Dear Senators Mercer and Omidvar:

Re: Study of Law and Policies Governing Charities, Non-profit Organizations, Foundations and Other Groups

I am writing on behalf of the Charity Law Interest Group (CLIG) at the University of Toronto Faculty of Law and the Osgoode Charity Law Association (OCLA) at Osgoode Hall Law School to highlight how important the study of charity and non-profit law is for the sector.

CLIG and OCLA prepare law students who want to serve the charitable and non-profit sector either professionally or as volunteers. These two student associations organize educational and networking events, create resources, such as research and career guides, and seek out sector-relevant research opportunities.

We know that the charities and non-profits we care deeply about often require legal assistance to navigate their complex regulatory environment. But as future lawyers we cannot be of full assistance unless we sufficiently understand this complex environment. While we try to learn as much as we can outside the classroom, there is no replacing the formal instruction of an expert. As such, in the summer of 2016, we completed a pan-Canadian survey to determine how well-represented charity law is in law school curriculum. We found:

1. Only three courses focused on this area (at the University of Ottawa, University of Manitoba, and University of Victoria).
2. Aside from trusts, charity law is seldom mentioned in any courses.

We recognize that it is the role of each law school to determine their own curriculum. However, we bring your attention to this serious gap in our legal education because to fully understand the sector’s regulatory environment, it is important to understand the structures in place to support compliance. The training of lawyers, or lack thereof, is a key piece of this. We hope that you will recognize this gap in your final report, and that your recognition will spur further action.

We would be pleased to discuss our experience in greater detail. We are grateful for your time and attention.

Charity Law Interest Group
Benjamin Miller
Katrina Kairys

Osgoode Charity Law Association
Kristopher Kinsinger