

DR. TOBY SUSAN GOLDBACH

Assistant Professor

The University of British Columbia | Peter A. Allard School of Law
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ACADEMIC APPOINTMENTS

Univ. of British Columbia, Allard School of Law medical/partial leave 2022-2024
Assistant Professor, 2017-Present
Leading Scholar, UBC Green College, 2018-2020

Cornell University Law School

Postdoctoral Associate and Adjunct Professor of Law, 2015-2017

EDUCATION

Cornell University Law School

Doctor of the Science of Law (J.S.D.), 2016
Visiting Scholar, Cegla Center for Interdisciplinary Research of the Law, Tel Aviv
University Faculty of Law, 2014
Participant, Harvard Law School Institute for Global Law and Policy, 2014
Master of Laws (LL.M.), 2011

York University, Osgoode Hall Law School

Master of Laws (LL.M.) specializing in Alternative Dispute Resolution, 2010
Juris Doctorate (J.D.), 1998

McGill University

Bachelors of Arts (B.A.) in Political Science, 1992

TEACHING INTERESTS

Courses taught: Courts, Politics and the Judicial Function; Ethics and Professionalism*;
Foundations of Dispute Resolution; Jurisprudence and Critical Perspectives*; Principles of
American Legal Writing; Transnational Law* (**mandatory course at UBC*)

Additional Teaching Interests: Civil Procedure; Comparative Law; Complex Litigation;
Conflict of Laws; Social Science and the Law

CLERKSHIPS

Chief Justice Patrick LeSage, Ontario Superior Court of Justice

Senior Law Clerk, 2000-2001

Ontario Divisional Court and Ontario Superior Court of Justice

Law Clerk for Judges of the Divisional Court, Civil Litigation Roster and the Commercial List (including Justices Blair, Ground, and Sanderson), 1998-1999

PROFESSIONAL EXPERIENCE

College of Nurses of Ontario (Professional Health Regulator)

Complaints Coordinator, 2010

Mediator/Investigator, 2007-2010

Marcovitch and Associates

Academic Program Consultant 2003-2007

Ministry of the Attorney General (Ontario)

Research and Policy Lawyer for the Civil Justice and Family Reform Branch, 2002

WORKS IN PROGRESS

THE INSTITUTIONAL JUDGE AND THE POLITICS AND PRACTICES OF COURT REFORM, (book manuscript selected for presentation at the Cambridge Studies in Law and Society, Early Career Manuscript workshop)

PUBLICATIONS

Managing Mass Tort Class Actions: Judicial Politics and Rulemaking in Three Acts, 77 UNIVERSITY OF MIAMI LAW REVIEW 88 (2022).

Building the Aboriginal Conference Settlement Suite: Hope and Realism in Law as a Tool for Social Change, 46 LAW & SOCIAL INQUIRY 116 (2021).

Why Legal Transplants? 15 ANNUAL REVIEW OF LAW AND SOCIAL SCIENCE 583(2019).

Judicial Practice in Action: Court Reform and Responsive Judges in Canada, in THE RESPONSIVE JUDGE 217 (Tania Sourdin and Archie Zariski eds. 2018).

From the Court to the Classroom: Judges' Work in International Judicial Education, 49 CORNELL INTERNATIONAL LAW JOURNAL 617 (2016).

Instrumentalizing the Expressive: Transplanting Sentencing Circles into the Canadian Criminal Trial, 25 TRANSNATIONAL LAW & CONTEMPORARY PROBLEMS 61 (2015)

Legal Instrumentalism and the LSA: A 'Movie Treatment', Law and Society Association, Second Half Century Junior Scholars Essay Competition (honorable mention) (2014).

Juries, Lay Judges, and Trials in ENCYCLOPEDIA OF CRIMINOLOGY AND CRIMINAL JUSTICE 2716 (Gerben Bruinsma and David Weisburd, eds. 2014) (lead author, with Valerie Hans).

The Movement of U.S. Criminal and Administrative Law: Processes of Transplanting and Translating, 20 *INDIANA JOURNAL OF GLOBAL LEGAL STUDIES* 141 (2013) (lead author, with Peter Katzenstein and Ben Brake)

Book Review: Theory and Practice of Harmonisation by Mads Andenæs and Camilla B. Andersen, 41 *INTERNATIONAL JOURNAL OF LEGAL INFORMATION* 222 (2013)

Cultural Conflict Obscured? The Alternative of Sentencing Circles, Clashing Worldviews, and the Case of Christopher Pauchay, 10 *ILLUMINE* 53 (2011)

Apology and the Regulation of Health Professionals in Ontario: Addressing Complaints at the College submitted to the College of Nurses of Ontario (2008)

Report for the Ministry of the Attorney General (Ontario) on Comparative Judicial Clerking Systems in Canada, Britain, Australia and the United States (2002)

PRESENTATIONS (SELECTED)

“Unsettling the Territory of the Trial: How Innovations in Legal Procedure Can Provide Voice and Justice for Precarious Victims,” *Law and Society Association Annual Meeting*, Denver (June 2024)

“Changing Judicial Culture in and out of the Courtroom,” presentation to delegation of Colombian judges, *organized by Canadian Federal Judicial Affairs* (November 2022)

“Judging Technology,” *Law and Society Association International Research Collaboration Mini-Conference*, online (November 2020)

“Class Action Fairness Hearings as Rule and Resistance,” *Law and Society Association Annual Meeting*, Online (May 2020)

“Reforming Procedure for Mass Tort Class Action Settlements: Backroom Politics & the Battles over FRCP Rule 23(e),” *University of New Mexico Law School Faculty Colloquium*, Albuquerque, New Mexico (March 2020)

“Reforming Procedure in Class Action Settlements and the Judicial Politics of Rulemaking,” *Law and Society Association Annual Meeting*, Washington (June 2019)

“Teaching Dispute Resolution in a JD Curriculum,” *Osgoode Hall Law School Mediation Clinic Symposium on Dispute Resolution*, Toronto (February 2019)

“El acceso a la justicia a través de la construcción y el diseño de los tribunales de justicia,” *Faculty Colloquium, Universidad del Norte*, Barranquilla, Colombia (May 2018)

“The Role of Judicial Epistemic Communities and the Global South in Contemporary Law and Development,” *Law and Society Association Annual Meeting*, New Orleans (June 2016)

“The Role of Socio-legal Research in Advancing Social Change,” *Law and Society Association Annual Meeting*, Seattle (May 2015) (by invitation)

“Judicialization of Foreign Relations: Judges and International Judicial Education,” *Law and Society Association Annual Meeting*, Seattle (May 2015)

“Transplanting Aboriginal Sentencing Circles: The Path of Instrumentalism and the Case for Legal Techniques,” *The Toronto Group for the Study of International, Transnational and Comparative Law Annual Conference*, Toronto (May 2014)

“Legal Norms’ Distinctiveness in Legal Transplants and Global Legal Pluralism,” *Harvard Law School, Institute for Global Law and Policy*, Cambridge (June 2013)

“Processes of Transplanting Legal Procedures: Normative Options, Legal Aesthetics and Polymorphism at Court,” *Law and Society Association Annual Meeting*, Boston (June 2013)

“Legal Norms’ Distinctiveness in Legal Transplants and Global Legal Pluralism,” *International Studies Association Annual Convention, Catalytic Workshop: What Makes Legal Norms Distinctive?*, San Francisco (April 2013) (by invitation)

“Lay Participation in the Criminal Trial: First Nations Sentencing Circles and Law Reform in Canada,” *Law and Society Association International Meeting*, Hawaii (June 2012)

PUBLIC COMMENTARY AND INTERVIEWS

Op Ed, “Why Justin Trudeau needs to appoint an Indigenous justice to the Supreme Court,” in the OTTAWA CITIZEN (March 8, 2022)

Feature Interviewee for UBC Radio Show, “Research Review,” (January 5, 2022)

Interview with THE LAWYER’S DAILY, “Judges must give notice if banishment is part of sentence, legal experts say” (October 16, 2019)

Interview with THE LAWYER’S DAILY, “B.C. disability insurance decision commentary on access to justice, law prof says” (October 1, 2019)

Interview on CTV NEWS CHANNEL to provide commentary on Jody Wilson-Raybould’s testimony regarding SNC-Lavalin prosecution (February 27, 2019)

Interview with THE LAWYER’S DAILY, “MPs recommend increased financial, mental health support for jurors in report” (June 25, 2018)

Interview on CBC POWER AND POLITICS to comment on the appointment of Justice Martin to the Supreme Court of Canada (November 29, 2017)

Interview with GLOBAL NEWS RADIO, “The B.C. judge who ‘ignored evidence,’ ‘erred in law’ and put a ministry under fire” (November 27, 2017)

GRANTS AND AWARDS

Grant Recipient (with Sara Ghebremusse, UBC), *Lew Innovation Fund*, for project titled, “Re-imagining Agenda 2063: A Sociological Foundation of the Africa We Want,” 2020-2021

Grant Recipient, *SSHRC Institutional Grant*, for project “Does Process Matter? Measuring Class Members’ Experiences of Justice and Levels of Satisfaction at Fairness Hearings” 2019-2020

Grant co-investigator, *UBC Teaching Learning Enhancement Fund*, for project titled, “Animating Law: Using Short Films in the Teaching of Core Legal Concepts and Theories,” 2018-2021

Grant Recipient, *Farris Fund Research Grant*, for project titled, “Class Action Fairness Hearings, Global Settlements, and the Judicial Function,” 2018-2020

Grant Recipient, *Hampton Fund Research Grant*, for project titled “Constructing Transnational Legal Orders: Canadian Judges' Influence on the Introduction of Court-Connected ADR in Ghana,” 2017-2019

Grant Recipient, *Cornell Law School Graduate Fellowship*, 2011-2015

Grant Recipient, *Berger Center for Comparative & International Law*, TAU Exchange Grant, Cornell University Law School, 2014

Grant Recipient, *Cornell University*, Research Travel Grant, 2013

Grant Recipient, *Cornell Institute for Comparative Modernities*, Graduate Reading Group on “Reimagining Global Politics: Power, Freedom, and Culture,” 2012-2013

Fellowship Recipient, *Rudolf B. Schlesinger Research Fellowship* 2011-2012

Recipient, *CALI Excellence for the Future Award* for highest grade in the Cornell Research Colloquium, 2010 and 2011

Recipient, *CALI Excellence for the Future Award* for highest grade in Social Science and the Law, 2010

Recipient, Osgoode Hall Law School, Professor Marilyn Pilkington Award, 2010

Recipient, Osgoode Hall Law School, Legal & Literary Society Student Honour Award, 1998

SERVICE (SELECTED)

- Reviewer for article manuscripts for the following journals: *Oxford Journal of Legal Studies*, *Law and Social Inquiry*, *Law and Society Review*, *Conflict Resolution Quarterly*, *Law & Policy*, *Canadian Journal of Law and Society*, *Canadian Journal of Family Law*, *Alberta Law Review*, *UBC Law Review*, and the *Journal of Forensic Psychology: Research and Practice*
- Co-Chair, *Law and Society Association Collaborative Research Network* “Innovations in Judging,” 2018-present
- Chair, *International Prize Committee*, *Law and Society Association*, 2023-2024
- Established the *Global South Visiting Scholar* program, served as Chair of the selection committee, 2018-2024
- Developing institutional affiliation with the University of Ghana Law School, organized visit for UG’s Dean, Dr. Raymond Atuguba, November 2023
- Faculty Mentor, *Afronomics Law*, 2022-2023

- Board Member, *British Columbia Law Institute*, 2021-2023
- Faculty Mentor, *Law and Society Association Graduate Student/Early Career Workshop*, June 2022
- Developed curriculum and pedagogy toolkit that addresses anti-Black racism in legal education, 2021
- Taught Legal Research and Writing for the *Indigenous Legal Studies Academic Leadership Certificate Summer Intensive*, January and June 2021
- Organized educational session on anti-Black racism with Bakau Consulting, attended by 35 faculty members, June 2021
- Group leader for Equity, Diversity and Dialogue Day, January 2019 and 2021
- Talking circle leader for *Indigenous Legal Studies* programming for JD Orientation, September 2020
- Advisor, *Environmental Law Negotiation Competition*, 2018-2020
- Assisted in the development and Senate approval for a new course to address the recommendations of the Truth and Reconciliation Commission of Canada, 2018-2019
- Assisted in the development of Allard's Experiential Learning Requirement, 2018-2019
- Member, *Law and Society Association, International Activities Committee*, 2014-2016

ARTISTIC WORKS, PERFORMANCES, DESIGNS

Teaching Assistant for Kwasi Dunyo (Faculty Member, York University/University of Toronto), *Worlds of Music Series and Toronto District School Board*, 2002-2004

Drummer in *Ainiké*, with Richard Underhill (Juno 2003) and members of the African Guitar Summit (Juno 2005), debut CD release February 2010

Performer in *Kekeli Drum and Dance Ensemble*, directed by Kwasi Dunyo and Andy Morris of The Lion King (Performances at the Toronto Distillery Jazz Festival, Lumina Festival, Festival Bana y'Afrique, Small World Music Jazz Series) 2002-2005

Correspondent for the *Canadian Broadcasting Corporation (CBC) Radio, The Global Village*, "The Healing Drum" recorded in Dagbamete, Ghana, aired October 12, 2002

PROFESSIONAL ACCREDITATION

Called to the Bar, Law Society of Ontario (formerly Law Society of Upper Canada), February 2000 (not active).

LANGUAGES

English (Native), Hebrew (Fluent), French (basic oral)