Best Practices for Developing Drafting Team Expertise British Columbia — Legislation and Legislative Process Course Rod Fehr, Legislative Counsel Ministry of Attorney General Canadian Institute for the Administration of Justice September 11, 2008



Like all skills and crafts, drafting legislation cannot be learned completely from a book. A book may instruct and guide, but a draftsman needs much more—experience in and knowledge of the law, maturity of judgment, an interest in and feeling for language, practice, criticism (both self-inflicted and otherwise). ... The attitude is sometimes encountered that a legislative draftsman is born and not made, and as a result a draftsman may find himself projected into the deep end of the drafting pool with little or no help: he is invited to sink or swim, and not infrequently expected to sink.

G.C. Thornton

Legislative Drafting

Preface to the 1st ed. (1970)

CIAJ 200

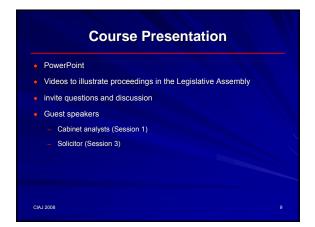
Legislation and Legislative Process Course Course covers — the process by which a legislative proposal becomes legislation the process by which regulations are developed and made how to read legislation best practices for drafting instructions and the drafting process based on A Guide to Legislation and Legislative Process in British Columbia — www.llbc.leg.bc.ca/public/PubDocs/bcdocs/498512/index.htm www.publications.gov.bc.ca/pubdetall.aspx?nato=7665005851

Legislation and Legislative Process Course 2005 to 2007 - 19 presentations of the course to a total of 463 persons Fall 2008 – 4 to 6 presentations of the course Participants — policy analysts program area staff ministry staff articling students

Course Content Session 1 — Legislative Process Introduction to the Office of Legislative Counsel and the role of the Attorney General policy development and approval process How a Bill proceeds through the Legislative Assembly – from Introduction to Enactment









Course Evaluations			
 very high satisfaction with the organization and conter of the course 	nt		
almost unanimous in recommending the course to oth	ers		
small percentage would like to see the course lengthened			
more statutory interpretation			
more video, more examples			
CIAJ 2008			

Experience of Participants			
	<u>2005</u>	<u>2007</u>	
in government			
less than 4 years	21%	50%	
more than 12 years	48%	25%	
as a policy or legislative ar	nalyst		
less than 4 years	61%	75%	
more than 12 years	11%	6%	

Future Development After our presentations of the course this fall, we will be reviewing the course content and its presentation. Options that will be considered: moving the course to a larger venue splitting the course into ½ day courses developing an advanced course on providing drafting instructions