

**LISA A. SILVER**  
**B.A., LL.B., LL.M.**

**EDUCATION AND PROFESSIONAL DESIGNATIONS**

- 2001: University of Calgary, Faculty of Law, LL.M.
- 1998: Call to the Bar of Alberta
- 1989: Call to the Bar of Ontario
- 1987-1988: Articles of Clerkship - Greenspan, Arnup; Greenspan, Humphrey
- 1984-1987: Osgoode Hall Law School, LL.B.
- 1982-1984: University of Western Ontario, B.A. (Econ.), Graduated on the Dean's List
- 1981-1982: University of Calgary, General Arts

**EMPLOYMENT**

- As of July 1, 2018: University of Calgary Faculty of Law, Assistant Professor
- 2016-June 30, 2018: University of Calgary Faculty of Law, full-time faculty member, Instructor, Law 403 Legislation, Law 410 Crime: Law and Procedure, Law 507 Evidence and Law 602 Advocacy Program.
- 2001-2016: Self-employed, Silver Lawyers, Legal Research and Writing
- 2014- 2016: University of Calgary, Faculty of Law, Sessional Instructor: Law 410 Crime, September 2014 to May 2015; Course Co-ordinator 2016 Law 602 Advocacy Program
- 2010-2013: Mount Royal University, Sessional Instructor, Justice Studies Department, teaching upper year courses in Criminal Law, Criminal Procedure and Evidence, and Human Rights and Civil Liberties
- 2002-2007: Mount Royal College, Sessional Instructor, Department of Justice Studies, teaching upper year courses in Criminal Law and Human Rights and Civil Liberties
- 2000-2001: University of Calgary, Faculty of Law, research assistant for Professor Jonnette Watson-Hamilton
- 1999-2000: University of Calgary, Faculty of Law, tutored first year law students, marked student memorandums for the legal writing and research course

- 1999-2000: Part-time Presiding Justice of the Peace for the Province of Alberta
- 1994-1998: Greenspan, Humphrey, Barristers, legal research on a contract basis
- 1989-1994: Greenspan, Humphrey, Barristers, Associate Lawyer, practice restricted to criminal law - trial and appellate
- 1988-1989: Greenspan, Humphrey, Barristers, contract work during Bar Admission Course
- 1987-1988: Greenspan, Arnup; Greenspan, Humphrey, Barristers, Articles of Clerkship
- 1986-1987: Osgoode Hall Law School, Community and Legal Aid Services Programme (CLASP), Chair, Board of Management
- 1985-1986: Osgoode Hall Law School, Community and Legal Aid Services Programme (CLASP), Division Leader
- 1984-1985: Osgoode Hall Law School, Community and Legal Aid Services Programme (CLASP), Caseworker

### **PROFESSIONAL EXPERIENCE IN LEGAL RESEARCH AND WRITING**

As a practicing lawyer, I have been involved, primarily as the principal lawyer, in over 200 appeals before all levels of court in Ontario. I have also been involved in Supreme Court of Canada cases, notably as co-counsel on the *Lavogiannis* case relating to the constitutionality of witnesses testifying behind a screen. Since being in Calgary, as a research lawyer, I have written numerous facta and opinion briefs for matters before all levels of the Alberta courts, including SCC leave applications.

### **PUBLISHED AND UPUBLISHED MATERIAL**

Forthcoming in a casebook edited by law Professor Gillian Demeyere at the University of Western Ontario with the working title "Maternal Judgments: Key Themes, Cases and Readings on Motherhood and the Law" will my article entitled *Regina v Borowiec* On Infanticide: Does the Crime Fit The Times?

Forthcoming in Manitoba Law Journal, Fall 2018 edition, "The W(D) Revolution."

Lisa Silver, "That Was Un-Warranted! An Alberta Update," prepared for the NJI presentation, January 2018 and updated for the Alberta Provincial Court Judges' Association Spring Conference in May 2018.

Lisa Silver, "Tracing the Impact of White Burgess v Haliburton Through a Survey of Recent Alberta Criminal Decisions," prepared for the CBA presentation, October 2017.

Lisa Silver, "The Impact of White Burgess Langille Inman V Abbott and Haliburton Co on Recent Alberta Civil Decisions", prepared for LESA Civil Advocacy Series: Evidence May, 2017.

Lisa Silver, "Poof Into A Puff of Air - Where Have All The Defences Gone? The Air of Reality Test And The Defences of Justifications and Excuses" (2014) 61 Criminal Law Quarterly 531

LL.M. Thesis, 2001, "The Punitive Sanction As An Alternative To The Criminal Sanction in Regulatory Offences": <http://dspace.ucalgary.ca/handle/1880/40735>

Blog postings on Ablawg website as follows:

1. Does the *Stinert* Decision Signal the End of the Preliminary Inquiry? published on April 17, 2015
2. *Regina v Borowiec* On Infanticide: Does the Crime Fit The Times? published on August 10, 2015
3. *R v LSM* and the "Sanctity" of the Joint Submission. published March 30, 2016
4. Who Are the "Parents of the Nation"? Thoughts on the *Stephan* Case and Section 215 of the Criminal Code. published on May 24, 2016
5. On the *DLW* Decision and the Meaning of Modernity. published July 4, 2016
6. The Probative Value of Technological Evidence. published July 15, 2016
7. Modernizing Circumstances: Revisiting Circumstantial Evidence in *R v Villaroman*. Published August 11, 2016
8. *R v Anthony-Cook* and the Community's Sense of Justice. published October 25, 2016.
9. Order In the Skyways: A Comment on the Regulation of Drones. published on March 22, 2017.
10. The Delicate Balance of Sentencing: The Application of the Totality Principle in Regulatory Offences. published on May 25, 2017.
11. Unpacking *R v Barton*. published on July 27, 2017.
12. The Creation of Community "Space" in Sentencing in *R v Saretzky*. published on August 18, 2017.
13. The Confidential Informant as a Creation of Law. published on October 23, 2017.
14. Not One Cookie Cutter Citizen: A Review of ABlawg Posts on Some of Justice Sheilah Martin's Decisions." published on December 11, 2017 by Jennifer Koshan, Jonnette Watson Hamilton, Fenner Stewart, and Lisa Silver.
15. Tracing the Likeness of Colten Boushie in the Law Classroom. published on February 22, 2018.
16. Leaving A Paper Trail: A Comment on Bill C-75. published on April 5, 2018.
17. Dispensing Speedy Justice: The Supreme Court of Canada & Decisions From The Bench. Published May 22, 2018.

Self-publish law blog entitled "Ideablawg" at [www.ideablawg.ca](http://www.ideablawg.ca) have written over 150 blog postings from October 2011 to the present. My blog was awarded a 2017 Canadian Law Blog Award or Clawbie in the Law Professor/Law School category.

Self-publish Ideablawg Podcasts, The Ideablawg Podcast on the *Criminal Code* of Canada is a section-by-section analysis of the *Criminal Code* from September 2013 to present.

My blog postings and podcasts have been mentioned or referenced in other websites and blog postings and named in CBA The National as “Legal Podcasts That Are Worth Your Time,” <http://www.nationalmagazine.ca/Articles/November-2017/Legal-podcasts-that-are-worth-your-time.aspx>.

## **PRESENTATIONS**

Invited Presenter at National Judicial Institute Program, Judging in the First Five Years: Criminal Trial, January 2019, Quebec City

Presenter at Alberta Provincial Court Judges’ Association Spring Conference, May 23, 2018, Search Warrant Update

Presenter at National Judicial Institute Program, Civil Law Seminar: Resistance is Futile - The Technological Transformation of Substantive and Procedural Civil Law, Evidence, and the Administration of Civil Justice, May 10, 2018 on *Through the Judicial Lens: The Transformation of the Rules of Evidence in the Digital World*

Presenter at National Judicial Institute Program, Court of Queen's Bench of Alberta Education Seminar on January 30 & 31, presenting on the fundamentals of criminal law, expert evidence & s. 8 of the *Charter*.

Presenter, CBA, Criminal Justice, Family and Civil Law Combined Program: Expert Evidence, October 27, 2017.

Presenter, LESA Civil Evidence Series May 2 & 4, 2017 in Edmonton and Calgary.

Presenter, Alberta Provincial Court Judges’ Association Conference, 59<sup>th</sup> Annual Meeting, October 15, 2016, Technology In the Courtroom

Presenter, Calgary Provincial Court Judges’ Lunch and Learn, March 2, 2016

Presenter, CBA Criminal Justice-South, “Supreme Court Year Update,” February 26, 2016

Presenter, Thompson Rivers University Faculty of Law Annual Law Conference in February, 2016 on the implications of Body Worn Cameras in the courtroom

Presenter, CBA Criminal Justice – South, "Body Worn Camera Evidence," November 27, 2015

Presenter, Alberta Provincial Court Judges’ Association Conference, 59<sup>th</sup> Annual Meeting, October 7, 2015, “Widening the Judicial Field of View: Body Worn Cameras Through the Lens of the Courtroom”

Presenter, CBA, Criminal Justice – South, "Recent Supreme Court Decisions and The Practical Implications," March 27, 2015

Presenter at Body Worn Camera Symposium, Calgary Police Service, "The View Through the Oversight "Lens": The Implications of Body Worn Cameras on Civillian Oversight", September 23, 2014

Speaker Series presentation for MRU Department of Justice on the CSI Effect on the Bench and Bar with Dr. Janne Holmgren, October 16 2013

Numerous speeches at various public and police functions on behalf of Calgary Police Commission

### **MEDIA CONTACT**

I am a regular media contact for criminal law issues and have been quoted in numerous news articles for the Globe and Mail, the National Post, the Calgary Herald, and the Lawyers' Weekly. I have also participated in many radio interviews such as on the *Simi Sarah Show*, 770 News Talk Radio, CBC Eye Opener, CBC The 180 and most recently, the CBC Homestretch. I have also given interviews for television news agencies.

### **MEMBERSHIPS**

Member of the Board of Directors for CACOLE (Canadian Association for Complaint Oversight of Law Enforcement) 2016-2018.

Member of the Advocates' Society.

Member of the Institute for Corporate Directors - Completed the Not For Profit Governance Essentials Program jointly offered by The Institute of Corporate Directors, The University of Toronto Rotman School of Business, and The University of Calgary Haskayne School of Business in October 2013.

Member of the Canadian Bar Association.

### **VOLUNTEER AND COMMUNITY SERVICE**

#### **National Judicial Institute**

Member of a planning committee creating a new NJI course

#### **CBA Access To Justice Committee**

October 2017 to present.

#### **Calgary Legal Guidance**

Board of Directors, October 2017 to present.

**Calgary Police Commission**

Vice-Chair, November 2013 to present, Chair of the Complainants Oversight Committee from November 2014 to November 2016.

As member of the commission, sat on the Alberta Justice Body Worn Camera Policy Advisory Committee (2015).

**Legal Aid Alberta**

Member-At-Large, Provincial Appeal Committee, January 2014 to present

Member of the Appeals Committee (Southern), 2009 to 2014

**ACT Alberta(Action Coalition on Human Trafficking in Alberta)**

Member of the Board of Directors from August 2014 to November 2015.

**Calgary Jewish Academy Trust**

Member of the Board of Trustees since July 2013 to present

**Calgary Beth Tzedec Congregation**

Member of the Strategic Planning Committee May 2015 to present

**United Jewish Appeal**

Lion of Judah Co-Division Leader for 2013 and 2014 Campaign

**Calgary Jewish Academy**

From September 2004 – March 2011, I held the positions of Tuition Subsidy Chair, Vice President – External Affairs, President, and Immediate Past President

**B'nai B'rith Youth Organization**

Member of the Regional Parent Board (Alberta and Saskatchewan), 2008-2009

**Calgary Jewish Community Council**

Member 2005-2007 & 2008-2009

**Camp BB-Riback (Pine Lake, Alberta)**

I held various positions such as Chair and Secretary of the Board of Directors from 1998-2009

**Ontario Legal Aid**

Member of Legal Aid Panel for Ontario sitting on hearings and appeals, 1992-1997