



MEMBER PROFILE QUESTIONS

INTRO :

Member Name : Neha Chugh

Year of Call : 2011

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QUESTIONS :

1- How did you get into criminal law?

By accident. After finishing an undergraduate degree in Social Work and a graduate degree in Planning, I went to law school to work in poverty law. I really wanted to work at Osgoode's Parkdale Clinic. On the day of my interview for the Parkdale Intensive, there was a huge snowstorm and I got lost. I was 45 minutes

late and totally flustered. I bombed the interview. At the time, I felt like the universe had conspired against me.

I had actually also signed up for a second potential intensive program, with the Criminal Law Intensive with Professor (now Justice) Stribopoulos. He took a chance on me, and at the time I had no idea why. I knew nothing about the practice of Criminal Law, but I decided to embrace the opportunity – and actually I got hooked on defence work. This was where I was able to use my social work, community planning, and people skills the most. It has remained a perfect fit in my life.

2– What type of cases do you enjoy defending the most and why?

My favourite are youth mental health cases, the cases where the community, family, and accused come together to work together for rehabilitation, reintegration, and community change through the young person. I really like looking for creative solutions outside of what can feel like the heavy-handedness of the state. The Youth Criminal Justice Act provides opportunities to create forums for discussion and “outside the box” thinking.

I also love a strong, well thought out cross-examination in front of a jury, no matter what the case is. I love watching the jurors’ heads turn back and forth like they are at a tennis match. The well-placed and perfectly timed questions. It is a pleasure to watch another lawyer do it well as I am just honing my skills in this area.

3– How did the practice of criminal law change you?

I think I have become more patient and definitely more open-minded. Just when you think you have heard everything, a new case lands on your desk that makes you raise your eyebrows.

I have also become more resilient to ebbs and flows of work, money, and time. This took a while to get used to as a sole practitioner – one day your general account is flush with funds, you are home by 4:30 pm, and you have a manageable caseload, and the next you are at the office until midnight, swimming through case law, your general account completely depleted. This used to be very stressful, and now it is a routine I am accustomed to and have learned to manage.

4- If there is one thing only you would like to see change in criminal law, what would it be?

I find the s. 276 provisions to be onerous and counter intuitive. I understand their importance and their place in policy, however the provisions have taken a life of their own, and often detract from the actual issues at trial.

I would also like to see the use of more pre-charge diversion programs, more access to rehabilitative services in rural areas, and the expansion of therapeutic justice courts across the province

5- What advice would you give to your younger self when you first started practising criminal law?

Take a deep breath, take it slow, savour it, every moment of it. When I feel overwhelmed, I take 30 seconds to breathe, to look around me, take in the moment, and ground myself.

My best friend always reminds me, “It’s fine, We’re fine, You’re fine”. I am so privileged to be where I am in my career and life.

6- How do you deal with bad work days?

I turn off my phone and sit on the floor with my toddler and kids and just play.

Or

I put on my running shoes and I run long, fast, and hard.

Depends on how much energy I have, the circumstances, the time of day, what kind of mood the kids are in, and how cold it is.

7- What do you think of Zoom court?

So many mixed feelings.

I practice in a rural jurisdiction – Cornwall. We have two satellite courts, Morrisburg and Alexandria. Like most criminal lawyers, I travel outside of my home jurisdiction for work to places like Ottawa and Brockville. I also commute to work every day from home. Zoom Court has helped to shorten my commute. I can now manage a full day in 3 rural jurisdictions without having to travel hundreds of kilometres and have an after-school snack ready for my kids.

As a potential solution for Access to Justice issues, I find it to be a step in the right direction, bridging the gap between the individual and courtroom. However, rural internet issues plague our jurisdiction and it is a privilege for most to be able to own a computer, cell phone, or even have the literacy skills to understand the concept of Zoom Court. I look forward to the day that these issues are addressed.

8- Any embarrassing court story you're willing to share?

A few years into my practice, I was in Court finishing up submissions on a trial. The judge, crown, and I were canvassing dates for the Court's decision. I was searching for my phone that was buried at the bottom of my purse so I could peek at my calendar. I could not get my hands on my phone, it was buried deep in my purse. I decided to empty my purse to get at it – the biggest thing obstructing my reach was a (clean) Pampers diaper, that I absentmindedly placed on counsel table. I heard the judge pipe up: "Check the diaper Ms. Chugh!" My face was red.

9- Who is your role model/inspiration in criminal law?

His Honour Justice Jack Nadelle – just such a nice, humble, smart, and committed gentleman. He complimented my legal skills early in my practice, when I was very pregnant, very bloated, and felt disconnected from the practice of law and his encouraging words have always remained with me.

My mentor Terry Hawtin has always been a great friend and source of knowledge. My partners and associates at work: Yashar Tahmassebpour, Robert Vitulano, Shunker Chugh, Chandler Thomas are my source of strength, my laughter, my respite.

My husband – for always reminding me of my social-work days and how important community development has always been to me.

10- What's your favourite song?

Edge of Seventeen by Stevie Nicks – Great pump-up music

Killing Me Softly by The Fugees –Yes, I know Roberta Flack sang the original.

Wrecking Ball by Miley Cyrus because it reminds me of my 7 yr old daughter who is as subtle as a chainsaw. Some would call her my 'mini-me.'

11- How do you maintain work life balance and how do you deal with the stress of the job?

Work Life Balance - what is this foreign concept? I consider myself incredibly fortunate to have a career that inspires me, but I do burn myself out by working too much and not setting boundaries. Lately I have started running and working out with a trainer (over Zoom!). This has contributed to better sleep, time management, and nutrition. Other than that, it is really a day-by-day struggle.

12- What is your biggest legal inspiration?

During my summering and articling, my principal (now Justice) David Berg sent me to 102 Court at Old City Hall, with Justice Schneider presiding. This unique courtroom experience was eye-opening and inspiring. A Judge, Crown, Social Workers, Staff, and Defence counsel collaborating to see beyond the constraints of an adversarial system? This challenged all of my normal understandings of the legal system.

13- What do you do outside of the law?

Outside of my full-time practice, I am a full-time mom. I have three kids, two elementary school aged, and one toddler. My spouse is a full-time dad to our kids and we are a partnership in full time careers and full time parenting. We are completely wiped out at the end of the day. Weekends are especially brutal - I look forward to Monday mornings.

I am part of an informal squad of local moms – who are not lawyers – who get together to walk, hang out, vent about parenting, and to help each other out during busy periods. They are my lifeline.

14– What would your defence bar colleagues be surprised to learn about

you?

I struggle with balancing my identity as a full-time lawyer and a full-time mom. I worry that I am not always present for my kids. I worry that I am missing out on important milestones for them. I worry that I am not giving them enough. When I am with my kids, I worry about my clients. I worry about the trajectory of my career. I wonder if my kids think I am cool. The lockdowns with COVID-19 reintroduced me to my amazing crew at home, I was forced to get to know them better. Even if they think I am uncool, I think that they are pretty great.