

# Joy Anne (Joan) Braun

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## RESEARCH INTERESTS

My current research focuses on: Disability, Cognitive Capacity, Feminist Theory, Human Rights, and Supported Decision-Making. My broader interests include: Dispute Resolution, Law and Society, Elder Law, Family Law, Feminist Theory, Family Violence, Criminal and Civil Law Policies for Vulnerable Populations, Restorative Justice, Clinical Applications of Law.

## EDUCATION

### Doctor of Philosophy in Law (PhD)

In Progress

*University of BC, Peter A. Allard School of Law*

Comprehensive Exams: Passed with distinction in June 2017

Dissertation: “A Civil and Human Rights Analysis of Supported Decision-Making Processes in the Context of Disability and Aging”

- Co-Supervisors: Professor Debra Parkes; Assistant Professor Jonas Beaudry
- Committee: Professor Deborah O’Conner, School of Social Work UBC

### Master of Laws

2015

*University of BC, Peter A. Allard School of Law*

Thesis: “An Ethical Process for Elder Mediators: Responding to Questions That Arise When There Are Vulnerable or Incapable Participants”.

- Supervisor: Assistant Professor Sharon Sutherland (2011 - 2014); Professor Michelle LeBaron (2014 - 2015).
- Second Reader: Associate Professor Margaret Hall, Thompson Rivers Faculty of Law.

### Master of Social Work

2007

*University of BC, School of Social Work*

Thesis: “Child Protection Mediation: Mediator Strategies for Managing the Process”.

- Supervisor: Associate Professor Grant Charles.
- Committee: Associate Professor Margaret Wright, Assistant Professor Sharon Sutherland (School of Law, UBC).

### Bachelor of Laws

2000

*University of BC, School of Law*

## RESEARCH EXPERIENCE

**Master of Laws, University of British Columbia Faculty of Law**

2011 - 2015

- My research examined ethical issues in elder mediation.
- I reviewed literature, examined policy and applied the *Canadian Psychological Association’s* ethical dispute-resolution model to the elder mediation context.

- Consultant/ Researcher, Canadian Centre on Elder Law** 2009 - 2012
- I provided mediation expertise for the “Elder Guardianship Mediation Project”.
  - I carried out research, provided advice and co-authored two chapters of the final report.
- Research Project Manager, BC Abuse and Neglect Collaborative** 2007 - 2009
- I managed a two-year legal research project on elder abuse and legal capability.
  - I liaised with researchers, facilitated advisory meetings and co-authored an appendix.
- Researcher/ Research Project Manager, BC CEAS** 2007 - 2008
- I managed the “Elder Law Clinic Needs Assessment Research Project”, which investigated the legal needs of older adults in BC and service delivery models.
  - I oversaw the work of other researchers, carried out research and co-wrote the final report.
- Project Manager/ Researcher, MediateBC** 2006 - 2007
- I was the primary researcher for the “Diversity Project”, which investigated cultural diversity among ADR service providers.
  - I supervised a research assistant, conducted interviews and wrote the final report.
- Master of Social Work, UBC Faculty of Social Work** 2004 - 2007
- My research focused on child protection mediation. I investigated and identified mediator strategies when working with families with multiple challenges.
  - I interviewed 15 child protection mediators and used *AtlasTi* to code and analyze the data.
- Researcher, Justice Institute of BC (MSW Practicum Project)** 2004 - 2005
- I was the sole researcher for the “Needs Assessment for Welfare Worker Training Project”, in which I examined whether welfare workers in BC need dispute resolution training.
- Research Assistant, UBC Department of Sociology and Anthropology** 2004 - 2005
- I was the research assistant for the “Social Determinants of Blood Donation” a project that examined motivations of blood donors using a social capital theoretical perspective.
  - I conducted interviews, coded data and worked with a research team.
- Researcher/ Consultant, BC Institute Against Family Violence** 1998 - 2002
- I provided legal and policy research for three family law projects and wrote reports. Two projects focused on custody and access issues and the other on child protection laws.

## TEACHING EXPERIENCE

### Sessional Instruction

- Sessional Instructor: *Justice Institute of BC, Centre for Conflict Resolution* (2004 - 2012).

### Clinical Instruction of Students

- **Mentor:** law students in the Small Claims Court Mediation Practicum (2006 - 2012).
- **Clinical Supervisor:** summer and articulated law students at *BC CEAS* (2007 - 2011).
- **Clinical Supervisor:** pro bono law students at *WCDWA* (2003 - 2004).

## Teaching Assistantships

My responsibilities varied depending on the course. Over the five-year period, I marked papers, held office hours, provided input on course materials and taught classes. Subject areas were:

- Law 201 (Aboriginal Law) 2017
- Law 201 (Constitutional Law - Federalism) 2016
- Law 281 (Legal Research and Writing) 2015
- Law 140 (Torts) & Law 240 (Family Law) 2013
- Law 383 (Mental Health Law) 2012
- Law 160 (The Regulatory State) 2011

## Guest Lectures/ Instruction

- **Guest Instructor/ Coach:** Various dispute resolution and mediation classes, University of BC School of Law (2005 - 2012).
- **Guest Instructor/ Coach:** Law 483 - Competitive Moots and Advocacy: Client Counseling, University of BC School of Law (2002 - 2006).
- **Guest Lecture:** “Legal Challenges for Domestic Violence Victims”, University of BC School of Law (2002).
- **Guest Lecture:** “Advocacy on Behalf of Clients: Using and/or Changing the Law”, University of BC School of Social Work (2005).
- **Guest Lecture:** “Immigration Law for Social Workers”, University of BC School of Social Work (2004).
- **Guest Lecture:** “Women, the Law and Equality Rights”, Trinity Western University (1998).
- **Guest Lecture:** “Women, the Law and Equality Rights”, Simon Fraser University (1998).

## **PUBLICATIONS**

### Peer Reviewed

“Elder Guardianship Mediation: Threat or Benefit to Abuse Victims? (2012) 7 *International Perspectives on Victimology* 27.

“Elder Mediation: Promising Approaches and Potential Pitfalls” (2012) 7 *Elder Law Review*.

### Conference Papers & Working Papers

“Elder Abuse: An Overview of Current Issues and Practice Considerations” in *Elder Law, 2009* (Vancouver: Continuing Legal Education, 2009) ch 10.

“Parental Alienation Syndrome: Based on Science or Based on Myth? in S Boyd ed, *Child Custody Law Reform: Six Feminist Working Papers* (Vancouver: University of British Columbia, Center for Feminist Studies, 2000) ch 4.

## **Other**

Joan Braun & Laura Watts, “Tips for Good Practice for Legal Professionals: Vulnerability and Capability” in *Provincial Strategy Document Supplemental Materials* (Vancouver: BC Centre for Elder Advocacy and Support, 2009).

Joan Braun et al, *The Elder Law Clinic: Needs Assessment and Business Plan* (Vancouver: BC Centre for Elder Advocacy and Support, 2008).

Joan Braun, “Corporal Punishment and Child Protection” (2002) 9 BC Institute Against Family Violence Newsletter.

Joan Braun, “Twice Victimized: Child Custody and Access and Family Violence (2002) 9 BC Institute Against Family Violence Newsletter.

Joan Braun, *Custody and Access in Situations of Family Violence: A Review of the Literature and Annotated Bibliography* (BC Institute Against Family Violence, 2001).

## **PROFESSIONAL EXPERIENCE**

### **Vista Law Group/ Joan Braun Mediation**

*Lawyer & Mediator*

2004 - present (p/t)

- **Areas of law:** family, elder, civil, child protection and workplace.
- Services: mediation, legal consulting, training and workshops and brief representation.

### **Legal Resource Centre (LRC)**

*Executive Director*

2013 - 2015

- **Areas of law:** human rights, criminal, employment, elder, and residential tenancy.
- I managed the *LRC*, an independent public legal education and research agency founded by the *University of Alberta* and now operating as the *Centre for Public Legal Education*.
- I coordinated legal research projects in many areas of law and authored project materials.

### **Manitoba Human Rights Commission**

*Executive Director*

2013 - 2013

- **Areas of law:** human rights, employment, administrative and constitutional.
- I managed day-to-day operations of the Commission with 21 staff and a budget of \$2M, including overseeing the investigation, mediation and public education departments.

### **BC CEAS/ Elder Law Clinic**

*Contractor/ Consultant*

2011 - 2012

*Executive Director/ Senior Lawyer*

2007 - 2011

- **Areas of law:** elder, civil, human rights, residential tenancy, criminal and administrative.
- I founded and managed the first legal aid law office for older adults in western Canada.

- I provided legal advice and representation to clients and supervised the legal work of students and junior lawyers.
- I established and provided legal supervision for a specialized victim services program.
- I developed a province - wide public legal education program for vulnerable older adults.
- I led multi - year legal and policy research projects.

## **West Coast Domestic Workers**

*Legal Aid Lawyer*

2003 - 2004

- **Areas of law:** employment, immigration and human rights.
- I represented domestic workers who were out of status and at serious risk of deportation, had been wrongly dismissed or had experienced discrimination at work.

## **BC/ Yukon Society of Transition Houses**

*Executive Director*

2002 - 2003

- **Areas of Law:** family and criminal.
- I oversaw the policy and public legal education work for this organization that represented women's shelters and domestic violence programs with the government.

## **CONFERENCE PRESENTATIONS (Examples)**

Joan Braun, "Decision Making, Elder Abuse and the Law", Face It: Elder Abuse Happens Conference, Calgary (May 2015).

Joan Braun, "Elder Mediation: Resolving Family Disputes at the End of Life", Association on Family and Conciliation Court Annual Conference, Toronto (May 2015).

Joan Braun, "Legal and Social Movements in Canada: A Practice Based Perspective", *Exploring the Intersections of the Domestic Violence and Elder Abuse Movements in Canada, U.S. and Australia*, Canadian Conference on Elder Law, Vancouver (November 2012).

Joan Braun, "Older Adult Safety and Mediation Policies", *Addressing Abuse of Older Adults: Connecting the Dots - Front Line Practice, Co-ordination, Policy and Research: Keeping Everyone Safe*, Canadian Association on Gerontology Pre - Conference Event, Vancouver (October 2012).

Joan Braun, "Elder Mediation: Training Practices and Research", Elder Mediation Summit, Glasgow (June 2012).

Joan Braun, "Coordinated Care and Questionable Capacity", International Federation on Aging Conference, Prague (June 2012).

Joan Braun, "Elder Guardianship Mediation: Best Practices and Standards for Protecting Vulnerable Older Adults", International Federation on Aging Conference, Prague (June 2012).

Joan Braun, “Guardianship Law in BC Canada: Benefits and Limitations in Protecting the Elderly from Abuse or Mistreatment”, World Congress on Adult Guardianship Law, Yokohama Japan (October 2010).

Joan Braun, “BC’s Elder Law Clinic”, *Legal Clinics for Seniors in Canada: Working Together to Support Access to Justice*, Canadian Association on Gerontology 37<sup>th</sup> Annual Scientific and Educational Meeting (London Ontario, September 2008).

## COMMITTEES AND OFFICES

### Current

- Executive Member at Large - Graduate Law Students Society (GLSS).
- GLSS Representative - Appointments Committee & Equity Advisory Committee.
- Co-Chair - Canadian Network for the Prevention of Elder Abuse.
- Co-Chair - Association for Conflict Resolution’s Elder Mediation Section.
- Member of the Canadian Executive - International Client Consultation Moot.
- Canadian Bar Association (BC Branch) Nominee - Committee to Reduce Elder Abuse.

### Past

- Chair of the National Alternative Dispute Resolution Section - Canadian Bar Association.
- Executive member for the National Elder Law Section - Canadian Bar Association.
- Chair of the Elder Law Section - Canadian Bar Association BC Branch.
- Association for Conflict Resolution Nominee - Taskforce on Eldercaring Coordination.
- Education Sector Chair - Reforming the Family Justice System Initiative (Alberta).
- Member of the Access to Justice Committee - Canadian Bar Association (Alberta).
- Member of the Justice Sector Constellation - Calgary Poverty Reduction Initiative.
- Board member of the John Howard Society of the Lower Mainland.
- Organization Representative to the BC Abuse and Neglect Prevention Collaborative.
- Board Member and Vice President of Burnaby Family Life.

## PROFESSIONAL MEMBERSHIPS

- Practicing member of the Law Society of BC with accreditation as a Family Law Mediator.
- Registered social worker with BC College of Social Workers.
- Comprehensive Family Mediator certified by Family Mediation Canada.
- Mediator approved for listing on the BC Civil Mediator Roster.

## AWARDS AND HONORS

### Financial Awards

- Peter A. Allard Graduate Scholarship - \$7,000 2017
- Peter A. Allard Graduate Scholarship - \$18,000 2016
- Peter A. Allard Graduate Scholarship - \$15,000 (Declined by Recipient) 2015
- The Law Foundation Special Graduate Fellowship - \$5,000 2011

- The International Bar Association Award - \$150 2000
- The Allan S. Gregory Memorial Prize - \$500 2000

**Mooting Honors**

- First Place - *International Client Counseling Moot* in Belfast Ireland 2000
- Top Canadian Team - *ABA's Client Counseling Moot* in Chicago 2000
- First Place - *UBC School of Law Intra-School Negotiation Competition* 1999
- UBC Team Member - *ABA's Negotiation Moot* in Seattle 1999

**FOREIGN STUDY**

**Field Research**

Recipient of a UBC Graduate Student Travel Grant: Presented 2 Papers and Conducted Research

*International Summit on Elder Mediation* June 2012  
Glasgow, Scotland

*International Federation on Aging Conference* May 2012  
Prague, Czech Republic

**Visiting Graduate Student**

*Institute on International Mediation and Conflict Resolution* Summer 2004  
Den Hague, Netherlands (Erasmus University)

**REFERENCES**

Available on Request