

JEAN E.L. CÔTÉ: THE TEACHER

VERN KRISHNA*
CM, CQ, FRSC

It is 48 years since I first entered the large lecture room on a Monday morning at 8:00 a.m. in September for Contract Law from Professor Jean E. Côté in the then newly opened law school at the University of Alberta. The year was 1971, and we were the first expanded class of 180 students including, imagine, 13 women and three minority students. There was already a chill in the air in Edmonton, which would become intense in the next few months as midterms approached in December. The week before, the Dean, Gerald Fridman, had welcomed us to a career in law by telling us to look to the left and then to the right, as one of us would not be there the following year! All of which inspired paranoia and a dread of what awaited us in a life in the law.

It is now 44 years since I entered academic life and have been teaching law students, some of whom, despite my efforts, have gone onto successful careers. Twenty-eight of those former students, including Frans Slatter of the Alberta Court of Appeal and Eugene Rossiter, Chief Justice of the Tax Court of Canada, were my students at Dalhousie Law School. I am glad that I did not do them too much harm.

Now, I write from the perspective of an aging professor who 48 years ago sat in Professor Côté's class. One's perspective of education changes as time goes by, and it is only with hindsight that one can properly evaluate the contribution that one's professor has had on one's life and career. How would we know if our professors were "good" and would influence our careers? To be sure, students now write anonymous end-of-term evaluations, but they are generally myopic in perspective and lack the benefit of hindsight and experience. In any event, in 1971, student evaluations were only just beginning to emerge as the new methodology of rating professors.

It is against the backdrop of 48 years of experience as a law teacher and tax barrister that I now thank Professor Côté for his contribution to legal education, the profession, and the judiciary. To say that Professor Côté was demanding of his Contracts students would be an understatement. He took attendance in class! Yes, he insisted that students attend class on time. He even insisted that they come prepared for each class. Worse, he also insisted that they come prepared for rigorous analysis of each case! It was never enough to simply headnote a case and regurgitate what it said. He would grill one student at a time under the rules applicable to cross-examination. Fifty-nine of the 60 students in the class would learn from the cross-examination. The one student under cross-examination was generally in a trance by the end of the class! In each class, we sacrificed one student for the benefit of the other 59, which was a fair exchange in the process of learning.

* Counsel, TaxChambers LLP; Professor of Common Law, University of Ottawa. He is a national expert in the area of tax and is the author of 15 texts in tax, international tax, and business law and numerous articles and case comments.

How did all of this ultimately benefit us as legal professionals? At least in my case, it taught me the value of being punctual, always prepared, thoughtful beyond a superficial reading of the law, and to be ever ready to defend one's legal position with authority and integrity. I have found these attributes are the same as those that students and judges demand. Professor Côté inculcated these values in us, which still apply 48 years later.

Now, in the twilight of our careers, Professor (Justice) Côté has produced what promises to be the seminal Canadian text on advocacy, appropriately titled *Systematic Advocacy*,¹ in which he exhibits the same demanding standards of himself that he expected of his Contracts class. It should be within arm's reach of every barrister to serve as an educational tool or, for seasoned lawyers, as a refresher. Thank you, Professor, from a grateful student.

¹ Jean E Côté, *Systematic Advocacy* (Edmonton: Juriliber, 2017).