

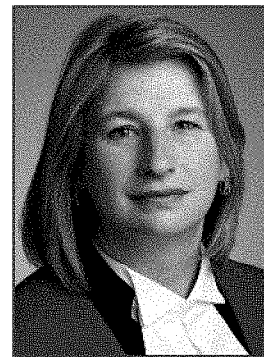
told of spending a wet and sleepless night by a fire in sub-zero temperatures having flipped a canoe, killed an elk and misjudged the time it would take to make it to a pick-up point on a local river. George was reportedly unruffled by the incident.

George has been tested in court and against the perils of the untamed wilderness. Without doubt, George's determination, integrity and passion will serve him well as he sits as a judge in our Provincial Court. He is a man of excellent character. During his years in private practice, George served as a role model and a mentor to many other lawyers. He is held in the highest regard by all. The bench will benefit greatly from the qualities that George possesses, as will those counsel who have the honour to appear before him.

The Honourable Madam Justice Francesca Marzari

On December 29, 2017 Francesca Marzari was sworn in as a justice of the Supreme Court of British Columbia before a small gathering of family members, old and new colleagues and courthouse staff she had met during her term as a law clerk. Along with her deep knowledge of administrative and constitutional law, Justice Marzari will be bringing to her courtroom the experience of being a mother of young children, a daughter of the culture wars of the 1960s and a champion of the efforts of local governments around the province to maintain order, civility and effective governance in their communities.

Many members of the bar, particularly the local government bar, will be familiar with the Marzari name. Francesca's mother, Darlene, came west from Toronto in time to participate in the overthrow of the old guard at Vancouver City Hall, which was precipitated by the city's attempts to build a freeway into the downtown peninsula through Vancouver's Chinatown. She was a member of the Electors Action Movement majority on City Council between 1972 and 1980, and then a Member of the Legislative Assembly for



Vancouver–Point Grey from 1986 to 1996, during which time, as Minister of Municipal Affairs, she brought in B.C.'s innovative regional planning legislation. Along the way she founded Kaboodles, a kid-friendly toy emporium at which her daughter worked part-time. Francesca's father, who had been brought to Toronto from northern Italy as a child and had come west with Darlene to teach history at UBC, died soon after Francesca's birth, but the family's continued academic rigour in dinner-table conversations was assured when her stepfather, Stephen, also a UBC history prof, later joined the household.

During this period Francesca's world included, in addition to her mother and two brothers, a number of powerful, accomplished women for whom gender equality was an attitude and a way of thinking and doing rather than an aspiration. These women were key influences on Francesca and important members of her extended "family". Patsy George is, like Darlene, a social worker by training whose lifelong efforts for social justice were recognized with an Order of British Columbia in 2002 and an Order of Canada in 2009. Shirley Chan's parents founded the Strathcona Property Owners and Tenants Association during the Chinatown freeway battle, and Shirley has throughout her life championed community-based initiatives in that area. Both women were frequent visitors to the Marzari household, so it is not surprising that when Darlene brought her toddler in to sit on her lap at the empty council table at Vancouver City Hall following her first election victory, Francesca wanted to know, "Where are all the other mothers?" Each of these remarkable women is immensely proud of Francesca's appointment to the bench.

Francesca and her husband Stuart were friends in the 1980s, when both were doing international baccalaureates at Sir Winston Churchill Secondary School in Vancouver, but did not become an item until after graduation. At Reed College in Portland, where Francesca obtained an arts degree, Stuart handled the typing chores on Francesca's undergraduate thesis, which dealt with a battle between the church and the medical profession on the question of when human life begins. Today, Francesca and Stuart share the joys of parenting a son, 15, and a daughter, 12, whose current career objectives centre respectively on professional baseball and graphic arts. Francesca's daughter, who several years ago solicited from Santa a small gavel that made her, when it counted, the boss of her lawyer mom, has not yet worked out what equipment she requires to regain that supervisory status now that her mother is a judge.

Francesca's legal career was spent entirely at Young Anderson, the local government law boutique that she joined as an articled student after clerk-

ing at the B.C. Court of Appeal, following graduation from UBC Law, as it then was, in 1997. At Young Anderson she sponged up the intricacies of local government law from founding partners Raymond Young, Q.C., her principal, and Grant Anderson, eventually appearing at all levels of court on behalf of the firm's local government clients. She handled some of B.C.'s earliest "vacation rentals" zoning cases, obtained an order for the removal of a diapered¹ barge from the main harbour on Salt Spring Island notwithstanding s. 91(10) of the *Constitution Act, 1867* and obtained innovative judicial remedies for unauthorized landscape disturbance on another of the Gulf Islands. She brought a lively, engaging presentation style to seminars and courses for local government-elected officials and staff around the province. In the firm, she was the go-to lawyer when it came to putting a finger on the key legal issue, in comparison with which she would deem all else in a supposedly complex matter to be so much chaff.

Francesca was equally consistent and committed in her volunteer work. Her longtime involvement with West Coast LEAF began as a law student, although her commitment to the intersection of feminism and the law may well have begun at birth. A member of the organization since the mid-1990s, Francesca joined West Coast LEAF's legal committee and then its board of directors, supporting the work of gender equality in the law through countless volunteer hours. She was a relationship builder and a problem solver and established herself as such an integral volunteer that she eventually became president of the board.

Together with executive director and co-counsel Kasari Govender, Francesca represented West Coast LEAF in its intervention at the B.C. Court of Appeal and then at the Supreme Court of Canada in the *Trial Lawyers Association* case about the constitutionality of court hearing fees. She argued passionately for the rights of women to access justice in family law cases. Her sense of fairness and her understanding of substantive equality are clearly deep-rooted and allowed her to seamlessly bridge the gap between the municipal law focus of her private practice and the constitutional focus of her volunteer work.

With her high energy and contagious laugh, she was also well placed to take on a fundraising role within the organization. It is fair to say that few (if any!) other lawyers would volunteer to write and perform a fundraising rap in front of 800 members of the bar and community, a feat which she performed with aplomb and pizzazz, alongside her mother Darlene, at the West Coast LEAF Equality Breakfast a few years ago.

To the extent that there is any "leisure time" in Francesca's life, it is spent doing yoga, reading cheesy novels, skiing at Whistler or travelling with her

family. Francesca and Stuart spent Francesca's last law school term in Copenhagen, followed by additional travel through western Europe. There have been treasured *incommunicado* absences at a rustic family retreat on a small island in Johnstone Strait, and there have also been ambitious bicycling trips (with small children) through the French countryside. Wherever in the province Justice Marzari is presiding, there will likely be quick recreational shopping excursions, considering her impressive accumulation of deeply discounted classic fashion items overlooked in thrift stores by those with less practised eyes.

The B.C. Supreme Court and the B.C. bar have, in Madam Justice Marzari, a judge with a nose for the fundamental issue in a case and limited patience for strained interpretations and shiny diversions. Evidence-based decision making was, and remains, as much a part of the dinner-table conversation, *chez Marzari*, as is social justice. The admonition to go with your strongest argument should certainly be kept in mind when preparing for a hearing in her courtroom. And while one cannot guarantee it, it is possible that Francesca will be subliminally driven to pick up first, from any given pile of written arguments or case authorities, and to thereafter keep closest to hand, any item that bears an "80% OFF" sticker.

ENDNOTE

1. A vinyl "diaper" was described as an alternative to the use of antifouling paint on the hull.
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