. But when you actually look at the evidence of who uses the Internet in that way, on the whole it's limited to a minority of well-educated, affluent people.

**And the question has to follow—do the elected representatives even hear them?**

That's an excellent point. One of the things that is a phenomenon of the Internet is, of course, how it facilitates instantaneous communication. But one of the problems of instantaneous communication is that it's way overused. So elected representatives can be bombarded with emails. Not only emails that are relevant, but emails that are highly irrelevant to any issues of the day. So we see a potential benefit of the Internet being blunted through indiscriminate use.

**I suspect the task of bringing terms like "participatory democracy" back to the polls and away from such a lopsided reliance on courtrooms or markets is a tall order. Where do we need to start?**

The declining faith in representative politics is really putting us in a state of urgency. So I think the fundamental place to begin is to acknowledge that and to recognize that vibrant representative politics is very much worth saving, is absolutely essential in order for [people] to live valuable lives in this society. And I return to good public goods. There's no substitute for good public goods and representative politics is the vehicle that produces and delivers them. So the book really concludes with a plea for a change in attitude towards representative politics.

**Do you think we're far away from a change in attitude?**

Maybe we really have got to a point where a vibrant representative politics has escaped us. But, in the conclusion of the book I [do] depict a more optimistic scenario where citizens, business leaders, and judges, themselves, publicly recognize that we are all citizens, and that we all have an interest in having a vibrant representative politics that delivers good public goods.

**I think we want it. The question has to be, What will we be willing to do for it?**

I think that's a very good way of putting it. And I guess what I say, in part as an answer to that question, is that a vibrant representative politics has to be a big piece of the solution. If you don't accept that, I fear that you're one of the people that are buying into the myth of exit.

*Good Government? Good Citizens? Courts, Politics, and Markets in a Changing Canada* by W.A. Bogart is published by UBC Press, Vancouver: 2005. It is available on line at [www.ubcpress.ca](http://www.ubcpress.ca).



# annual giving program



## fund development at the faculty of law

Alumni donations are a telling factor in assessing the strength of a Law School. We want to increase the effectiveness of our Annual Giving Program and continue to provide for the unique financial needs of both the Law School and our students. We have redesigned our donor cards to reflect your individual profile at Windsor Law. We want to accommodate your personal and professional giving preferences in order to maximize their effect.

Call dates for our phone-a-thon are planned for October and November 2005, and every donation assists us in our goals. We encourage your participation in our Leadership Societies, with their varying perks and benefits. Membership in these leadership societies are a meaningful way to contribute back to our Law School. We also want to offer you the convenience of planning now for a donation in 2006 and beyond.

Our Annual Fund and special campaigns grew substantially in 2004, due in no small part to the energy of Dean Bruce Elman, our partners at University Advancement and our current law student callers. Our unique alumni base makes this type of growth possible, and enhances the reputation of the law degree we all share.

We look forward to future partnerships with you for our Annual Fund in 2005.

Karen Momotiuk '96  
Director of Alumni and Fund Development

## windsor law leadership societies

### Ron Ianni Society – over \$5000

- Personal invitation to the Dean's Annual Giving Society Event
- Personal invitation to all Faculty of Law seminars, symposia and special events
- A complimentary subscription to the Windsor Yearbook of Access to Justice
- Four tickets to the annual Windsor Law Gala dinner of your choice

### Dean's Leadership Society – \$1000 to \$2499

- Personal invitation to the Dean's Annual Giving Society Event
- Personal invitation to all Faculty of Law seminars, symposia and special events
- Two tickets to the annual Windsor Law Gala dinner of your choice

### John W. Whiteside Society – \$2500 to \$4999

- Personal invitation to the Dean's Annual Giving Society Event
- Personal invitation to all Faculty of Law seminars, symposia and special events
- A complimentary subscription to the Windsor Yearbook of Access to Justice
- Two tickets to the annual Windsor Law Gala dinner of your choice

### Faculty Leadership Society – \$500 to \$999

- Personal invitations to special events and guest speakers
- One ticket to the annual Windsor Law Gala dinner of your choice

## talking back – our summer phone campaign

Dean Bruce Elman and the Alumni and Fund Development Office indicated their commitment to increased contact with our alums by creating a student employment opportunity designed to reconnect our alumni back to the Law School. Alumni Liaison Raong Phalavong, Law III, was able to telephone almost 1500 alumni to obtain their individual feedback about Windsor Law. Raong canvassed alumni preferences and suggestions – talking about everything from their firm's marketing budgets to their individual tax planning preferences when dealing with the Law School. We are making every effort to take your preferences personally, one alum at a time. Thanks to all who talked back!

## alumni fund for the enhancement of student life

In 2000, Dean Bruce Elman created a unique Fund out of the Annual Giving Program phone-a-thon dollars to enable students to enhance their Law School experience. Through this program, Windsor Law is able to host high-profile speakers, hold panel discussions and encourage student participation in professional and academic programs (both national and international) that would ordinarily be out of their financial reach. The speakers who visit the Law School are well received by students and faculty alike. Events and panel discussions have been well-attended by members of the local Windsor Bar and help us foster a closer connection with our alumni. Alumni donations towards this fund help us raise the profile of our students and our Law School.

## our 411 club

The Alumni and Fund Development Office often gets inquiries about the whereabouts of your classmates. Whether our alums are moving to a new city, are looking for practice contacts, or simply trying to find old friends, a directory of Windsor Law Alumni is long overdue. Well – the wait is over! As a gift back to our graduating classes we are assembling our first annual Windsor Law Alumni Directory. We will organize the directory both by graduation year and by last name, available both in print and online. We hope this will help you continue to be a part of our Windsor Law community.

## extreme makeover

Your alumni dollars also go towards improvement of the physical space of the Ron Ianni Faculty of Law Building. The building, constructed in 1968, is getting a facelift.



## fellowship key to international social justice

Windsor Law's new Social Justice Fellowship Program provides students with invaluable exposure to social justice advocacy in both a domestic and global context. We want to encourage our students to pursue social justice opportunities, and give them the financial backing in order to do so. Four fellowships were awarded from funds generously provided from our alumni in support of our Annual Giving Program's phone-a-thon.

Linh Dang, Law I, worked on the Malaika project in Africa in the fight against AIDS and HIV. Sanja Popovic, Law I, interned at the United Nations' International Criminal Tribunal. Sarah Atchison, Law II, worked for the World Organization against Torture, and Stacey Mitchell, Law I, interned in Geneva at the United Nations' Research Institute for Social Development.

In commemoration of their graduation years, the classes of 1980 and 2005 have collaborated with the WB Family Foundation to renovate the student common areas affectionately known as the "Pit" and the "Gavel". Graham Gow '80, an officer and director of the WB Family Foundation, proposed the gift and infused the project with an initial donation of \$30,000 on its behalf. The Class of 1980 (for their 25th anniversary reunion) is contributing to the project in memory of their classmate, Scott Sievert.

The outgoing Class of 2005, for their part, have committed to raising \$20,000. They have already pledged \$10,600 with more donations flowing in every day. Since plans were already underway for the modernization of Classroom G104, we were able to do both due to the generosity of all involved. Way to Grow!



Sanja Popovic, Law I

## reinvest in windsor law

Thousands of scholarships, awards and bursaries have been awarded by the Law School since 1968. This year, we have launched our Award Reinvestment Program in conjunction with our Annual Giving Program.



Our student body continues to grow. For us to remain competitive we need commensurate growth in financial aid. To continue the momentum, more scholarship dollars help our students to focus on

their legal education and their careers in law.

Award Recipients can commemorate the benefit they received and multiply the effect of past awards by reinvesting in new scholarships and endowments. As an added incentive, the original donors are being notified that their gift has been reinvested to create new opportunities for future Windsor Law students. We hope you will consider this unique program to multiply the benefits of investing in Windsor Law.

## second to none: nulli secundus

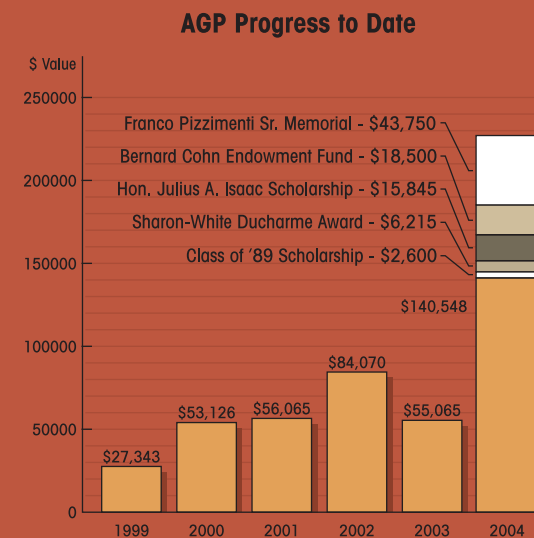


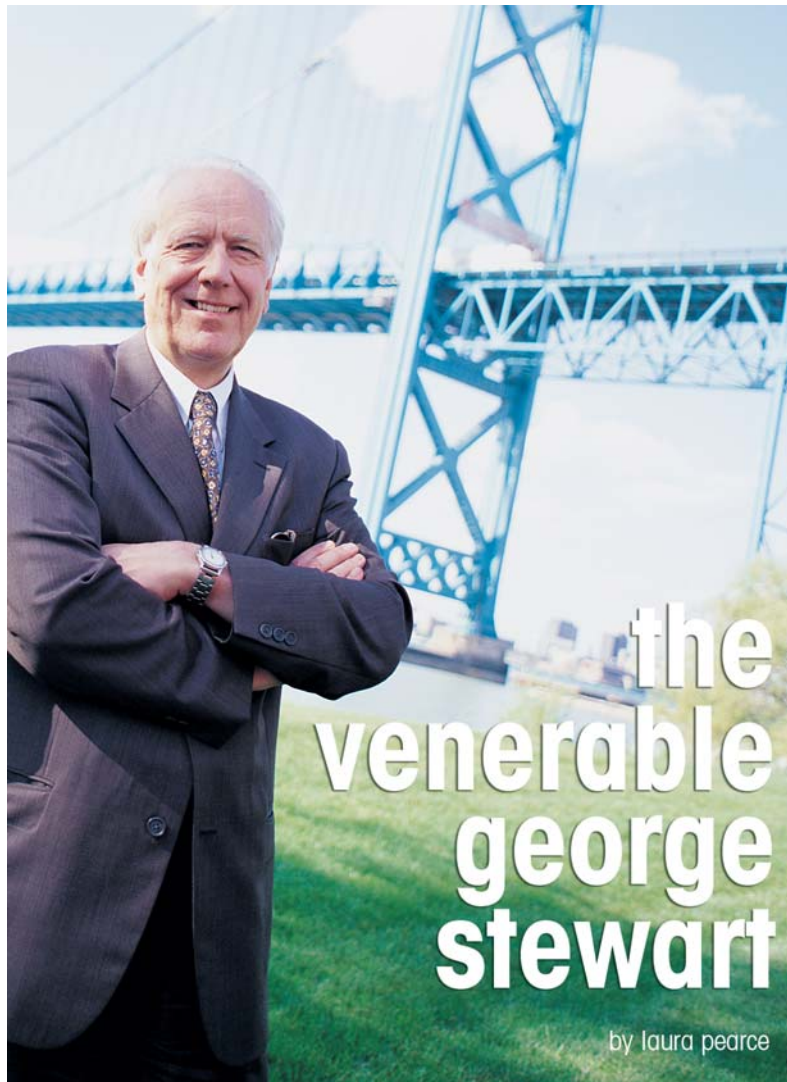
*Nulli Secundus* means "Second to None" in Latin. Through the generous financial support of our alumni and friends, we strive to live up to that statement in our alumni publications. We hope you are enjoying the Summer 2005 issue, with features on Hamilton's Legal Landscape, and the Colloquium on the Legal Profession which we hosted this spring. This new publication, **windsor law now**, would also not be possible without alumni contributions.

We are now designing our Winter Issue of *Nulli*, which will feature our largest Alumni Achievements section to date, based on your feedback gathered during our telephone interviews this summer. We always welcome your suggestions and story ideas to make *Nulli Secundus* your publication as much as it is ours.

## student support endowments growing

Thanks to the generosity of alumni and friends, our Endowments for Student Support have increased from \$790,000 to \$1.925 million since 2001. Gifts are directed either to our general endowment (the *Access to Legal Education Endowment*) or to one of the many Class gift projects or other named scholarship funds that have been established in recent years including the *Barbara Gesell Ferreira Award*, the *Heather Swift Memorial Scholarship*, the *Sharon-White Ducharme Award*, the *Franco Pizzimenti Sr. Memorial Scholarship*, and the *Honourable Justice Julius A. Isaac Scholarship*.





teaching, his commitment to mentoring students, and his academic leadership.”

Dean Elman cites the 2001 re-introduction of the integrated J.D./LL.B Program as one of Professor Stewart’s most remarkable contributions to Windsor Law. With Professor Leon Lysaght of the University of Detroit Mercy Law School, Professor Stewart helped re-establish the joint-degree program, overseeing administrative tasks, ensuring that jurisdictional requirements were met, and designing appropriate teaching modules. “In the four years since we’ve re-introduced the Program, George has been the mainstay. [The] program would not be the success it is without him,” Dean Elman says.

It is no surprise to hear that

her Secured Transactions professor for his generous character. “Professor Stewart’s teaching style illustrates his passion for the subject and his great dedication to his students,” she states. “He goes out of his way to assist students by offering extra tutorials and exam review classes. He is always available and willing to help.”

Professor Stewart has also been a supportive colleague, as Jeff Berryman explains. “He’s been a colleague who has probably read almost everything I’ve published, and I know that I’ve called upon him in times where he’s been very busy. But he would never hesitate to take the material and read it, and always came back with very constructive comments,” recalls Professor Berryman, “[And he] was always the gentleman and ever so polite about saying, ‘Well, have you considered such-and-such?’”

Professor Berryman knows that even though Professor Stewart will have an ongoing relationship with the Faculty, he may see less of his retired friend and colleague. “They are big shoes to fill,” Professor Berryman says. “George has always been there when the institution has needed him. He’s been called upon to do work

**“I couldn’t ask for a better life path... Everybody should be so lucky.”**  
**Professor Emeritus**  
**George Stewart**

Considering the honour that has been bestowed upon him a hint of pride would be perfectly reasonable, but the professor, with his characteristically gracious unassuming manner, expresses little more than the modesty his colleagues and students have come to expect.

Windsor Law’s George Stewart, who retired June 30th after more than 30 years at the Law School, has been named Professor Emeritus and is getting used to the honour. “I am uncomfortable in being honoured in any way. But Professor Emeritus is different because it represents a relationship with an institution for which that I have great affection. It’s a continuing relationship, and that’s something I am happy about,” he says.

Dean Bruce Elman speaks candidly about Professor Stewart’s involvement in shaping Windsor Law into the program it is today, noting that over the years Stewart has served as Associate Dean and Assistant Dean at the Faculty, and has built a solid reputation as an expert on commercial, corporate and intellectual property law. “Professor Stewart’s appointment as Professor Emeritus is richly deserved,” Dean Elman states. “It is appropriate recognition for his excellence in

George Stewart is the person Dean Elman is most asked about at Alumni functions. Windsor Law graduating classes have, on four different occasions, recognized Professor Stewart with the Outstanding Faculty Member Award. In 1998, Professor Stewart received the University of Windsor Students’ Alliance Excellence in Teaching Award.

Windsor Law Professor and former Dean Jeff Berryman nominated George Stewart for Professor Emeritus. “He’s that quintessential academic who delights in the intellectual inquiry, is a great teacher, and a great colleague. He’s a source of cohesion around the Faculty.”

Dean Elman echoes Professor Berryman’s praise: “By his very character, his integrity, his concern for others, and his warm personality, George Stewart has influenced Windsor Law School to be a caring and accommodating place. It is impossible to underestimate the influence of Professor Stewart’s character, personality, and integrity on his colleagues, our staff, and our students.”

Jennifer Black graduated in June and remembers

and, unfailingly, he has always consented to do that work, and he’s done it in a sterling way.”

Professor Stewart, also a noted legal scholar and publisher, embraces this new stage of his life with an earned readiness. “When one retires, there’s a fullness and a certain serenity to it,” he says. “The greatest thing will be to see the leaves turn in Northern Ontario in September. It’s the first time in living memory I won’t be in school,” says Professor Stewart, looking ahead to his retirement with more time to stay at the family cottage, visit his grown children, and sail.

Still, he will miss teaching full time and is happy the Professor Emeritus appointment allows him to stay involved with Windsor Law. He will be involved with the J.D./LL.B. program and teach as a sessional instructor. “I couldn’t ask for a better life path,” he says. “Everybody should be so lucky.” In the spacious seating area outside his new office in the Paul Martin Law Library, Professor Emeritus George Stewart surveys his surroundings contentedly: “Look at this! It’s like going to heaven without dying!”

## windsor law now

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