

2021 Distinguished Service Award

Introduction of Michelle Ouellette, Q.C. by Judge Shannon Metivier

January 13, 2021

Good afternoon.

It is my great honour to introduce a former colleague and dear friend, Michelle Ouellette, Q.C. who is this year's recipient of the Canadian Bar Association – Saskatchewan Branch Distinguished Service Award. I would like to extend a special welcome to her partner in life, Boyd Plaxton.

I am going to start off my remarks this afternoon by providing you with an authentic Michelle experience. I want you to suppose that Michelle and I have plans to meet for lunch at a local restaurant. I arrive at the restaurant 5 minutes early. I see her rushing in through the front door and making her way to my table. Her hair, which just this morning she secured in a bun at the top of her head, is trying mightily to escape. Slightly out of breath, Michelle apologizes for being late; she just finished a board meeting and is in the midst of dealing with a client's crises. She takes off her coat and sits down. I notice that she is carrying a very large purse and I wonder to myself what the heck she keeps in there. After we exchange pleasantries, Michelle excuses herself briefly while she attends to an urgent email. While she still has her phone out, she shows me pictures of her grandchildren (Jessie, Aksel, Hugo, Wylder and honorary grandson, Rudy) and I can see the tension leaving her body as she tells me about their most recent antics. We have a great conversation and she makes me laugh so hard that my face hurts. I ask her to join a planning committee and she says she would be "delighted" even though it is obvious to me that she is extremely busy. When I wonder aloud about the "mystery meat" in my sandwich, she tells me what the meat is called, what part of Italy it comes from, and whether the pig was ethically butchered. She warns me that the high sodium levels in the meat will increase my cortisol level which, over time, could give rise to metabolic syndrome. I notice a look of genuine concern come across her face as she worries about the pig, the farmer that raised it, the waitress that served the meal, the restaurant that sold it, and my health because I ate the sandwich. On the way back to the office, Michelle stops at a local shop to purchase an item that she saw in the store window because it is just perfect for one of her grandchildren. She gives spare change to at least two people and purchases a CD from a street performer.

No matter what your troubles are, Michelle has a way of making you feel better by using a technique that involves perspective and humour. The technique is a close cousin to "one upmanship" but used in the opposite way to make you feel better relative to others, not worse. For example, if I complain to her that my dog crapped on the floor to spite me, she will tell me that her dog retrieved a glass jar of leftover Thanksgiving gravy from the garbage can and broke it, ate the glass and had to be rushed to the Veterinary College for emergency surgery. If I am miserable because my house is a mess and I do not have time to clean it, she will tell me that her Christmas tree is still up – on Valentine's Day. Her stories are effective because they are all true.

Michelle grew up in Kenora, Ontario. She obtained a Physical Therapy degree at the University of Manitoba in 1983 and worked as a staff physiotherapist at the Health Sciences Centre in Winnipeg for three years before attending law school. Upon obtaining a Bachelor of Laws degree from the University

of Manitoba in 1990, she moved to Pennsylvania, where she practiced as a Deputy District Attorney for two years before moving to Saskatoon in 1992.

That is when we first met. Michelle and I were part of a group of five fabulous women that articulated at McKercher McKercher & Whitmore between 1991 and 1993. I thought she was exotic because she came from someplace other than Saskatchewan and was equipped with life experience that I did not have. While she remains tight lipped about most of the details, I have surmised that as a young adult she led a bohemian lifestyle, travelled around the world and dated a drummer in a well-known Canadian rock band.

I remember learning in law school that in addition to occupying a position of trust and confidence, a professional is someone who uses their education and legal skills in service to their clients, their profession and their community. Michelle's legal career exemplifies that ideal.

Even as a student, Michelle stood out from the crowd. She was wicked smart, had enviable analytical and writing skills and a broad depth of knowledge that she acquired not only from her education and experience, but also from being an avid reader.

Early in her career, Michelle worked extensively with Bob McKercher, Neil Gabrielson and Chris Glazer. Her education and experience in health care made her a perfect fit for the health law group where she developed her core practise area. She was routinely brought in to assist on difficult files regardless of the practise area or subject matter. As many of you who have found yourself on the opposite side of a file will know, her preparation, analytical ability, legal writing and oral advocacy skills make her a formidable opponent. Her clients adore her because they feel listened to, respected and taken care of. I have always assumed that if I get into legal trouble, I would call Michelle. Unless the reason I am in legal trouble is because of her shenanigans, in which case I will call Mark Brayford.

Michelle has always understood that her professional obligations did not begin and end with her timesheet. Her approach towards professional involvement is aptly described in the application letter submitted to the Awards Committee, as follows: "she considers service to the profession as an opportunity, and not an obligation."

Michelle strongly values education and has always taken a genuine interest in mentoring law students and young lawyers. Even though she did not attend the University of Saskatchewan, she has been a strong supporter of the College of Law and its students. She has been a frequent presenter, lecturer and panelist at legal conferences, professional seminars and CBA section meetings. She taught Trial Advocacy at the University of Saskatchewan College of Law for five years and has been a faculty member of the Law Society of Saskatchewan's "Intensive Trial Advocacy Skills Workshop" since 2008. She made it a priority to attend networking events hosted by the College of Law and the CBA to connect with students and young lawyers because it was important to her that they felt supported and welcomed into our legal community as they embarked on their new career.

Michelle is held in very high regard by her colleagues, peers and the judiciary. She is considered a leader in the Saskatchewan legal community as reflected in the nature of the professional activities that she has been involved in:

- Member, Federal Judicial Advisory Committee, SK (Appointed 2020)
- Chair, Saskatchewan Legal Aid Commission (2015 – 2020)

- President, Pro Bono Law Saskatchewan (2010 -2014)
- President, Board of Directors, St. Thomas More Lawyers' Guild (2011-2016)
- Member Board of Directors, Canadian Foundation for Legal Research (2012 – Present)
- Member, Saskatchewan Provincial Court Commission (2014)
- Member, Queen's Bench Tariff Revision Committee (2014)
- Member, Queen's Bench Rules Revision Committee (2010 – 2011)
- Member of Queen's Bench Bar Judicial Council (2005-2006, 2009-2012)
- Court of Appeal Bar Judicial Council (2009-2012)

Michelle's beliefs are deeply rooted in the fight for social justice and equality for all people. For Michelle and her partner, Boyd, compassion and kindness are a way of life. They believe that everyone deserves a second chance and provide whatever support they can to build people up to succeed. Their acts of kindness, both small and large, have made a big difference for many disadvantaged people in our community.

Over the years, Michelle has consistently donated her time and energy to organizations and charities that she believes in. Her involvement in the Canadian Bar Association [CBA] started early and continued throughout her career. The reason she connected so strongly with the CBA could be because it aligned with her own values and beliefs about the importance of continuing education, professional support for lawyers, and social justice issues like gender equality, access to justice and discrimination.

As many of you know, there was an intensified effort by the CBA in the early 1990's to address systemic gender inequality in the legal profession. The CBA struck the Gender Equality Task Force, chaired by the Honourable Bertha Wilson, which culminated in the release of a report¹. The contents of the report challenged the *status quo* and sparked discussions in boardrooms, and some beverage rooms, across the country. Even as a new lawyer, Michelle was not afraid to advocate for gender equality in the legal profession and challenge the attitudes of the reports' detractors. While significant progress has been made over the years, Michelle has remained committed to supporting the professional development and experience of women, most recently as part of the CBA's Women Lawyer Forum.

Over the years, Michelle has served the CBA in many capacities, both provincially and nationally, including as:

- Former Chair of Communications, Executive Committee of the Canadian Bar Association (Saskatchewan Branch)
- Former long-term Editor of The Canadian Bar Association (Saskatchewan Branch) publication "Bar Notes"
- Former long-term Chair of the Civil Litigation Section; The Canadian Bar Association (Saskatchewan Branch)
- Member of the Canadian Bar Association's National Communications Committee (2005-2007)
- Member, National Board of Directors, Canadian Bar Association (2007 – 2008)
- President, Canadian Bar Association, Saskatchewan Branch (2007 – 2008)
- Member, Canadian Bar Association, national Membership Fee Review Working Group (2011-2012)
- Chair, Local Organizing Committee, Canadian Bar Association CLC (2013)

- Member, Editorial Board, “The National” magazine, published by the Canadian Bar Association (2008 – 2015)

Michell’s involvement in the CBA was not only a matter of professional service, but also a source of personal fulfillment. She formed long-term friendships with many lawyers from across the country and enjoyed attending many conferences and social events. I attended some of those events with Michelle and am prepared to release one story from the “cone of silence.”

While attending the national conference in Halifax, Michelle and I rented a red mustang convertible to tour around Nova Scotia. We called it our Thelma and Louise tour. I had not actually seen the movie, Thelma and Louise, and was disappointed when I found out later that it ended with them driving off a cliff. But I digress. As soon as we picked up the car, we decided we should drive to the ocean. I cannot recall why we were not content to see the ocean from walking along the waterfront boardwalk in Halifax, but for whatever reason we set out to perhaps find a different ocean. I will never admit that we were lost but it is probably fair to say that we experienced a temporary geographical disadvantage. We were on a highway in the middle of nowhere driving in no particular direction, yet, every time we met an oncoming vehicle Michelle would say “Hey, I think that was Brenda and Joel Hesje!” And when I say “every time” I mean that it happened several times. It is a good thing that she was driving and couldn’t see my eyes rolling in disbelief.

Since the Thelma and Louise tour I have had the good fortune to take some personal trips with Michelle, and have learned some very important things about her along the way: mornings are not her best time of day; she shops for other people, but never herself; she must read every bit of information associated with a tourist attraction or attached to an exhibit at a museum; if given an option to take a direct or scenic route to get somewhere, she will always take the scenic route; she does not like brussels sprouts; she is not ashamed to ask for a whole wheat bun at McDonalds; she has to have water within arms reach at all times; she can drink 20 cups of water a day and never have to stop at a washroom whereas I limit my fluids to two cups of coffee a day and have to stop at every washroom.

Michelle’s community involvement extends beyond the legal profession. She was a founding volunteer of the Children’s Health Foundation of Saskatchewan, has served on the Board of Directors for the Saskatoon Lions Speedskating Club, Canadian Breast Cancer Foundation Prairie Region (2013 – 2014) and the United Way of Saskatoon and Area (2009 – 2015). She acted as Chair of the City of Saskatoon’s Access to Transportation Appeal Board (2005 – 2012) and of the City of Saskatoon’s Mortgage Appeal Board (2008 – 2012). She is a past recipient of the Canadian Bar Association, Saskatchewan Branch Community Service Award (2013) and of the YWCA Women of Distinction Award for Leadership and Professions (2015).

I expect that I am not alone in thinking that Michelle would have made a great judge. However, when I reflect on her long list of accomplishments, the legal service she has provided to her clients, the mentorship to young lawyers and her contributions to the profession and to the community I can see that her career path was exactly meant for her.

Last year, Michelle retired from the partnership at McKercher LLP and is now “of counsel”. When I asked her what that means, she told me that she no longer feels compelled to get to the office first thing in the morning and can spend more time with her grandchildren. Knowing Michelle, I do not

expect that she will fully retire any time soon. In fact, it was recently announced that she was appointed Chairperson of the Saskatchewan Public Complaints Commission. Now, doesn't that sound more fun than a barrel of monkeys? With the greatest of respect to Minister Wyant, given Michelle's years of distinguished service, I think that she deserves to be appointed Chairperson of the Public Good News Commission.

I had the good fortune to work alongside Michelle for 21 years. For myself, and many others, she provided a sympathetic ear after a bad day, a boost of confidence when it was difficult to find, and a voice of reason when one was needed.

Michelle, you are an incredibly deserving recipient of the Distinguished Service Award. I am sure that this is an incredibly proud moment for your family (Boyd, Madeline, Courtney, their partners Eric and Michael, and the grandchildren) and for your colleagues at McKercher LLP. I really wish that we were doing this in person, so that I could give you a hug – just one more reason to resent COVID-19. I would invite everyone to press unmute for a minute and join me in congratulating Michelle with a round of applause.

ⁱ Canadian Bar Association Task Force on Gender Equality in the Legal Profession; The Honourable Bertha Wilson, Chair, Touchstones for Change: Equality, Diversity, and Accountability (Ottawa:1993).