



Constitutional

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Overview

Canada's constitution is the country's supreme law.

Our constitution contains the blueprint for our democratic structure, defines the powers of our governments and confirms the operation of the rule of law. Since 1982, it has guaranteed to all Canadians the fundamental rights and freedoms contained in the Charter and established the individual rights of Canada's Aboriginal peoples.

The constitution belongs to everyone and a constitutional case may be the product of significant public events as well as an individual experience. A power struggle between governments and a ticket issued to an aboriginal fisher for catching an eel without a license may both lead to the highest court on a constitutional question of national importance.

Constitutional cases often arise out of controversial social issues, touch on our most cherished values and aspirations and involve legal questions of high complexity. They call for a mixture of legal scholarship, sensitivity to the larger dimensions of the issues and thoughtful advocacy.

Constitutional questions are intertwined in the concerns clients bring to Field Law. Field Law has a long tradition of representing Alberta and Albertans in such matters, many of which are landmarks in the Province's legal history. Our constitutional clients today range from government, pre-eminent educational institutions and aboriginal organizations to individual Albertans.

Field Law's experience in constitutional law dates back to the early 1900s, when Sydney Brown Woods, left his post as Alberta's deputy attorney general to enter private practice and founded Field Law's predecessor. Since then, the Firm has been involved in high-profile constitutional challenges that includes:

- *Elder Advocates of Alberta Society v Alberta* which involved a claim of discrimination on the basis of age and disability contrary to the *Charter* (2018 ABQB 37)
- *Cunningham v. Alberta* (Aboriginal Affairs and Northern Development) which concerned equality rights under the *Charter* for Metis peoples (2009 ABCA 239)

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