



Working Together *for* Excellence

Rick Evans, Bob Reid, George Cadman

In Conversation with Val Wilson

THE SCRIVENER: Let's introduce you, our official Board of Examiners, to our readers.

Rick, please tell us about yourself.

RICK EVANS: I'm a Notary Public in Nanaimo and have been since 1975. I've lived there virtually all my life, other than a few years away at private school and university and working for a while in Vancouver. I have a wonderful wife, Carol. We have 5 children between us—3 of whom are married—and 4 grandchildren.

I moved my Notary business into my home in 1999 and pretty much relegated my practice to Wills, Powers of Attorney, and Representation Agreements.

I enjoy boating and motorcycling. I have a lot of pursuits in the Summertime but not as many in the Winter.

THE SCRIVENER: Thank you. George?

GEORGE CADMAN: I'm a lawyer. I practise here in Vancouver with Boughton Law Corporation, where I am senior litigation counsel with the firm. After 30 plus years, you'd think I would get it right, but I'm still practising at it.

LAUGHTER

In my other professional and community lives, I serve on the Board of Directors of the Vancouver International Airport Authority and I'm Chief Legal Officer for the Anglican Diocese of New Westminster.

I have a grown family. We don't travel as much as we should, because I enjoy working too much. From a travel perspective, I only disappear from Vancouver in the Winter because I love being here in Summer. I grew up in the east end of this city. Vancouver's in my blood and always will be.

I have done a lot of work with the downtown business community—served on the Vancouver Board of Trade's Board of Directors, and so on.

THE SCRIVENER: Wonderful. Bob?

BOB REID: Well, I have been semiretired for 6 years and this year I will become fully retired.

I would describe myself these days as a husband, a father, and a grandfather. My wife Robin and I have 3 sons and 2 lovely granddaughters with whom we love spending our time.

I grew up in Haney surrounded by lots of Scottish relatives. After graduating from Maple Ridge High School, I joined the Royal Canadian Air Force and attended the Royal Military College of Canada. In 1966, the search and rescue aircraft on which I was the navigator crashed on the Hope-Princeton slide site. [*Scrivener*: Fall 2004, Volume 13, No. 3] I spent a couple of years in hospital being patched together again.

After I was released from the Air Force, I attended law school at UBC, articulated, and became a lawyer. I returned to law school and taught for 28 years at UBC's Faculty of Law, eventually becoming Assistant Dean. During those years, I served on many committees and Boards until I retired from the University in 2003.

I've been an official examiner for The Society of Notaries Public since 1990. Through my association with the Notaries, I became a Board member of the Land Title and Survey Authority—LTSA. Both those positions end this year.

In the future, the only thing I plan to continue doing is write about BC history for *The Scrivener*.

THE SCRIVENER: Your articles, which our readers love, currently consist of 11 installments and 39,374 words—including the excellent piece you have written for this issue.

Rick, what drew you to the legal profession?

RICK EVANS: In 1970, I joined my father Jack Evans in his Nanaimo real estate, insurance, and real property appraisals firm. From the early '60s, Dad also practised as a BC Notary.

After I left university, I invested a lot of time studying to get my agent's licence for real estate and insurance.

And I did most of what I needed to get my AACI appraisal designation, then decided to take the Notary course. I enjoyed that so much that after I became a Notary in 1975, I carried on with the notarial side of things and never looked back. I have always liked being self-employed and working closely with the public.

In the future, the only thing I plan to continue doing is write about BC history for *The Scrivener*.

THE SCRIVENER: George, why did you choose law?

GEORGE CADMAN: I think I had law school or the legal profession in my sights from Grade 10. I did a fair amount of undergrad work in political science and economics, pursued my undergrad at UBC, then looked East and pursued law at Osgoode Hall in Toronto.

With law, there's something new and different every day. It forces you to be a problem-solver. I can't recall a time when I didn't want to be a lawyer.

THE SCRIVENER: It was meant to be.

GEORGE CADMAN: Oh, I'm not sure about that. You'd have to ask my clients.

LAUGHTER

Law was always on my radar screen. For some of my colleagues, law is a second career. For me, it was always the first and only career I wanted to pursue. It's a great way to assist in the community.

THE SCRIVENER: Bob, what attracted you to the legal profession?

BOB REID: Necessity. When I left high school, I planned to be a career officer in the Royal Canadian Air Force. That was cut short by the injuries I suffered in the plane crash. After 2 years in and out of Shaughnessy Hospital, which was then a military hospital, I was posted to the Armed Forces'

base at Jericho in Kitsilano. There I met Ray Herbert, an extraordinary fellow who had been Wing Commander of the ROTP squadron at UBC. He was a professor at UBC's law school. Ray encouraged me to go into law if I couldn't continue in the Forces for medical reasons.

The Air Force didn't release me right away. Instead I was sent back to RMC where I completed a graduate degree in War Studies. From there I was posted to the Directorate of History at National Defence Headquarters in Ottawa. I spent a year working on the official history of the Royal Canadian Air Force.

Ultimately, I was medically released from the Armed Forces in 1971. By then I was married with a 3-year-old son and another child on the way. I called Ray at UBC and asked, "Can I get into law school?" He said, "Certainly. There's no problem. You're in!" I found out afterward that other people had to make formal application; I got accepted over the telephone.

LAUGHTER

I have always had a passion for history. Therefore it was no surprise that the aspect of law that appealed to me was its history and common law. I wasn't that interested in the day-to-day practice of law.

I was very fortunate that I was asked to go back and teach after I completed my articles. I was accused of turning my first year property-law course into a history course—which I did. I used to tell the students, "You're not going to learn how to do conveyancing here. We are going to start in 1066 with William The Conqueror."

LAUGHTER

That said, I'm very proud of being a member of the legal profession. One of the highlights of my legal career was the 2 years I spent in the 1980s at Ladner Downs—now Borden, Ladner, Gervais—as the firm's academic-in-residence. And at UBC, I had the privilege of teaching law students, many of whom have made



Santa Cadman makes his annual appearance at the Kiwanis Club of Vancouver Family Christmas Party.

outstanding contributions to the legal profession and the community. One such student became a Prime Minister of Canada.

GEORGE CADMAN: The Right Honourable Kim Campbell.

BOB REID: A very impressive, talented, and generous person.

RICK EVANS: A bit ahead of her time, too.

BOB REID: Many other students have made notable contributions to our community and to society. When my nonlawyer friends complain about lawyers, I say, “Look, most of the students I had the privilege of meeting at law school were not just smart, they were caring and involved . . . and they didn’t change when they left law school to become lawyers. They usually became more involved in community affairs. A good example is George—look at his tremendous contribution to the community and his charitable activities. And I might add that the same is true for the many Notary students I have taught over the years. Many of them have made significant contributions to our society.

THE SCRIVENER: Thank you, Bob. Rick, how did you become associated with The Society of Notaries Public of BC?

RICK EVANS: In many respects, I followed in my father’s footsteps. He was a Board member of The Society for many years and President from 1977 to 1979. I also was a Board member for many years and President from 1988 to 1990.

As Chair of the Notary Foundation, I had the opportunity to travel.

For the 10 years I was Education Coordinator, I was involved with and responsible for the education of both our students and our members.

Over the years, The Notary Society has given me a lot. It’s an absolutely marvellous Society. At the end of the day, I can look back and say I truly have benefitted, from the perspective of my own personal growth, from being part of it.

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GEORGE CADMAN: I taught real property transactions for 4 years as an adjunct professor at UBC Law School in the late ‘80s, early ‘90s. My first connection with The Society of Notaries in any formal way was when Stan Nicol was Secretary. Something came up and they were looking for external counsel for specific cases. I met Stan through a variety of contacts and was retained as counsel a couple of times. Over the years, I had built up a fair degree of knowledge around First Nations issues, Aboriginal title, and so on. I advised The Society on some issues. Then I foolishly answered the telephone one time with Wayne Braid on the other end of the line.

LAUGHTER

Wayne asked if I would consider sitting on the Board of Examiners. And for reasons I’ve never fully understood, I actually cleared the hurdles and I’m now one of the three examiners.

I’m starting to move into the next phase—working with The Society on the implementation of the new Master of Arts in Applied Legal Studies through the SFU School of Criminology.

THE SCRIVENER: And an exciting undertaking it is! Bob, how did you first connect with The Society of Notaries Public of BC?

BOB REID: My association started through a fine gentleman, Irwin Davis, who was in the real estate section of the UBC Commerce faculty. Irwin had contacts with The Society of Notaries. In the early 1980s, he arranged for a colleague Dennis Pavlich and myself to join him and Nick Blom to write the CCH Real Estate Law Guide.

In 1986, Irwin arranged through Stan Nicol for me to give tutorial lectures to the Notary students in my field of property law, after which I was asked to become an examiner, along with Notary Vernon Hargreaves and Stan.

This will be my 19th and final year as an examiner. I must say I’ve had a long and very pleasant experience with The Society of Notaries Public. I’ve been treated royally by everyone and I’ve really enjoyed teaching the students.

THE SCRIVENER: We’ve certainly appreciated you, too! Last year, we created The Bob Reid Award!

BOB REID: That’s right. I am very grateful for the honour.

THE SCRIVENER: Please tell us about the Award.

BOB REID: The first annual Bob Reid Award in Property Law was awarded at the 2008 Installation Luncheon. It was a real pleasure for me to present it and join the ranks of the others who have an award named after them, particularly Bernard Hoeter. He’s absolutely a legend in his time. A wonderful, wonderful man who has made an outstanding contribution to The Society over many years. What can you say about Bernard!?

THE SCRIVENER: We can say Happy Birthday to him today. [January 23]

RICK EVANS: Happy birthday, Bernard!

BOB REID: That’s great. Two months ago, Val and I and Robin, The Reverends Paula and Richard Leggett, and their son David enjoyed a delicious dinner with Bernard and Erika at their home. Although his age is catching up with him, his mind’s still sharp as a tack.

RICK EVANS: I know from my perspective—and I don't speak only for myself but for The Society, as well—that we've been very honoured to have Bob for all the years you have been involved. Thank you.

BOB REID: I have sure enjoyed it.

RICK EVANS: We don't want to see you go, Bob. You won't really go?

BOB REID: Well, Rick, I think it is good timing to go when everyone wants you to stay. Remember the saying, "Old soldiers never die, they just fade away!" Well, it's time for me to fade away!

LAUGHTER

THE SCRIVENER: Please tell us about the role of The Society's examiners.

RICK EVANS: We are appointed by the Attorney General of BC. Names are put forward by our Society; it generally takes about a year for the AG's department to appoint an examiner.

Each examiner sets two statutory exams that Notary students are required to write—over a 3-day period—at the end of their studies. Each exam is 2 hours. We create and mark them. Awards of excellence are presented at the annual Installation Luncheon for new Notaries.

THE SCRIVENER: With the new MAALS program, will there still be statutory exams?

RICK EVANS: That hasn't changed now that the program is being administered through Simon Fraser University. George is an examiner and adjunct professor and he lectures for the MAALS program. With Bob retiring as an examiner, we're looking for another.

With the new program, nothing has changed with respect to the examinations required by our statute. Three examiners will still carry on as examiners outside the Simon Fraser program. No changes have been suggested at this stage.

THE SCRIVENER: Which courses do you examine?

RICK EVANS: I examine the students on general notarial procedures

governing the operation of The Society and practical issues, and on the statutes that have a bearing on the Notary profession.

THE SCRIVENER: Excellent. George?

GEORGE CADMAN: The areas I cover are Wills and trusts and conveyancing practice. Those candidates who come in front of us—as I used to tell my law students and now tell our Notary students—will be loosed on the public of the Province of British Columbia at the end of program. Our statutory obligation, as well as our professional obligation, is to make sure those who are admitted to the practice are as well qualified as possible.

Will a Notary from Alberta now be permitted to set up shop here?

The statutory exams are designed to mirror the professional responsibilities and rights of Notaries under the *Notary Act* in the nonlitigious areas of practice they can cover. It's not a question of trying to facilitate somebody into practice. If a student hasn't met the standard we set, we have to communicate that message—as brutal as that may be from time to time.

I don't foresee that the role of the examiners will diminish in the near future.

It's probably fair to say that by August of this year, we may well be operating in an environment across the country—at least between British Columbia and Alberta, under the *Trade Investment Labour Mobility Agreement Act*. Under *TILMA*, a Notary from Alberta can move here and take up practice. One of the checks and balances around that is this: Will he or she be able to pass the Notary's statutory exams in this province?

Some of our discussion as a group—as examiners and with Wayne Braid, Secretary and Executive Director of The Society, and Marny Morin, Staff Notary and Director of Education—has been *how are we going to deal with that issue?* If Notaries are duly qualified in the Province of Alberta, under *TILMA* they would have the ability—or in future will have the ability—to practise here.

THE SCRIVENER: In Alberta, Notaries are permitted only to witness signatures.

RICK EVANS: Pretty much, yes. Notaries are limited in their power in Alberta and in other provinces, too. The exceptions are BC and Quebec.

THE SCRIVENER: Will a Notary from Alberta now be permitted to set up shop here?

RICK EVANS: No. Alberta Notaries will have to make application to our Society to be qualified to practise as a BC Notary.



"Oh, the joy of a windblown ride along twisty roads on a fine Summer day!" says Rick.

GEORGE CADMAN: Part of that would involve writing the statutory exams.

RICK EVANS: It may be that some lawyers in Alberta, given the *TILMA* mobility rules, decide that being a Notary in British Columbia is worth their while, in which case we'll need some form of qualifying exam for lawyers. Presumably, those individuals have a good grounding in general law. They would have to demonstrate an understanding of the BC statutes and procedures that relate to Notaries practising in BC.

THE SCRIVENER: I understand that in BC, all lawyers are also Notaries.

GEORGE CADMAN: Do I have a Notary Seal in my drawer? Yes, I do. How often do I use it? Very rarely. Although statutorily I'm entitled to refer to myself as barrister and solicitor and Notary Public, the reality is I don't do the work most BC Notaries do.

THE SCRIVENER: In addition to the six statutory exams, what examinations are attached to the new Master's degree?

GEORGE CADMAN: I can address that issue because I've designed one of the courses and I'll be designing the second. The MAALS is a Master's level postgraduate degree with all the academic standards the Simon Fraser University School of Criminology imposes on any Master's program.

For example, I've designed the first branch of the real property course. There's an online discussion component, a specific assignment component, and a final exam, all of which are set in a Master's academic environment as opposed to a practice environment.

THE SCRIVENER: Is there an oral component?

GEORGE CADMAN: No, although there has been some discussion at the faculty table around what I would call oral boards. We will keep it a written program. There is no thesis but there's certainly a Master's level component in terms of writing and logic and so on.

THE SCRIVENER: Why no thesis?

GEORGE CADMAN: It's not necessary. The best analogy to draw is to law

school itself and to a Bachelor of Laws program—in some law schools, it's now called a JD program: Doctorate of Jurisprudence. It's postgraduate level, but specifically designed to provide the students with a broad range of understanding. In this case, because of the areas of interest in which BC Notaries are authorized to practise under the statute, the specific targets are contracts, property, Wills, trusts, and a good ethics component. The MAALS program lends itself to a lot of good academic discussion and academic writing, but it doesn't lend itself to a thesis.

The new program will be far better for the students. They will have a greater opportunity to interact with the instructors and with each other.

RICK EVANS: One of the big changes with the new Master's program is a large increase in the number of face-to-face encounters the students will have—on the practical side, a total of 6 weeks of actual classroom work with our Society.

When we see the first batch of Master's degree students graduate in 2010, I might redesign the statutory exams because of the substantive law these students will have studied. I can't speak for Bob or Rick, but right now, particularly in the areas of Wills and trusts and to some extent conveyancing, I design the exam around substantive law topics, because for me that's very important. The statutory exams may become more practice-oriented.

BOB REID: I agree with Rick and George about our responsibilities to the public and The Society as official examiners, to ensure that anyone who passes is qualified to practise. Certainly, it's not been an easy road for many of the students. It's a rare year where every student passes.

It's a significant moment in the history of The Society of Notaries Public in British Columbia and a wonderful

opportunity for Notary students to get a Master's degree from SFU. Many people have worked long and hard to establish the new MAALS program. Wayne Braid and Marny Morin, along with Rick and George, deserve to be highly commended for the work they have done.

The idea of keeping the official statutory exams separate from the degree program is similar to the Law Society's approach. Just because you have a Master of Arts in Applied Legal Studies doesn't mean you're automatically a BC Notary. You must pass the statutory exams to be accepted into The Society. That gives The Society control over who will be practising as a BC Notary.

GEORGE CADMAN: What's really exciting for me in the Master's program is that I've always taught face-to-face. At least the first phase of my real property course for the MAALS program is online. Our students are required to work through the study guide. There's online discussion and a distance education tool called e-Live. I've set up four of those sessions over the life of the course; everybody will have a microphone built into their laptop. That's how I will teach.

It's fascinating technology. Our students are actually spread across the province. That is one of the ways we can accommodate their needs.

BOB REID: The old system was far from perfect. For years the property law lecture went on all day Saturday and most of Sunday. By 2 o'clock Sunday, the students and I were absolutely exhausted. Then I got smart and started to share the teaching with George, and eventually left it all to George and Peter Ramsey.

The new program will be far better for the students. They will have a greater opportunity to interact with the instructors and with each other. That will facilitate their learning the material required to become a BC Notary. And the more they know, the better off everyone is.

RICK EVANS: The *TILMA* agreement mentioned earlier has massive



Bob and Robin Reid with their granddaughters

ramifications for our Society with respect to eliminating the numbers of Notary Seals given within the province. Effective January 1, 2009, there are no limitations with respect to how many Notaries can practise in the province and where they can practise. That likely will open the doors for different types of education for those who may be coming from other jurisdictions to practise here.

GEORGE CADMAN: My expectation is that it will, to some extent, alter the dynamic between Notaries and lawyers. That's a dynamic I watch very closely. We may see the role of Notaries expand somewhat in terms of the delivery of what I would call day-to-day legal services to the people of British Columbia—which frankly imposes an even higher obligation on examiners and educators to make sure those coming out of the programs are getting it right.

It's fair to say the economics of the practice of law have changed, and that changes the dynamic, as does removing the cap on the number of Notary Seals with the implementation of *TILMA*. In one breath, it's exciting—and to some extent, problematical.

For many candidates who come in front of us, English is not their first language. They've grown up in

some of the great ethnic communities of this province and this city. That's a challenge for us sometimes as examiners, but it's exhilarating in the sense of their going back to their own communities and exercising their skills. That's really important.

BOB REID: That's an interesting point about language, George. We go over the exams with a fine tooth comb to make certain "language" is not a problem. I feel extremely confident that anyone who has not succeeded in the statutory exams has failed because of lack of knowledge, not because of language skills.

THE SCRIVENER: What do you see for your future?

I foresee movement of existing Notaries to areas they would prefer to be.

BOB REID: I'm planning to spend more time with family and friends, especially with my granddaughters. I've had a very good life so far, and I'm looking forward to my full retirement.

But before I fade away, I would like to thank The Society for the opportunity to have been a part of it for over 20 years. There are many people in The Society to whom I owe much thanks. I would like, however, to express my heartfelt appreciation to Stan Nicol and Wayne Braid for their support over the years and to thank all my fellow examiners.

Last, but certainly not least, I want to thank Val for all her help and support over the years in my struggles to write for *The Scrivener*. Without her encouragement, I would never have begun the series on BC's history.

THE SCRIVENER: Thank you so much, Bob. We are delighted to publish your BC history articles and have certainly learned much from your Case Comments over the years, as well.

George?

GEORGE CADMAN: I never project more than 2 or 3 years out. I think we're going to go through a period

of transition as we deal with the new program . . . a period of transition as we marry the role of the examiners to the new MAALS program and see how the two interface. The Society will look at how many students it is prepared to intake in any given year, knowing there's no longer a limit on the number of Notary Seals in the province. That also raises some business issues for The Society; it will obviously potentially pose some strain on the role of the examiners, as well.

RICK EVANS: There will be a period of transition, a slow increase in our numbers. I can't imagine the numbers increasing exponentially; that just won't happen. Administratively speaking, we can handle only so many candidates and students each year. I foresee movement of existing Notaries to areas they would prefer to be.

GEORGE CADMAN: That's a very interesting comment because, frankly, one of the issues the Law Society has had to deal with in terms of the legal profession is the gravitation—not just in British Columbia but across the country. There has been a gravitation of lawyers to larger centres and an underservicing of smaller centres.

Even though the cap has come off the number of Notary Seals in BC, the magic to some extent of the old system was that you always had a Seal in a particular county or location. And now, as Rick said, there will be mobility . . .

RICK EVANS: One of the challenges in our Society is finding members to take Seals in outlying areas. The belief was that in the large centres, you would be busier and do better financially. In large centres, however, there is more competition; you can become absorbed into a large community and perhaps never become part of it. In a smaller community, sometimes you're the only legal professional there, so you can do very well and become part of the community and grow with it.

We hope that more people will consider moving into areas of BC that haven't had Notary Seals in the past. When that happens, we will have a better, broader representation of Notaries throughout our province. ▲