

60 and I was probably under 30. I thought I was a good player, but he taught me a lesson." Mike went on to say that "all the time he was beating me so badly, he had a subtle little smile on his face." I am sure we will all remember that smile for years to come.

P.G.B.



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NEW JUDGES

The Honourable Madam Justice Sandra K. Ballance



that be at what was then Douglas, Symes & Brissenden to interview an applicant for an articling position.

It was late in the afternoon, and we were all tired after a long day. Of course, she was a real looker and her resumé was impressive. She had great marks, had worked part-time throughout law school and had been involved in all the usual extracurricular activities—then most impressively to me the UBC Law School women's hockey team, although I have recently been told it was a motley collection of mediocre skaters who mostly participated for the after-game revelry. What captivated us most, however, was her sparkling personality. As far as I was concerned, the clincher came when, as we were each sipping a bottle of beer (at Doug's suggestion), having covered all the usual topics, she asked Doug if she could "bum a smoke". (This was early in what turned out to be at least a 12-year campaign to quit smoking, and so, she later claimed, she had just stopped buying her own cigarettes.) Doug, his sense of humour honed to a razor's edge by his many years working as a piano bar entertainer, gave the classic response. Doug and I sniggered, but she...she just rolled her eyes and smiled tolerantly. Ignoring all conventions and our carefully orchestrated hiring strategies, I blurted out enthusiastically, "Well, I like you... and I think that you'll fit in really well around here." Then Doug, who had a lot more savvy than I, rushed her away to meet the other members of the committee before I could dig myself in any deeper.

Miraculously, she accepted the firm's offer. Much later, she told us that she already had a couple of offers in hand and, it being late in the day, had almost cancelled her interview with us. Fate, in which she believes profoundly, was certainly on our side that day, and I think she would agree, also on hers. (Notwithstanding,

ing this coup, when the story got around, Doug and I were never again allowed to interview articling candidates together.) Even more miraculously, when she finished her articles, she professed an interest in what was then a fledgling wills and trusts department, and thus began what would turn out to be one of the longest and most rewarding relationships of my career. Initially, we were professional colleagues, but as time went on we became close friends.

SKB (as by the convention of the firm, she was known henceforth) was born in Vernon. Her dad, Bobby Ballance, played pro-hockey as a centre for the Vancouver Canucks in what was then the Pacific Coast Hockey League (the forerunner of the old Western Hockey League). She is a middle child, having an older sister and a younger brother. She lost her dad early, and when she was five, her mother enrolled at UBC and moved her young family from Vernon to Vancouver. Remarkably for any time but even more so in the early sixties, SKB's mother, Kaye Ballance, completed both B.A. and M.A. degrees at UBC while looking after her young family as a single parent. After her graduation, Kaye worked for many years as a psychologist and now works as a counsellor for the North Vancouver School District. Throughout her formative years, SKB was fortunate to have the love and support of her maternal grandfather, Leo Smith, the vice-principal of the Junior High School in Vernon, who acted as a surrogate father to her and her siblings and who, she says, had a profoundly positive influence in her life.

Strong female influences also have played an important role in SKB's development. In addition to her mother, SKB has had a very close relationship with her maternal grandmother, Sylvia Smith, who is 93 and still lives in Vernon. Grandma Smith is of Swedish heritage, and I suspect that one of SKB's more unusual rituals must have derived from this source. Before leaving the office for any particularly stressful event, a court appearance, a difficult negotiation or a challenging client interview, SKB will turn her back and require someone (I confess that I have not infrequently been the not so unwilling nominee) to toss her shoe so as to strike a certain portion (which shall go unnamed) of her anatomy. To appease whatever Scandinavian gods must be appeased by this ritual, the toss must have just the right velocity and must strike just the right part of her anatomy—as you can imagine, this often necessitates repeated tosses and sometimes indignant protests when the velocity is too high or the aim inaccurate. In case this seems immodest, I hasten to add that the ritual is always conducted in full view of office staff.

Another rather unusual habit is that she often announces her return to the office, especially following a successful sortie to court, or if she has just landed a particularly attractive piece of new business, by uttering a piercing yell—reminiscent of a triumphant Tarzan, or perhaps the shriek of the Valkyries in a Wagnerian opera—which echoes throughout the office.

Runnour has it that SKB had rather tumultuous teenage years. While she never actually admits this, some of her high school memories are telling. For example, once she described, while attempting to comfort me as I agonized over the activities of my two teenage daughters, her profound humiliation when her mother

used to march straight into high school house parties and drag her and her sister out to the car and drive them home when they had breached their curfew. One of her friends also told me that she was amazed at SKB's uncannily accurate description of the tactics used by teenagers to sneak undetected out of home after dark.

Thankfully for us, SKB survived her teenage years and emerged as a fun-loving and sophisticated young woman. She began dating her husband, Drew, when they were still at Lord Byng High School, and they were married in 1981, before she started her studies in law at UBC. They now have two children, a 14-year-old daughter, Karoline, (also now attending Lord Byng and who, I'm told by a reliable source, is described by her English teacher as a "sweetie"), and a nine-year-old son, Bobby, who is an avid and accomplished skateboarder.

SKB's friends marvel at her ability always to be "in the know". Whether it is the latest fashions, the newest "hot spots" in town, the best restaurants or the hottest gossip, I'm told that SKB always seems to have the scoop. Somehow, perhaps to keep up with Karoline, she also manages to find the time to keep in touch with all the latest developments in the lives and work of the current pop stars, such as Britney Spears and Avril Lavigne, and also to "hang out" with Bobby at the local skateboarding parks.

In 1988, SKB and Drew with three other couples started a gourmet dinner club. For their dinner meetings, each couple prepares one course, ideally derived from the cuisine of a different culture. Another member of the club confided to me that they soon learned not to assign the hors d'oeuvres to SKB and Drew, as that (although inevitably delicious) would usually guarantee that dinner could not begin until after 11 p.m. (I can confirm that, for SKB, timeliness has never been that close to Godliness.) That source also confessed that although the "gourmet" aspect has slid somewhat over the years, the group has religiously maintained its annual weekend retreat to Beach Acres, near Parksville.

SKB is a dedicated "power walker" and, true to her concern with maintaining good karma, usually manages to twist the route of her walk so that she passes by the Kerrisdale School grounds where her grade seven class buried a time capsule. It seems that, even though it has been buried for many years, the capsule is still emanating good vibes.

Her professional career path has been stellar. Very early on it turned out that she had a gift for drafting wills and trusts and an unerring and instinctive understanding of the sometimes rather arcane principles of trust law. She loved to devil her way through the musty old leather bound English Reports which decorated the reception area at DSB.

Although she began as my junior, quickly she became determined to shake herself free from those constraints and establish her own practice. Somewhat to my chagrin, I discovered that, once exposed to SKB, clients and referral sources (both within and outside the firm) quickly switched their loyalties and soon preferred to deal with her. Also, mysteriously to me, bouquets of flowers and boxes of chocolate began to appear in the office addressed to SKB—an experience denied to me throughout my career to date. For a while, she continued to stroke my ego

appearing to consult with me as issues arose, but after a while I began to realize that I was really only a wall against which she bounced her theories. In time, course, inevitably our roles reversed, and I became the supplicant.

SKB's professional career did have one blip, when, a year or so after her call to bar, frustrated with the type of work she was getting, she jumped ship and, perhaps presaging this latest twist in her career path, joined the Workers' Compensation Board as a claims adjudicator. Her sabbatical didn't last long however. I, much to my relief, she rejoined the fold some months later, on the assurance that her practice would in future be confined exclusively to the wills and trusts area.

Always popular and respected by her peers, right from the beginning SKB made a point of sharing her expertise with others. Early in her career she was elected as secretary of the executive of the Vancouver Wills and Trusts Section of the CBA. In 1991, in due course, served as chairperson in 1991-92. Subsequently, again at a young age, she completed her tour of duty through the executive of the Vancouver Estate Planning Council, serving as president in 1998-99. At the time of her appointment to the bench, she was serving as the secretary of the National Wills and Trusts Section of the CBA. Throughout her career, she has been a frequent lecturer in her practice area for PLTC, the Continuing Legal Education Society of British Columbia, the various provincial estate planning councils and many other professional and social organizations. She has also been active in the community, serving for many years as a member of the B.C. Advisory Board for the Help Phone Foundation and as a leader for Girl Guides of Canada.

Like the rest of us at DSB, SKB found that her professional development was greatly helped by the addition to our firm in the late 1980s of Professor Donovan Waters, Q.C., who patiently and generously shared his unique genius with us the next 12 years or so. SKB and I have often reflected on how much we are indebted to Donovan for his contribution to our understanding of trust law and the development of our powers of legal reasoning.

One of SKB's most important contributions to the development of our practice group was to recognize the amazing gifts of Louise Watson as a wills draftsman. SKB enticed Louise, who was then working in our firm's word processing department, into becoming our legal assistant, and over the next 15 years so, Louise developed into the *de facto* department head. This was not an isolated occurrence. Because of her generosity and the warmth of her personality, SKB has always been an important link between staff and partners, a role which has become even more important when we broke away from DSB in 2000 to form the Tax + Trust Lawyers. The staff instinctively turn to SKB whenever trouble is brewing, and she then mediates the issue with the rest of us.

In the early 1990s as our little department was struggling to become economically viable, SKB volunteered to focus her efforts on expanding our estate litigation practice area to complement the firm's traditional expertise in trust law and estate planning. As is her wont, even though sometimes feeling deep inside a little reticent, she boldly struck out and soon, her tentacles spread far and

wide, was drawing in significant file work. To complement and develop her litigation skills, she also completed the Harvard Law School Mediation course through Simon Fraser University in 1997. Her continuing efforts to build our litigation practice area were greatly bolstered when in 1996, she persuaded Jane Dardi to join our group. Together they made a great team—Jane, like a pit bull terrier, snarling in the really contentious matters, and SKB using her charm and mediation skills to settle all disputes that were capable of being settled without going to court.

We're going to miss SKB terribly, but our loss will be the public's gain. At times, no doubt, shoes will be seen flying across judicial chambers and unearthly shrieks will echo through the normally strait courthouse corridors, but her warmth and humanity will make themselves felt and slowly but surely will seep into the minds and hearts of her fellow judges. Madam Justice Sandra K. Bal-lance—that has a nice ring—has a quick and creative legal mind, is compassionate and fair-minded, but also firm and decisive when called for. She will be an excellent judge.



The Honourable Judge Kenneth W. Ball



Kenneth W. Ball began life 52 years ago in Ottawa. He is one of four siblings, two sisters and a brother. His father's transfer in employment to Vancouver when Ken was 10 years old resulted in Ken moving from the rigorous Ottawa climate to the more salubrious climes of the Pacific Coast. Our new judge demonstrated very sound judgment in remaining here for his academic and

professional career.

Ken attended the University of British Columbia in the 1970s and obtained his LL.B. in 1976. Concurrently, with this attainment, he had met and married his lovely and devoted partner, Sally, who has been, over the years, a most supportive spouse to her busy barrister husband. Ken arrived with the firm of Macleod and Small and after a short time as an associate with that firm, he joined DalMoulin Black in 1978. He remained with that firm as associate and partner until his recent appointment to the Provincial Court of British Columbia on January 6, 2003. He will be sitting in the Surrey District.

The Provincial Court has gained a new member with a wealth of legal and life experience. Although his practice has been as a barrister with particular emphasis on administrative and criminal law matters, Ken has had the good fortune to practise with a talented group of commercial and securities lawyers, which