

BRUCE PETER ELMAN LL.D.

Curriculum Vitae

I. CURRENT OCCUPATION:

Integrity Commissioner

City of Windsor, Ontario, Canada -- August 2011 to Present

Town of Amherstburg, Ontario, Canada -- July 2017 to present

Municipality of Lakeshore, Ontario, Canada – December 2019 to present

Professor Emeritus

Faculty of Law, University of Windsor

Windsor, Ontario, Canada

From July 2020

II. PREVIOUS OCCUPATIONAL EXPERIENCE:

Dean and Professor of Law

University of Windsor

Windsor, Ontario, Canada

July 2000 – June 2020 (From July 2000 to June 2011 as Dean)

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

July 1979 - June 1985

Assistant Professor of Law
University of Alberta
July 1, 1975 - June 30, 1979

III. 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 (LL.B.)
Awarded May 1974

Harvard Law School
September 1974 - June 1975
Master of Laws Degree (LL.M.)
Awarded June 1975

IV. CALLS TO THE BAR:

Law Society of Upper Canada (now Law Society of Ontario)
Call to the Bar, 2002

Law Society of Alberta
Call to the Bar, 1979 (inactive)

V. AWARDS AND HONOURS:

1. Named Professor of Law Emeritus. University of Windsor, June 2020.
2. Teaching Excellence Award, Students' Law Society, University of Windsor, March 2019.
3. Honorary Doctor of Laws (LL.D.), Law Society of Ontario. The Law Society awards honorary doctorates each year to "distinguished members of the profession and the public in recognition of outstanding achievements in the legal profession, the rule of law or the cause of justice." June 2018.

4. Named "Builder of Windsor Law". This Award recognizes "individuals who are not alumni but who have made a significant contribution to Windsor Law." November 2018.
5. Member and Chair of the Board of Governors of the Law Commission of Ontario: Member from May 2012 - 18 and Chair from September 2012 – 18.
6. Visiting Professor at the University of Toronto, Faculty of Law, 2011-2012.
7. Visiting Scholar in Residence for The Centre for Legal Professions at the University of Toronto, 2011-2012.
8. Advisory Board, Research Unit for the Study of Society, Law and Religion, University of Adelaide, Adelaide, Australia.
9. Honourary Board Member, Centre for Constitutional Studies, Edmonton, Alberta, June 26, 2007.
10. Honorary Graduate Diploma, Sydney Academy, Sydney, Nova Scotia, June 2003.
11. The Tevie H. Miller Teaching Excellence Award, Faculty of Law, University of Alberta, January 1999.
12. 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.
13. Teaching Excellence Award, Hebrew University of Jerusalem, August 1996.
14. Visiting Professor of Canadian Law, Faculty of Law, Niigata University, Niigata, Japan, June 1994 - July 1994.
15. Visiting Professor of Law and Canadian Studies, The Hebrew University of Jerusalem, Jerusalem, Israel, July 1988 - June, 1989 and July, 1995 - June 1996.
16. Arthur C. McCalla Research Professorship, University of Alberta, July 1985 - June 1986.
17. Visiting Scholar, Stanford Law School, Stanford, California, July 1, 1981 - June 30, 1982.

VI. KEY WORKS:

1. Leonard I. Rotman, Bruce P. Elman, Gerald L. Gall eds., Rotman, Elman, and Gall, CONSTITUTIONAL LAW: CASES, COMMENTARY AND PRINCIPLES (Thomson Carswell - 2008).
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. Elman, "The Constitutionalization of Multiculturalism" in Adelman and Simpson, MULTICULTURALISM, JEWS, AND IDENTITIES IN CANADA, Magnes Press: Jerusalem, 1996.
5. 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.
6. Elman, "Combatting Racist Speech: The Canadian Experience", (1994) 32 ALBERTA LAW REVIEW 623 - 666.
7. Elman, "Altering the Judicial Mind and the Process of Constitution - Making in Canada", CONSTITUTIONAL STUDIES 1989, 521-534.
8. McLellan and Elman, "Enforcement of the Canadian Charter of Rights and Freedoms: An Analysis of Section 24", (1983) 21 ALBERTA LAW REVIEW 205.

VII. COURSES:

Current:

Professor Elman is not currently teaching.

Previously Taught:

Canadian and U.S. Professional Responsibility, Constitutional Law, Public Meets Private: Problems in the Recognition and Enforcement of Rights & Remedies in Domestic Law, Criminal Law & Procedure, Comparative Constitutional Law, The *Charter* and The Criminal Justice System, Securing our Fundamental Freedoms (University of Toronto), Freedom of Expression, Evidence, Civil Liberties, Comparative Civil Liberties: Canada and Israel (Hebrew University), Introduction to Canadian Law (Hebrew University), Advanced Constitutional Law, Law and Psychiatry, Alternative Dispute Resolution, Personal Property.

VIII. 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, "*Grefe 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.

IX. SELECTED UNPUBLISHED WORKS AND ADDRESSES:

1. "An Employee's Privacy and Dismissal in the Academy" (With Jeffrey Berryman), Discussion Forum on Privacy, Stockholm, Sweden, June 2019.
2. "Banning Public Disclosure of Public Information: Rethinking Canadian Law", *Discussion Forum on Freedom of Expression, Budapest, Hungary*, June 2017.
3. "Canada's Unwritten Constitution", Research Seminar, Israel Democracy Institute, May 2017.
4. "The Open Court Principle Re-examined", *Discussion Forum on Freedom of Expression and the Criminal Law*, London, England, May 2014.
5. "Preventing Public Dissemination of Publicly Available Speech in Canada", *Discussion Forum on Freedom of Expression*, London, England, June 2012.
6. "A Discussion of Ethics – Public and Professional", *Essex Law Association, Annual Meeting and Dinner*, April 2012.
7. "The Jewish Community, the Constitution of Canada, and the Courts: Cases of Religious Freedom", *Windsor Jewish Federation*, December 2011.
8. "Leading the Movement for Ethical Lawyering: Pro Bono", *University of Toronto, Intensive week on Ethics and Professionalism*, November 2011.
9. "Creating a Culture of Ethical Lawyering in Law Schools", *Centre for the Legal Profession, University of Toronto, Program on Professionalism*, September 2011.
10. "Current Topics in Ethics and Professionalism", Panellist, *Centre for the Legal Profession, University of Toronto and The Toronto Lawyers' Association*, September 2011.
11. "Professional Oversight and the Future of Legal Education in Canada", *American Association of Law Schools, Annual Meeting*, New Orleans, January 2010.
12. "Religion, Feminism, and the Law", *Israel Association of Canadian Studies*, Jerusalem, Israel, July 2008.
13. "Comparative Federalism: The Canadian Model", *Southeastern Association of Law Schools*, Palm Beach, Florida, July 2008.
14. "The Development of Freedom of Expression in Canada", *Southeastern Association of Law Schools*, Amelia Island, Florida, July 2007.
15. "Section 27 (Multiculturalism) and the *Canadian Charter of Rights and Freedoms*: Recent Developments," Halbert Centre for Canadian Studies, Hebrew University of Jerusalem, Jerusalem, Israel, May 2007.
16. "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.
17. "Hate Speech and Freedom of Expression in Canada", *Brandeis School of Law*,

University of Louisville, Louisville, KY, March 2007.

18. "The Challenges Facing Legal Education in Canada", section on North American Legal Co-operation, *Association of American Law Schools*, Washington, D.C. January 2007.
19. "The Obligations of Lawyers (and law students) to mend the World", *Canadian Association of Jewish Law Students*, Ottawa, January 2006.

X. Professional Affiliations:

1. Law Society of Ontario
2. Law Society of Alberta (Inactive)
3. Municipal Integrity Commissioners of Ontario
4. Windsor University Retirees Association
5. Academic Advisory Committee, Halbert Centre for Canadian Studies at Hebrew University