

# NOS DISPARUS

## Marvin Lundeen

Marvin's early years were spent in rural British Columbia. Born in Saskatchewan, he moved to the Peace River area of British Columbia at the age of six. He attended school first in North Pine and then high school in Dawson Creek. He spent the last days of the war in the RCAF in Tofino. He graduated in law from UBC and returned to Dawson Creek with his wife Frances, a social worker, and their son Richard. Marvin then articulated with Arthur McClellan and was called to the bar in 1951.



Those early years undoubtedly contributed greatly to his reputation for the common sense he showed in his judicial decisions. I first met Marv in 1958, when I arrived on the bus. In our telephone conversation before he hired me, he said he wanted me to promise to stay at least six months. He never tired of repeating my assurance that I would stay at least that long. Since I did not have enough money for a return ticket, I stayed for 22 years.

Marv could not have been a better mentor, employer, partner and friend. We also had a lot of fun together. Frances became a fast friend as well; I enjoyed many visits with them. Marvin's professional and ethical reputation was beyond reproach. The one exception to that was the opinion of a lady he agreed to represent in a real estate transaction. Marvin made the mistake of agreeing to act for her despite her reputation for being difficult. They parted ways rather explosively soon after he became involved. She retained Angus Carmichael with the same result. A mischievous friend recorded a conversation with her. He asked what she thought of Angus. Her English was not good. She said, "Dat Carmich, he even bigger crook dan Londeen." The recording made the rounds.

Marvin was active in the community. He was a life member of the Kinsmen Club and district governor of that organization. He served as president

of the Senior Chamber of Commerce, the Arena Commission, the Dawson Creek Athletic Association, the Masonic Lodge and the Ski Club. Marvin and Frances were involved in the United Church. Marvin served 15 years on the Board of Stewards and chaired that board for two years. Professionally he was president of both the Peace River and Cariboo Bar Associations. He was one of the original members of the Law Foundation. He was appointed Queen's Counsel in 1971, the first lawyer from Dawson Creek to receive that honour. As I read the record of his public service, I came to realize why I had so much respect for him.

Both Marvin and Frances were devoted to their family. Marvin often spoke with pride of Richard, Barry, Trudi and their seven grandchildren. One of his great joys was taking holidays in Hawaii with them.

Roger Pryke, a subsequent partner, had this comment about him: "Marv was always thought to be short for 'Marvellous', and he was. He was a very kind and generous man, and our family certainly appreciated those qualities over the years, long after he and I had left the firm. I am grateful for his mentorship and guidance. His strong ethics set the right foundation for my career."

He was appointed to the Provincial Court in 1974. Losing him as partner was difficult. I again realized how much I too depended on his friendship and guidance. Marvin was a stubborn man; he described himself as a stubborn Swede. Ken Arkell was an associate in Marv's office for a short time, and he recalls how Arthur McClellan was determined that everyone should keep a clean desk. Marvin ignored him; he much preferred to have stacks of files on his desk.

Later, Ken and Marvin were on the Provincial Court together. The Court of Appeal soon learned how stubborn Marv could be. Both Ken and others told me of Marvin's reaction to being overturned by the Court of Appeal. In sentencing two impaired drivers, Marvin referred to the increase in the number of impaired drivers in Salmon Arm. Instead of imposing the usual \$500 fine, he imposed fines of \$2,000. After finding that Marvin had erred, the court again fined the offenders \$500. The next week Marvin again imposed fines of \$2,000. He referred to the Court of Appeal decision and said that the court had failed to take into account the number of impaired drivers apprehended in the last week.

At the time of his death, Marvin was 90. His hearing was seriously impaired, but his intellect and his sense of humour never left him. He said to me recently, "I'll have lunch with you; it doesn't matter that I can't hear you, I'll do all the talking."

I will miss him.

Donald Clancy