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Vivian Rachlis

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## Advocacy: Litigation and Dispute Resolution

Vivian is an effective advisor, negotiator and advocate, and an able communicator, with sound judgment and strong professional ethics. Her practice serves clients in a variety of sectors. She has particular expertise advising public and publicly regulated institutions about their regulatory and governance obligations. Her clients also appreciate her specialized knowledge pertaining to the professions, privacy and health care law, and workplace conflict. She is frequently relied on to advise on respectful workplace matters.

Sample matters handled:

Advice to regulators and those that are regulated about complaints, investigations and prosecutions processes under a variety of statutes.

Conducting workplace investigations.

Legal matters arising in the Canadian health environment.

All matters arising within unionized and non-unionized employment relationships.

Privacy, access to information, human rights and respectful workplace matters.

Appearances before all levels of courts and before administrative tribunals.

Advice to administrative tribunals.

Vivian was educated at the University of Manitoba (J.D. 1984; B.A. (Hons.) 1977). She has practised in the fields of advocacy, administrative and regulatory law, labour and employment and alternative dispute resolution at Thompson Dorfman Sweatman since 1987, with a five year absence to practice in house with a large health care organization.



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Given her experience as an in house lawyer, Vivian understands the operational, governance and policy considerations that are critically important to reputation and ongoing business relationships. Her advice is particularly appreciated by clients whose public-facing stature involves balancing a complex array of risks and considerations, not all of them legal.

Vivian has been involved with her profession throughout her legal career. She has served as a member of the following standing committees of the Law Society of Manitoba: Complaints Investigation, Discipline, Admissions and Education, Equity, and Practice and Ethics. She was recruited to serve on the following special committees of the Law Society: the committee that re-drafted the Code of Professional Conduct; the Independence of the Legal Profession, Communications Committee, Access Stakeholders, Elections, and Representative Capacity, Special Committee on Ethic Regulation, Special Committee on Communications, the Justicia Project. Vivian has served as a member and Chair of Law Society Discipline committees, and has been a learning group facilitator and examiner in the Manitoba CPLED and Bar Admission courses.

Vivian's additional pursuits include a love of the theatre and the outdoors.

**EDUCATION:**

B.A. (Hons.) 1977 University of Manitoba

J.D. 1984 University of Manitoba

**CALL TO THE BAR:**

Manitoba, 1985

**ACHIEVEMENTS:**

Vivian has been selected by her peers to be included in the 2015 - 2018 Editions of Best Lawyers in Canada in Health Care Law.

**LEGAL TEACHINGS:**

Panelist, Canadian Bar Association webinar, Think Before You Spit: DNA Testing and the New Genetic Non-Discrimination Act, 2018

Panelist, Manitoba Bar Association, Think etc., 2017

Presenter, TDS Professional Regulation Seminar, 2017





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Presenter, University of Manitoba Café Scientifique series, DIY DNA: Science and Consequences, 2015.

Presenter, Manitoba Bar Association, Respect for Autonomy or Elder Abuse: End of Life Treatment Decisions, Civil and Criminal Consequences, 2015.

Presenter, Canadian Bar Association National Legal Conference, Dealing with Difficult People: Clients, Counsel and Colleagues, 2014.

Presenter, Canadian Corporate Counsel Association Spring Training Camp, "Privacy and Compliance: What you need to know", April 2014.

Presenter, Winnipeg Regional Health Authority, Population and Public Health Annual Conference, "Age of Consent and Child Protection Legislation", March 2013.

Presenter, Compliance Day™ 2012 and 2013, "When the Regulators Come Calling".

Law Society of Manitoba Continuing Professional Development, Practical Ethics, 2012.

Manitoba Bar Association Health Law Section, The Insite decision, 2012.

Lecturer, Health Law, University of Manitoba Medical School, 2009 and 2010.

Grand Rounds, St. Boniface General Hospital, "Consent", 2009.

Grand Rounds, Health Sciences Centre, "Legal Issues and Social Work Practice in Health Care", 2008.

#### **OTHER SPEAKING ENGAGEMENTS:**

Presenter, Manitoba Council of Administrative Tribunals (MCAT) annual conference, Developments in Administrative Law, May 2017

Presenter, Women in Leadership Conference, "Managing Conflict", May 2014.

#### **COMMUNITY INVOLVEMENT:**

Executive and Board of Trustees, the United Way of Winnipeg (serving as the United Way's Honorary Solicitor)

United Way of Winnipeg, Community Investment Committee; Agency Liaison Volunteer.

Royal Manitoba Theatre Centre, Community Play Committee.



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