



## **MANITOBA PROSECUTION SERVICE**

### **ARTICLING STUDENT PROGRAM**

#### **Firm Profile**

**March 2024**

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## **OVERVIEW OF THE ARTICLING STUDENT PROGRAM**

The Manitoba Prosecution Service (MPS) Articling Student Program offers a practical learning approach to assist articling students in transitioning from law students to legal practitioners. From reviewing files on a pre-charge level to prosecuting matters in court, the value of articling with MPS is well known. Our articling program is second-to-none in providing litigation experience, and graduates of our program go on to practice law throughout the profession, in government, and on the bench.

The value of our approach is that it is a unique combination of independence and support. Articling students have the opportunity to develop their knowledge and skills independently while receiving professional guidance, including guidance on the ethical responsibilities of the profession. This involves recognizing the profound privilege afforded to a member of the legal profession and the corresponding duty to see that the application of law supports a fair and equitable society. Gaining a solid appreciation of the role of the Crown to ensure that “justice is done” underscores this aim.

Articling with MPS also means understanding the legacy of colonialism and the resulting over-representation of Indigenous people in the criminal justice system, and committing to the work necessary for Reconciliation.

## **WHO ARE WE?**

The Manitoba Prosecution Service (MPS) is the largest criminal ‘law firm’ in the province. With an office located in each of the six judicial centers in the province, i.e. Brandon, Dauphin, Portage La Prairie, The Pas, Thompson, and Winnipeg, MPS is comprised of approximately 202 lawyers and 134 legal administrative professionals. Together, we are dedicated to serving the people of Manitoba with high-quality, effective, and efficient prosecutorial service. Our staff has a range of backgrounds and experience and this diversity of views and opinions enriches our organizational culture and strengthens our decision-making. We strive to be an inclusive workplace and understand the need to create an equitable office culture through demonstrable action led by senior management.

As public servants and representatives of the Attorney-General of Manitoba, every lawyer in MPS must uphold the ideals of the civil service and demonstrate an understanding of the role of the Crown in the criminal justice system. The ability to act in the public interest with integrity, respect, and with professionalism, is key to the work. Crown attorneys must act fairly, exercise good judgment, be organized, and think critically when assessing information in a timely way to make sound decisions.

The work of MPS can have a profound impact on people's lives and thus it is critical for prosecutors to be conscious of the significant social issues in our province and the history of our country. This is particularly significant with respect to the negative impact of colonialism and the residential school system on Indigenous people in our communities. This awareness is necessary to understand the context of the work and the weight of the decisions made on a daily basis. As Canadians, we must all be committed to realizing meaningful truth and reconciliation on a personal and professional level. MPS is on this path and recognizes that the issue of over-representation of Indigenous people in the criminal justice system requires an openness to different approaches. The focus on increasing the use of restorative justice is but one example of this commitment and recognition.

### **WHAT DO WE DO?**

MPS is part of the Department of Justice Crown Law Division, and we are responsible for prosecuting all regulatory and criminal offences arising in Manitoba. This includes prosecutions under provincial statutes such as The Highway Traffic Act, The Liquor, Gaming and Cannabis Control Act, and the Workplace Safety and Health Act, as well as prosecutions under the Criminal Code of Canada and the Youth Criminal Justice Act. Criminal charges prosecuted range from theft under \$5,000 to first-degree murder, and our cases entail a vast array of challenging work involving, for example, domestic violence, child abuse, gangs, high-risk offenders, and commercial crimes. Crown attorneys also act as counsel to inquests called under The Fatality Inquiries Act. Accused individuals have a right to have their matter heard in either English or French and we do our work in both official languages.

The work that Crown attorneys perform and the manner in which they perform it make them essential to the welfare and safety of all Manitobans and the administration of justice. Crown attorneys advocate for the Crown in the Provincial Court of Manitoba, the Court of King's Bench (before a Judge alone, or a Judge and jury), the Manitoba Court of Appeal, and the Supreme Court of Canada. We also appear before the Criminal Code Review Board on behalf of the Attorney General to make submissions concerning the liberties of those found not criminally responsible because of mental disorder. In all cases, Crown attorneys work to ensure that the justice system is operating fairly. This involves balancing the interests of the accused, victims of crime, and the public to ensure respect for the rule of law.

In addition to advocating for the Crown in court, Crown attorneys review police reports and provide advice to police on charges and procedures. They also share and maintain their expertise in criminal law and justice-related issues with prosecution services across the country and offer educational lectures and seminars to the police, schools, and the public. They also contribute to the development of divisional policy and offer their opinions on legislative amendments and law reform.

In our regional offices, and the Winnipeg Circuit Unit, Crown attorneys are responsible for “circuits” that serve over 60 towns and Indigenous communities in our province, often performing work in a community center, legion, or band hall that serves as a courtroom.

Crown attorneys in the regional offices have a unique and critical position within MPS. The experience of working and living in a regional office, particularly a northern office, provides an opportunity for quicker and more extensive growth, with challenges unique to the specific geographical area. Community resources are frequently lacking, and adaptability, resilience, and problem-solving skills, which are core competencies of all Crown attorneys, are especially vital in the regions to enable justice for all in the province.

### **WHAT ARE WE OFFERING?**

**Articling Positions:** 9 – Winnipeg, Manitoba  
1 – Brandon, Manitoba  
1 – Dauphin, Manitoba  
1 – The Pas, Manitoba  
2 – Thompson, Manitoba

**Term:** 52 weeks minimum, which includes ongoing informational seminars and student meetings.

**Salary:** \$45,000 based on a 52-week contract, and accrued vacation pay\*.

\*Students are entitled to 1.25 vacation days for each month of work. This is paid at the end of the year (4% in lieu of holidays). During the articling year, vacation leave may be accommodated with the permission of a Director.

**Resources & Supports:** Dedicated space is provided for each of the Articling Student rotations. The Articling Student team also has assigned administrative support/File Managers.

Each Articling Student is assigned 2 Crown attorney mentors in order to be provided with ongoing guidance and advice.

**CPLED/PREP Fees:** **PREP** fees are paid by the Department of

Justice. Call to the Bar fees are paid if the student is kept on as a prosecutor after the Call to the Bar. The determination of the provision of robes is subject to a number of considerations, including the timing and nature of an offer of employment, and would be made at the relevant time.

**Requirements:**

Law Degree; Driver's Licence; Enhanced Security Checks, including Criminal Record Check; willingness and ability to travel throughout the Province as necessary (small plane, boat, etc.); acceptance into the Law Society of Manitoba PREP Program.

Articling employment is governed by the rules of the Law Society of Manitoba and the Government of Manitoba.

For more information, please contact Mary Goska, Supervising Senior Crown Attorney of the Provincial Statutes Unit and Principal of the Winnipeg Articling Students at (204) 945-2852 or [Mary.Goska@gov.mb.ca](mailto:Mary.Goska@gov.mb.ca)

**WHAT CAN YOU EXPECT?**

Articling at MPS commences with "Welcome Week," a week of meeting with new colleagues and receiving crucial information from the Winnipeg principal, each of your two assigned mentors, and others, to help you ready yourself to thrive and excel. Following "Welcome Week", there is a one-week pairing of incoming students with those completing their articling year to allow for training in office and courtroom procedures. After the first two weeks, the orientation continues with additional days of instruction in areas specific to the work of MPS, including topics such as victim's rights and restorative justice. Thereafter, articling students will:

- Be introduced to the department's work culture, including the emphasis on continuing learning and teamwork. In accordance with the Government of Manitoba's Respectful Workplace Policy, students will work with each other in a respectful environment. Working as a group with your colleagues is another unique element of our program and enhances the supportive team approach.
- Perform the tasks of a Crown attorney, with guidance and supervision afforded by experienced Crown attorneys, including your two assigned mentors.
- Have the opportunity to act as junior counsel to Crown attorneys/general counsel.
- Observe and participate in the multi-faceted work of the Department of Justice.
- Obtain litigation experience.
- Have the opportunity to interact with a variety of people, including legal staff,

police, defence counsel, victims, witnesses and judges.

- Develop the skills of "Law Office Management", including time management, file management, information management, and personal stress management. MPS recognizes the importance of employee wellness. The work is demanding, and staff is encouraged to use supports that are in place to assist in managing their duties.
- Conduct legal research and expand their legal knowledge, particularly the practical application of it.
- Have the opportunity to participate in French Court proceedings.
- Obtain a broad grounding for a future in the legal profession.

MPS articling students acquire a firm foundation in law by moving through various structured rotations, each lasting a specific length of time. While the specifics of each rotation and its duration are subject to change, articling students can anticipate the following:

- Students conduct almost all prosecutions under The Highway Traffic Act (HTA) and corresponding regulations. Central to this work is The Provincial Offences Act (POA), which applies to every case in which a person commits or is suspected of having committed an offence under provincial legislation unless another Act provides otherwise. POA Court is located at 373 Broadway, and students handle the busy court dockets and dispute hearings held therein on their own. Articling students also have conduct of HTA dockets at circuit locations throughout the province. This includes travel to locations such as Portage La Prairie and Brandon. Students will also make determinations on whether convictions under The HTA should be rectified and will draft applications filed in the Court of King's Bench accordingly.
- Students will be also assigned to their own criminal trial files. These files will involve summary proceedings on offences such as assault, mischief and operating a conveyance while prohibited, with hearings occurring in the Provincial Court of Manitoba in Winnipeg and at various circuit locations in the province as required.
- Before any dispute hearing or trial, students draft file summaries, determine Crown positions, and engage in pre-hearing discussions with self-represented defendants/accused, agents, and defence counsel. Plea bargaining occurs and if a case is not resolved, steps are taken to ensure that requisite hearings proceed in a timely and efficient manner.
- When preparing for a dispute hearing or trial, students will interview Crown witnesses, including police officers, enforcement officers and civilians. This allows for witness preparation and for the student to prepare their examinations accordingly.
- Students will shadow Crown attorneys during bail hearings and dispositions and will have the opportunity to conduct bail hearings and dispositions on their own.
- Students will be assigned to pre-charge screening files and will advise police if

charges should be laid.

- While neither Crown attorneys nor students conduct investigations, students will have the opportunity to consult police for any further investigation that may be required to complete a case.
- Students will have complete conduct of the Gun Court docket in the Provincial Court of Manitoba. Gun Court dockets are heard once per month in Winnipeg with hearings held to determine whether an individual should be prohibited from possessing firearms and/or whether their firearm(s) should be forfeited.

### **CONTINUING EDUCATION**

MPS provides numerous educational programs throughout the year on a variety of topics. This includes Crown conferences/training days led by experienced prosecutors and regular Friday meetings led by the articling students' Principal. These Friday meetings cover various aspects of criminal and regulatory law. In addition, files are reviewed and students have the opportunity to discuss their cases with their Principal, other prosecutors and fellow students.

Additional learning may include:

- Opportunities to attend and observe court sittings in northern Manitoba (fly-in circuits), to gain an appreciation of the administration of justice in Indigenous communities.
- Opportunities to observe and/or prepare research for a jury trial or appeal;
- A chance to develop many contacts in the department, in government, and in the profession.

Throughout the year, students are encouraged to shadow any criminal trials that interest them that a mentor or another Crown attorney has conduct of, subject to their scheduled assignments and supervisor approval.

Ours is a student program that is always responsive to suggestions from the students for improvement.

### **TIME OFF FOR PREP OBLIGATIONS**

Students will be given time off for PREP obligations, including the four day Capstones in the Fall and Spring.

### **FUTURE JOB PROSPECTS**

The department is not able to make any commitment or guarantee of employment at the

end of the articling year. The possibility of continuing with the department depends on a number of factors, including budget, staff leaves and transfers, and of course, the level of student performance.

Students who article with the department are well placed to compete for positions based on their articling experience and their knowledge of departmental policies and practices. Employment opportunities following the articling year are frequently in regional offices.

An articling experience with the department will serve a new lawyer well regardless of the next steps in their career.

For more information, please contact [mpseducation@gov.mb.ca](mailto:mpseducation@gov.mb.ca)