



J. Mark Jackson, Partner

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Overview

J. Mark Jackson is a civil litigation lawyer focused on health law and regulatory prosecutions under the *Public Health Act*. He is experienced in a broad range of health care-related issues on behalf of public and private sector clients in Alberta and the Northwest Territories. A significant part of Mark's practice is dedicated to representing hospitals facing complex medical malpractice claims and medical administrative leaders dealing with issues under the Medical Staff Bylaws.

Mark's health care clients include medical staff, health authorities, active treatment hospitals, long-term care facilities and other health care providers. He regularly represents clients in medical malpractice litigation, hearings, inquests and fatality inquiries and advises them regarding quality assurance and clinical issues, policies and standards of care and risk management. Known for his technical depth and skilled questioning, Mark has helped clients before the Alberta Court of Queen's Bench, the Alberta Court of Appeal, the Ontario Superior Court, the Supreme Court of the Northwest Territories, the Supreme Court of Nova Scotia and the Nova Scotia Court of Appeal. He also handles cases in Judicial Dispute Resolution proceedings, arbitration and mediation.

For 20 years Mark has worked closely with health care organizations and health care staff, which has included defending them in lengthy, complex medical malpractice trials and at the Court of Appeal. Several of these trials involved allegations of medical malpractice that allegedly resulted in catastrophic birth injuries. Mark is also a frequent lecturer on risk management issues, nursing documentation, and best practices using practical examples from actual litigation.

Mark carefully monitors health care reform developments, medical malpractice and public health case law and health care legislation on a provincial and federal level, offering advice and guidance to clients impacted by any developments. He also provides clinical policy and practice opinions to health care clients to assist with operational issues.

Value to Clients

"I listen conscientiously to my clients' interests. This results in a more creative work product, better-prepared witnesses, and more accurate legal advising."

Outside the Office

Mark enjoys painting when he is away from the office. He also collects original comic book art.

Industries

Health

Services

Health
Public Health
Hospital / Medical Staff Relations
Northern Canada

Education

University of Alberta, 1999, Juris Doctor
University of Lethbridge, 1996, Bachelor of Arts

Admissions

Alberta, 2000
Northwest Territories, 2011

Experience

Makis v Alberta Health Services, 2019 ABCA 288, 2019 ABCA 288

R v Fassman, 2019 ABQB 61

Makis v Alberta Health Services, 2019 ABCA 23

Modry v. Alberta Health Services, 2015 ABCA 328, Alberta Court of Appeal

Modry v. Alberta Health Services, 2015 ABCA 265, Alberta Court of Appeal

Dunlop v. Paras, 2011 ABCA 50, Alberta Court of Appeal

R. v. Black, 2011 ABCA 349, Alberta Court of Appeal

R. v. Pol, 2011 ABPC 121, Alberta Provincial Court

Bouch v. Penny, 2010 CanLII 14708, Supreme Court of Canada

R. v. Black, 2010 ABQB 461, Alberta Court of Queen's Bench

Bouch v. Penny, 2009 NSCA 80, Nova Scotia Court of Appeal

Bouch v. Penny, 2008 NSSC 378, Supreme Court of Nova Scotia

Guay v. Wong, 2008 ABQB 638, Alberta Court of Queen's Bench

Warner v. Edmonton General Hospital, 2008 CanLII 41829 (ON S.C.), Ontario Supreme Court

Bell v. Chana, [2006] A.J. No. 828, Alberta Court of Queen's Bench

M.M.C. v. D.A.C., [2006] A.J. No. 344, Alberta Court of Queen's Bench

Alberta (Public Guardian) v. Continuing Care Centre, [2005] A.J. No. 229, Alberta Court of Queen's Bench

R. v. Coopsammy, 2005 ABPC 342, Alberta Provincial Court

Grand Tank (International) Inc. c. Brown, [2004] A.C.F. no 1648, Federal Court of Appeal

Grand Tank (International) Inc. v. Brown, [2004] F.C.J. No. 1648, Federal Court Judgements

Grand Tank (International) Inc. v. Brown, 2004 FC 1355, Federal Court of Canada

Keller (Next friend of) v. Penkoske, [2004] A.J. No. 393, Alberta Court of Queen's Bench

Keller (Next friend of) v. Penkoske, [2004] A.J. No. 1223, Alberta Court of Queen's Bench

Keller v. Penkoske, 2004 ABCA 4, Alberta Court of Appeal

Phillip v. Whitecourt General Hospital, [2004] A.J. No. 3, Alberta Court of Queen's Bench

Blackburn v. Bailey, [2002] A.J. No. 87, Alberta Court of Queen's Bench

Tonizzo v. Moysa, [2002] A.J. No. 1139, Alberta Court of Queen's Bench

Keller (Next friend of) v. Penkoske, [2001] A.J. No. 1319, Alberta Court of Queen's Bench

Keller v. Penkoske, 2001 ABCA 260, Alberta Court of Appeal

R. v. Pike, [2001] A.J. No. 2001, Alberta Court of Queen's Bench

R. v. Zhang, [2001] A.J. No. 824, Alberta Provincial Court, Civil Division

T.W. v. University of Alberta Hospital, [2000] A.J. No. 679, Alberta Court of Queen's Bench

Keller v. Penkoske, 1999 ABQB 912, Alberta Court of Queen's Bench

Community

National Admission Standards Project Task Force Member, Federation of Law Societies of Canada, 2011-Present

Board Member, Little Friends Nursery School, 2006-2007
Member, Edmonton Community Foundation, Wills Week Committee, 1998-2001
Legal Expert, Canadian Learning Network - HelpTV, 1999-2001
Golf Tournament Committee Member, Canadian Bar Association, 1999-1999
National Conference Volunteer, Canadian Bar Association, 1999-1999

Recognition

"Litigation Star", Benchmark Canada: 2017 - 2019
Listed Medical Negligence, The Best Lawyers™ in Canada: 2014 - 2020
"Repeatedly Recommended" Medical Negligence - Represents Defendants, Canadian Legal Lexpert® Directory: 2011 - 2019
Lawyer of the Year - Medical Negligence, The Best Lawyers™ in Canada: 2020

Notable Work

- Represented major health services provider in the first Public Inquiry in Alberta in three decades and the first judicial inquiry ever held under the Health Quality Council of Alberta Act
- Represented health services provider in a judicial inquiry, including providing counsel for more than 30 witnesses, investigating the source of evidence presented to the Inquiry and making oral and written submissions on behalf of the client; Inquiry Report published and tabled in Alberta Legislature, August 2013

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