

ON THE FRONT COVER



JAN LINDSAY, Q.C.

By Julie K. Lamb

an Lindsay, Q.C., the new president of the Law Society of British Columbia, is smart, warm and genuine. Jan has risen to her position as president as a result of hard work, determination and a bucketload of talent. The profession will be well served by her leadership.

Jan has lived her entire life in the Lower Mainland. She was born at the Vancouver Grace Hospital on January 20, 1955, the first-born child of Abie and Carol Klassen. As the eldest offspring and only daughter, Jan was expected to set a good example for her younger brothers, Stan, Lory and Glen. For the most part, Jan lived up to her parents' expectations while managing to hold her own in a household full of boys.

After a few years in North Burnaby, the Klassens moved to South Burnaby, to a home where Jan's parents lived for the next 50-plus years. Through her early schooling, Jan was a good student, winning academic prizes along the way to her graduation in 1973 from Burnaby South Secondary School. Despite a respectable high school transcript and the top mark in her class on the provincial mathematics scholarship exam, Jan had only a remote interest in attending university. Fresh out of high school, she took a job as a filing clerk at CIBC in the personal loans department, filing and retrieving paper printouts of loans. Six months at the bank and a bit of a personal bank balance were enough to make higher education an attractive option.

Jan enrolled in first-year arts at Simon Fraser University in January 1974. Her school term was interrupted when she was diagnosed with Hodgkin's lymphoma. Treatment was effective, and Jan wasted no time in returning to her studies. She spent six weeks in the summer of 1974 at

L'École d'été à l'Université du Québec à Montréal studying French, eating bagels and appreciating the convenience of the *depanneur* on the corner.

In the fall of 1974, Jan returned to SFU to study history and political science, the focus of her remaining undergraduate studies. She filled in her schedule with French and German courses in anticipation of future travels. A summer spent working and travelling in Great Britain and Ireland confirmed a wanderlust that continues to the present day.

After her third year in the Faculty of Arts at SFU, Jan jumped into law school at UBC, not to satisfy a lifelong desire to become a lawyer but rather because by then she realized she simply liked going to school. While at UBC, Jan picked up the nickname "Boom-Boom" Klassen. The story that the moniker related to her scoring prowess for the law school's women's hockey team can no longer be verified. The hockey team was keen enough to travel to tournaments in Edmonton and Saskatoon with the law school's men's team—perhaps as a precursor to the modern Law Games. No doubt there was much discussion on those long train rides about torts and evidence. Other law school highlights include many happy beer-ups with classmates Anne Wallace (now P.C.J.), Jan Bryant, Sandra Watson and many others.

In those days, Jan spent summers working as a train-order operator for CP and later CN. Her role involved spending long hours in a small compartment, relaying directions from central dispatch to train engineers and conductors. While she earned good money, Jan did well to move on from this position and her job as a filing clerk to a career that has (thus far) not been completely phased out by technology.

When Jan graduated from law school in the spring of 1980, she did not have an articling position lined up. She managed to find articles starting in September at Burnett & Fenton, a four-lawyer firm in downtown Vancouver that specialized in civil litigation. Jan worked most closely with barristers Ken Price and Jeff Smith. Over the course of her articling year, legend has it that Jan conducted 96 small claims trials for ICBC—a good start to a career-long relationship.

Back in those days, Burnett & Fenton shared office space with Rob Carson, and Jim McNeney's crew were regular visitors. On Fridays, McNeney would take the whole gang to the Ritz for beverages. Jan learned early the importance of collegiality within the profession.

Shortly after her call to the bar in 1981, Jan was hired by Lindsay Kenney as the firm's first associate. Jan was supposed to junior a complicated products liability matter that was heading to trial imminently. She was tasked with reviewing volumes and volumes of transcripts from the many days of discovery that had taken place. Two days into her new position, Jan's only

file settled. Concerns about job security were fleeting, as Jan was soon busy representing insurance clients and their insureds.

In 1988, Jan became the first female partner at Lindsay Kenney. Once again, she had to hold her own in a group dominated by men. In 1991, Jan helped to launch the Langley branch office of Lindsay Kenney with partner Kirk Poje and associates Michael Girrard and Mark Bakken. Over the next 20 years, Jan became the cornerstone of the Lindsay Kenney ICBC litigation group in Langley. More recently, on January 1, 2013, Jan and some of her insurance litigation colleagues joined forces to establish Lindsay LLP, a boutique insurance firm serving western Canada.

Throughout her career, Jan has defended all manner of personal injury actions, including brain injury and other serious injury claims, running dozens of trials with and without a jury and arguing a number of appeals. As a litigator, Jan enjoys a solid reputation as competent and persuasive counsel. She is passionate about her client's cause, but that doesn't prevent her from realistically assessing the strengths and weaknesses of her client's position. Jan has a talent for being direct without being confrontational, and she can deliver a difficult message with compassion. Jan is known for her professionalism and her collegiality. Walking through the New Westminster courthouse with Jan is like hanging out with Norm at Cheers (it's where everyone knows her name), though Jan gives out more friendly hugs than Norm ever did.

In 2009, Jan was appointed Queen's Counsel. In 2011, she was recognized by her colleagues in the defence bar when she received the Lee Samis Award of Excellence from the Canadian Defence Lawyers ("CDL"), awarded in recognition of exceptional contributions or achievements by members of the CDL.

Through the years, Jan has mentored many junior lawyers of both genders as they came up through the ranks. She saw first-hand how women lawyers in particular struggled to meet the demands of private practice and to accommodate other life priorities, and she became all too familiar with the exodus of young women lawyers from private practice. Addressing the challenges of retention of women lawyers remains a priority issue for Jan. These efforts, together with her success as a female litigator and partner in a downtown firm at a time when they were not as common as one might think, led the Women's Law Forum to give Jan the WLF Award of Excellence in 2013, awarded in recognition of lawyers "who have taken risks, fostered change, and ultimately opened doors for women lawyers".

Jan has served the profession for many years in different ways. She has been the co-chair of the Personal Injury CLE with James Vilvang, Q.C., for

as long as anyone can remember. She was encouraged to serve on the CBA Automobile Insurance Committee and did so for a number of years. Back in 2000, Jan first volunteered with the Law Society as a member of the Complainants' Review Committee.

At some point along the way, Jan thought she heard the calling to serve as a bencher of the Law Society. Over the course of the next few years, she lost bencher elections to a distinguished group from the Westminster County bar: David Renwick, Q.C., Grant Taylor, Q.C. (as he then was), Robert Crawford, Q.C. (as he then was), Carol Hickman, Q.C., and others. Finally, when Greg Rideout was appointed to the bench in 2006, Jan ran in a by-election and was eventually rewarded for her perseverance. The celebratory cake was particularly sweet.

As a bencher, Jan is described by fellow bencher Kathryn Berge, Q.C., as enthusiastic, very dedicated and clear in her principles. Jan is passionate about the independence of the profession and self-governance, and she will continue to make these issues a focus of her presidency.

While she has enjoyed a challenging and fulfilling professional life, Jan is the first president of the Law Society who is also a mother. Steven, Christopher, Sean and Kelly were youngsters when Jan was building a busy litigation practice through the 1980s and '90s. Her children are now accomplished young adults. Jan glows with every one of their successes and suffers each of their setbacks and heartbreaks with them. To say that Jan is close to her kids understates the essence of their relationship.

As many will know, Jan shares a personal and professional partnership with Richard Lindsay, Q.C. They have been married for 25 years and law partners for almost as long. Rick has supported Jan in her professional endeavours, and he has adapted well to his "plus one" role at Law Society functions.

On weekends, you will often find Jan puttering in her garden or rooting for those darn Canucks, though she never sits still long enough to enjoy an entire game. Rick describes her as more energetic than the Energizer Bunny, with always one more thing to accomplish before the day is done. To recharge her batteries, Jan regularly seeks refuge at the family compound on Savary Island, often with kids and friends in tow. Jan receives guests warmly and doesn't get too fussed with the details. As long as the beer fridge is stocked and the cheese selection varied, Jan is content.

Through the years, Jan has managed to take time away from the practice of law to travel, often in conjunction with her children's adventures. She travelled to Peru with her friend Barb in order to catch up with her son Steven, who was doing a long South American tour. When Kelly decided to study Spanish in Barcelona, Jan dropped her off there to make sure she was

set up comfortably. When the term ended, Jan, her mother and her mother-in-law travelled back to Europe to escort Kelly home, taking a detour through Prague on the way.

When Kelly was finishing a second trip to Spain, Jan dragged Rick and their friend Wayne to Morocco to meet her. The group endured a long car ride from Casablanca to Marrakesh and then through the mountains to the end of the road to get to the three-day camel expedition in the Sahara Desert that Jan had arranged. It was not exactly luxury travel. Trooper that she is, Jan gratefully quaffed the desert-warm beer as part of a picnic in the sand. The group returned to Casablanca just in time to be marooned there when the volcano in Iceland erupted. The quickest way back to North America involved a five-day stay in Istanbul, which turned out to be a highlight of the trip.

Together Jan and Rick have taken many cruises, including on the Mediterranean, around the Iberian peninsula and as far as Odessa in the Black Sea. One memorable adventure occurred on safari in Botswana, where they enjoyed a scene right out of *The Lion King*. As their Jeep travelled back to camp, the Lindsays' expedition came upon a pride of lions lounging close to their path of travel. One of the female lions suddenly bolted into the bush to catch a zebra for the male lion's dinner. With the Lindsays in front-row seats only 20 feet away, the male lion moved in to devour the wailing zebra. Unfortunately, the male lion wasn't up for the task and the zebra escaped, crashing into the side of the Lindsays' Jeep. Perhaps allegorically, the female lions stepped in and finished the job botched by the male lion while Jan filmed the entire event at very close range, never once flinching at the graphic scene that unfolded. While she may not have won an Oscar, Jan proved her mettle as an amateur nature filmmaker.

As we all know, life sometimes throws curve balls. In August 2013, Jan was diagnosed with breast cancer. She has faced her diagnosis with dignity, courage and more than a small dose of stubbornness. Surgery in September was successful, and chemotherapy should be completed in early January. Certainly this latest health issue is only a small bump in the road for the woman described by young colleague Amy McCallion as the "toughest, smartest, coolest woman out there".

Jan will bring the same commitment to excellence as president of the Law Society as she has shown in every other part of her life. She is quite simply as sincere and as nice as she sounds. But perhaps more importantly, she brings that sincerity to her desire to serve the legal profession. We are very fortunate to have Jan as president.