**BRUCE PETER ELMAN**

**Curriculum Vitae**

1. **Current Occupation:**

Professor of Law

University of Windsor

July 2000 to Present

Integrity Commissioner

City of Windsor, Ontario, Canada

August 2011 to Present

1. **Previous Occupational Experience:**

Dean of Law

University of Windsor

July 2000 – 2011

Belzberg Professor of Constitutional Law

University of Alberta

June 1996 - June 2000

Chair, Management Board

Centre for Constitutional Studies

University of Alberta

July 1984 - June 2000

Professor of Law

University of Alberta

July 1985 - June 2000

Associate Dean

Faculty of Law

University of Alberta

July 1991 - June 1994

Associate Professor of Law

University of Alberta

July1979 - June 1985

Assistant Professor of Law

University of Alberta

July 1, 1975 - June 30, 1979

1. **Educational Background:**

McGill University

September, 1966 - May, 1971

Bachelor of Science Degree (Psychology)

Awarded May, 1971

Dalhousie Law School

September, 1971 - May, 1974

Bachelor of Laws Degree

Awarded May, 1974

Harvard Law School

September, 1974 - June, 1975

Master of Laws Degree

Awarded June, 1975

1. **Calls to the Bar:**

Law Society of Upper Canada,

Call to the Bar, 2002

Law Society of Alberta,

Call to the Bar, 1979 (inactive)

1. **Awards and Honours:**
2. Member and Chair of the Board of Governors of the **Law Commission of Ontario** (Member from May, 2012 and Chair from September, 2012).
3. Visiting Professor of Law, **University of Toronto**, 2011 – 2012.
4. Visiting Scholar in Residence, **Centre for the Legal Profession**, University of Toronto, 2011 – 2012.
5. Advisory Board, **Research Unit Research Unit for the Study of Society, Law and Religion**, University of Adelaide, Adelaide, Australia.
6. Appointed Honorary Board Member*,* **Centre for Constitutional Studies**, Edmonton, Alberta, June 26, 2007.
7. Honorary Graduate Diploma, **Sydney Academy**, Sydney, Nova Scotia, June 2003.
8. *The Tevie H. Miller Teaching Excellence Award*, Faculty of Law, **University of Alberta**, January 1999.
9. *Jewish National Fund of Canada, Edmonton Negev Dinner Honouree,* June 1998. Honoured for service to the State of Israel and the Jewish Community of Edmonton.
10. *Teaching Excellence Award,* **Hebrew University of Jerusalem**, August 1996.
11. Visiting Professor of Canadian Law, Faculty of Law, **Niigata University**, Niigata, Japan, June, 1994 - July, 1994.
12. Visiting Professor of Law and Canadian Studies, **The Hebrew University of Jerusalem**, Jerusalem, Israel, July, 1988 - June, 1989 and July, 1995 - June 1996.
13. Arthur C. McCalla Research Professorship*,* **University of Alberta**, July 1985 - June, 1986.
14. Visiting Scholar, **Stanford Law School**, Stanford, California, July 1, 1981 - June 30, 1982.
15. **Published Works:**

**Books:**

Leonard I. Rotman, **Bruce P. Elman**, Gerald L. Gall eds., **Constitutional Law: Cases, Commentary and Principles**, Thomson Carswell, Toronto: 2008.

**Articles and Commentaries:**

1. Elman, “Creating a Culture of Professional Responsibility and Ethics: A Leadership Role for Law Schools”, (2009), 27 *Windsor Review of Legal and Social Issues* 93-115.
2. Billingsley, Barbara and Bruce P. Elman, “The Supreme Court of Canada and the Alberta Court of Appeal: Do the Top Courts Have a Fundamental Philosophical Difference of Opinion on Public Law Issues?” (2001) 39 *Alberta Law Review* 703-737.
3. Elman, “Honouring Memory, Doing Justice: Holocaust Denial, Hate Propaganda and Canadian Law” in Decoste and Schwartz, eds. *The Holocaust’s Ghost: Writings on Art, Politics, Law and Education*, University of Alberta Press: Edmonton, 2000.
4. Review, “For Humanity: Reflections of a War Crimes Investigator”, (2000) 56 (1) *International Journal* 173-175.
5. Elman and Mason, “The Failure of Dialogue: Winnipeg Child and Family Services (Northwest Area) v. G. (D.F.)”, (1998) 36 *Alberta Law Review* 768 - 784.
6. Elman, "The Constitutionalization of Multiculturalism" in Adelman and Simpson, *Multiculturalism, Jews, and Identities in Canada,* Magnes Press: Jerusalem, 1996.
7. Elman et al., "Hate Speech Symposium: Protecting Rights, Protecting Hate? Comparative American, Canadian, and Israeli Approaches" (1995), 6 *Touro Journal of International Law (Spring*), 1 - 124.
8. Elman, "Combatting Racist Speech: The Canadian Experience", (1994) 32 *Alberta Law Review* 623 - 666.
9. Elman and Nelson, "Distinguishing *Zundel* and *Keegstra*, 4 *Constitutional Forum* 71-78.
10. Elman, "A Review of the *Keegstra* Case: Supreme Court Upholds Hate Propaganda Law", 2 *Constitutional Forum* 86-89.
11. Elman and McLellan, "Canada After Meech", 2 *Constitutional Forum* 63-67.
12. Elman, "Burying "Rothman": The Supreme Court and the Right to Remain Silent", 2 *Constitutional Forum* 17-19.
13. Elman, "*Her Majesty The Queen* v. *James Keegstra*: The Control of Racism in Canada - A Case Study" in Levitt and Greenspan, *Under the Shadow of Weimar: Democracy, Law & Racial Incitement in Six Countries*, Praeger Publishing, 1993.
14. Elman, "*Greffe* v. *The Queen*: Just Because Evidence is Real Doesn't Mean It Is Admissible", *Constitutional Forum* Vol. 1 No. 3.
15. Elman, "Supreme Court of Canada in *Brydges* Expands Right to Counsel", *Constitutional Forum* Vol. 1 No. 3.
16. Elman, "Buckle Up! Alberta's Seat Belt Law Reinstated", *Constitutional Forum* Vol. 1 No. 2.
17. Elman, "A Change in Charge Requires a Second Chance to Consult Counsel", *Constitutional Forum* Vol. 1 No. 2.
18. Elman, "Altering the Judicial Mind and the Process of Constitution - Making in Canada", *Constitutional Studies* 1989, 521-534.
19. Elman, "The Times They Are A'Changing: The Charter and the Supreme Court of Canada", *Canadian-Israeli Perspectives*, *Israel Association for Canadian Studies*, (1990).
20. Elman, "The Promotion of Hatred and the Canadian Charter of Rights and Freedoms: A Review of *Keegstra* v. *The Queen*", (1989) 15 *Canadian Pub. Pol.* 72-83.
21. Elman, "Returning to *Wray*: Some Recent Cases on Section 24 of the Charter", 26 *Alta. L. Rev.* 604-620. (Cited with approval by the Supreme Court of Canada in *R*. v. *R.J.S.* (1995).)
22. Elman, "*Collins* v. *The Queen*: Further Jurisprudence on Section 24(2) of The Charter", (1987) 25 *Alberta Law Review* 477.
23. McLellan and Elman, "To Whom Does the Charter Apply? Some Recent Cases on Section 32", (1986) 24 *Alberta Law Review* 361 (Cited with approval by the Supreme Court of Canada in *R.W.S.D.U.* v. *Dolphin Delivery* (1986), and *McKinney* v. *University of Guelph* (1990) and in *New Brunswick Broadcasting* v. *Nova Scotia* (1993).)
24. Elman, "The Right to Counsel Denied: Recent Cases on Section 10(b) of the Charter", (1984) 22 *Alberta Law Review* 501.
25. McLellan and Elman, "Enforcement of the Canadian Charter of Rights and Freedoms: An Analysis of Section 24", (1983) 21 *Alberta Law Review* 205. (Cited with approval by the Supreme Court of Canada in *R.* v. *Burlingham* (1995).)
26. Elman, "The Use of Videotape Evidence in Civil Cases", (1981) 19 *Alberta Law Review* 215.
27. Elman, "Declarations Against Interest: Requirement that Declaration be Against Interest at the Time it was Made", (1980) 5 *E.T.R.* 279.
28. Elman, "The Broadening Implications of *Ares* v. *Venner*", (1979) 9 *C.C.L.T.* 140.
29. Elman, "Ensuring Competency in the Legal Profession: The Use of Statutory Powers", *The Legal Profession and the Quality of Service*, Canadian Institute for the Administration of Justice: 1979.
30. Elman, "The Solicitor-Client Privilege in Wills Cases", (1977) 1 *E.T.R.* 232.
31. **Major Unpublished Works and Addresses**
32. “The Open Court Principle Re-examined”, *Discussion Forum on* *Freedom of Expression and the Criminal Law*, London, England, May, 2014.
33. “Preventing Public Dissemination of Publically Available Speech in Canada”, *Discussion Forum on Freedom of Expression*, London, England, June, 2012.
34. “A Discussion of Ethics – Public and Professional”, *Essex Law Association,* Annual Meeting and Dinner, April, 2012.
35. “The Jewish Community, the Constitution of Canada, and the Courts: Cases of Religious Freedom”, *Windsor Jewish Federation*, December 2011.
36. “Leading the Movement for Ethical Lawyering: Pro Bono”, *University of Toronto*, Intensive week on Ethics and Professionalism, November 2011.
37. “Creating a Culture of Ethical Lawyering in Law Schools”, *Centre for the Legal Profession, University of Toronto*, Program on Professionalism, September, 2011.
38. “Current Topics in Ethics and Professionalism”, Panelist, *Centre for the Legal Profession, University of Toronto* and *The Toronto Lawyers’ Association,* September, 2011.
39. “Professional Oversight and the Future of Legal Education in Canada”, *American Association of Law Schools*, Annual Meeting, New Orleans, January, 2010.
40. “Religion, Feminism, and the Law”, *Israel Association of Canadian Studies*, Jerusalem, Israel, July, 2008.
41. “Comparative Federalism: The Canadian Model”, *Southeastern Association of Law Schools,* Palm Beach, Florida, July, 2008.
42. “The Development of Freedom of Expression in Canada”, *Southeastern Association of Law Schools,* Amelia Island, Florida, July, 2007.
43. “Section 27 (Multicultrualism) and the *Canadian Charter of Rights and Freedoms:*  Recent Developments,” Halbert Centre for Canadian Studies, Hebrew University of Jerusalem, Jerusalem, Israel, May 2007.
44. “Creating a Culture of Professional Responsibility and Ethics: A Leadership Role for Law Schools” *Eighth Colloquium on the Legal Profession: The Challenges of Leadership,* the Chief Justice of Ontario’s Task Force on the Legal Profession, London, Ontario, May 2007.
45. “Hate Speech and Freedom of Expression in Canada”, *Brandeis School of Law, University of Louisville,* Louisville, KY, March 2007.
46. “The Challenges Facing Legal Education in Canada”, section on North American Legal Co-operation, *Association of American Law Schools*, Washington, D.C. January 2007.
47. “The Obligations of Lawyers (and law students) to mend the World”, *Canadian Association of Jewish Law Students,* Ottawa, January 2006.
48. “Ten Constitutional Ideas Every High School Student Should Know, *Summer Law Institute for Secondary School Teachers*, Windsor, Ontario, August 2003.
49. “The Obligations (Not Rights) of Citizenship Commencement Address, *Sydney Academy*, Sydney, Nova Scotia, June 2003.
50. “The Use of Public Funds for Religious Education: A Canadian Constitutional Perspective, *International Association of Jewish Lawyers and Jurists,* Toronto, August 2000.
51. “The 1999 Term of the Supreme Court of Canada”, Symposium on the *Supreme Court in Constitutional Matters*, sponsored by the Centre for Constitutional Studies and the Legal Education Society of Alberta, Edmonton, May 2000.
52. “A Constitutional Analysis of New Genetic and Reproductive Technologies, *Association of Alberta Government Civil Lawyers,* Banff, October 1999.
53. “Public Interest Advocacy, the Notwithstanding Clause, and the *Vriend* Case: A Narrative”, presented at the *International Colloquium Celebrating the 50th Anniversary of the Supreme Court of Israel: Democracy and the Courts*, Jerusalem, Israel, June 1998.
54. “Promise Lost: The Effect of the Charter on Criminal Liability, presented at the *International Canada - Israel Law Conference on* *Litigating the Values of a Nation*, Tel Aviv University, Tel Aviv, Israel, May 1998.
55. **The Belzberg Lecture in Constitutional Studies:** “Honouring Memory and Doing Justice: Holocaust Denial and Hate Propaganda in Canadian Law”, presented at a Conference on *The Holocaust: Art, Politics, and Law*, University of Alberta, October 30, 1998.
56. “Ethics of Our Fathers”: A Series of Seven Seminars on the Talmud Tractate *Pirkei Avot*, for Congregation Beth Shalom, Edmonton, Alberta, April - May, 1997 and 1999.
57. “Jews, Judaism, and Constitutional Reform: The Role of the Jewish Community and Jewish Principles in Canadian Constitutional Reform”, presented at the Annual Conference, *Israel Association of Canadian Studies,* Jerusalem, Israel, May 1996.
58. “Canada’s Criminal Law Revolution”: A Series of Six Seminars Conducted for the Ministry of Justice, Jerusalem, Israel, November - December, 1995.
59. "The Constitutionalization of Multiculturalism", presented at the *Conference on Ethnicity and Identity in Canada and Israel*, Hebrew University, Jerusalem, May 1994.
60. "The New Israeli Mini-Charter of Rights and the Criminal Process", presented to the *Canadian Association of Jewish Law Students*, Montreal, January 1993.
61. “The Criminal Law Revolution: Ten Years of Charter Jurisprudence" presented at Canada-Israel Law Conference on *Chartering Human Rights*, Jerusalem, Israel, December 1992.
62. "The Canadian Charter and Fundamental Jewish Values", presented to the *Canadian Association of Jewish Law Students*, Toronto, January 1992.
63. "Developing Trends in Charter Litigation", presented to the *Western Conference of Provincial Court Judges*, September 1984.
64. "The Feasibility of Establishing a National Secretariat for Judicial Education on Sentencing", prepared for the *Department of Justice*, Ottawa, under the auspices of the Canadian Institute for the Administration of Justice, April 1982.
65. “The History of Judicial Independence", presented at the Inaugural Meeting of the *Canadian Conference of Judges*, August 1979.
66. "Recent Developments in the Law of Evidence", presented at *New Judges Conference*, March 1979.

**Unpublished Speeches on Racist Speech:**

1. “Racist Speech and the Internet”, presented at a *Conference sponsored by B’nai B’rith Canada on The Web of Hate*, Edmonton, Alberta, March, 1998.
2. "The Criminal Prosecution of Hate Speech: The *Keegstra* and *Zundel* Cases" *Conference on Protecting Rights, Protecting Hate? Comparative American, Canadian, and Israeli Approaches*, Touro College, Jacob D. Fuchsberg Law Center, April, 1994.
3. "Hate Propaganda and the Use of the Criminal Sanction" *Society for the Reform of the Criminal Law*, Ottawa, June 1993.
4. "Control of Racism Through the Criminal Law: Some Thoughts on the *Keegstra* Case", delivered to the *National Executive of Hadassah-Wizo of Canada* meeting in Edmonton.
5. “Canada's Hate Laws: Some Comments on Reform", delivered at an open forum on the anniversary of the Kristallnacht, sponsored by the *Edmonton Jewish Federation*.
6. "The Evidentiary Implications of the *Keegstra* Case", delivered at the Annual Meeting of the *Canadian Association of Law Teachers* in Winnipeg.
7. "Freedom of Expression and Criminal Sanctions", delivered to the Civil Liberties Subsection of the *Alberta Branch of the Canadian Bar Association*.
8. "The *Keegstra* Case: A Review and a Look Ahead", delivered at an open meeting in Calgary sponsored by the *Second Generation After Group*.

**Unpublished Speeches on Constitutional Reform:**

1. “Euthanasia, Assisted Suicide, and the Right to Die”, *Cerebral Palsy Association of Alberta,* April, 1999.
2. "The Canadian Jewish Congress and Constitutional Reform: 1945 - 1994" *Canadian Jewish Historical Society*, Calgary, June 1994.
3. "The West: Perspectives on Constitutional Reform", an address delivered at the Plenary of *Canadian Jewish Congress*, May 1992.
4. "The Canadian Charter of Rights and Freedoms and the Jewish Legal Tradition", an address delivered to the National Conference of *Canadian Jewish Law Students*, Toronto, Ontario, February 1992.
5. "Challenges to Multiculturalism", an address delivered at a Christian-Jewish dialogue commemorating the 47th anniversary of the liberation of Auschwitz, sponsored by *The Auschwitz Awareness Society*, Edmonton, Alberta, January 1992.
6. "Changing Visions: Constitutional Values Since Confederation", an address delivered at a Conference on *Values and Visions: Perspectives on a New Canada*, sponsored by The Canadian Multi-Cultural Education Foundation, Edmonton, November 1991.
7. "The Five Lessons of the Meech Lake Accord", an Address delivered to the *Strathcona Rotary Club*, June 1991.
8. "The Failure of Teamwork: The Meech Lake Debacle Revisited", Keynote Address delivered at the Annual Conference of the *Business Education Council*, Jasper, Alberta, April 1991.
9. "Canada After Meech", an Address to the *Education Society of Edmonton*, November 1990.
10. "Canada After Meech", presented at the Luncheon Series sponsored by the *Jewish Community Centre*, September 1990.
11. **Research Grants**
12. *Centre for Constitutional Studies*: Grants totalling over $2.5 million from the Alberta Law Foundation for the establishment and continuing operation of the *Centre for Constitutional Studies* (with colleagues).
13. *The Charter of Rights Database Project*: Grants from the Alberta Law Foundation totalling $500,000 for the establishment and maintenance of the Charter of Rights Database from 1983 to 1992 (with colleagues).
14. *Age Discrimination Project*: A $5,000 grant from the Alberta Law Foundation.
15. *Feasibility Study on establishing a National Secretariat for Judicial Education on Sentencing*: A $10,000 grant from the Department of Justice, Ottawa, administered through the Canadian Institute for the Administration of Justice.

***Note:*** This list does not include Grants obtained while I served as Dean of Law at the University of Windsor. I do not view those Grants at a personal achievement but rather as an institutional one.

1. **Professional Activities** (Current Appointments in **Bold**)
2. *Ontario Justice Education Network*, Representing Ontario Council of Law Deans, 2004 to 2006.
3. *National Committee on Accreditation*,Representing the Council of Canadian Law Deans, 2004 to 2010.
4. Member, Management Committee, *Centre for Studies in Social Justice*, 2003 to 2005.
5. Member, Executive Committee, *Centre for Studies in Social Justice*, 2003 to 2005.
6. Project Advisory Committee, *Provincial Study of Tuition and Accessibility to Law School*, 2002 to 2004.
7. ***Chief Justice’s Advisory Committee on Professionalism*, 2001 to Present.**
8. Co-Chair and Member, Steering Committee, *Social Justice Institute*, 2001 to 2003.
9. Chair, Board of Directors, *University of Windsor Mediation Service*, 2000 to 2011.
10. Member, Board of Directors, *Centre for Transnational Law and Justice* (formerly *Canadian American Research Centre for Law and Policy)*, July 2000 to 2011.
11. Chair, Board of Directors, *Community Legal Aid*, July 2000 to 2011.
12. Chair, Board of Directors, *Legal Assistance of Windsor*, July 2000 to 2011.
13. Columnist, *Canadian Jewish News*, July, 1998 to December, 2001.
14. Columnist, *Edmonton Jewish Life*, July, 1998 to December, 2001.
15. National Board Member, *Canada Israel Committee*, 1996 to June 2000.
16. Editor, *Edmonton Jewish News* - a monthly newspaper serving the Jewish Community of Edmonton, 1991.
17. **Member, Canadian Academic Advisory Committee*, Halbert Centre for Canadian Studies at Hebrew University*, November 1990 to Present.**
18. Chair, *Management Board Centre for Constitutional Studies*, April 1987 to June 2000.
19. Chair, Executive Committee, *Professional Examinations Board in Law*, the Universities Coordinating Council, January 1987 to June 2000.
20. Co-Director, *Charter Data Base Project*, 1983 to 1992.
21. Executive Committee, *Professional Examinations Board in Law*, the Universities Coordinating Council, June 1980 to June 2000.
22. Chair, Criminal Law Subsection, *Canadian Association of Law Teachers*, June 1979 to May 1981.
23. Editor, *Criminal Trial Lawyers Association Newsletter*, December 1977 to June 1981, September 1982 to 1988.
24. Associate Director, *Canadian Institute for the Administration of Justice*, July 1979 to 1981.
25. **Courses**

**Current:**

As I have just returned from Leave, I am not currently teaching any courses. I am supervising two Individual Research Projects on *Integrity in Municipal Governance*.

**2013-14 Academic Year:**

Professional Responsibility in the United States and Canada

Constitutional Law

Public Meets Private: Problems in the Recognition and Enforcement of Rights and Remedies in Domestic Law

**Previously Taught:**

I have taught the following courses at either the University of Windsor or the University of Alberta unless otherwise indicated: Securing our Fundamental Freedoms (University of Toronto), Constitutional Law, Public Meets Private: Securing our Rights at both Public and Private Law (Monash University – Prato Program), Criminal Law & Procedure, Comparative Constitutional Law, The Charter and The Criminal Justice System (also at Hebrew University of Jerusalem), Freedom of Expression, Evidence, Civil Liberties, Comparative Civil Liberties: Canada and Israel (Hebrew University), Introduction to Canadian Law (Hebrew University), Advanced Constitutional Law, Personal Property, Law and Psychiatry, Professional Responsibility, Alternative Dispute Resolution.

1. **Major Community Activities**
2. Community Relations Committee, *Windsor Jewish Federation*, 2001 to Present.
3. Member, *Negev Dinner Committee*, Windsor, 2001 to Present.
4. Co-Chair, *Edmonton United Jewish Appeal*, July 1996 to 1998.
5. President, *Jewish Federation of Edmonton*, May 1993 to June 1995.
6. Member, *National Law and Social Action Committee*, *Canadian Jewish Congress*, September 1986 to 1996.
7. Board Member, *Edmonton Jewish Federation*, May 1986 to 1988.
8. President, *Beth Shalom Synagogue*, November 1989 to April 1992.