

Houlihan snares big clients by offering an in-demand, niche service at a great price. 'I tell them, why not get a lawyer with expertise, rather than one who learns about it at your expense? Hire me on contract instead.'

Houlihan works for herself — the common phrase is redolent of rugged, self-contained independence — and like any lone operator, she must be agile, flexible, inventive and frugal. She uses the downtown office only when she needs to meet a client. Otherwise, she has an office on the premises of a major regular client, and a home office. This saves overheads and avoids giving clients the impression (which is often partly true) that they're paying for fancy space as much as for legal services.

Houlihan is straightforward, open, smart, articulate; I like her immediately. Above all, she gives off a kind of radiant, focused energy, which is reflected in her alarmingly varied résumé. She has her own practice, of course, and she is the senior environmental analyst for Dillon Consulting Limited, an international engineering firm. Apart from that, the list is a long one. A selection: member of the B.C. government's Contaminated Sites Roster Steering Committee; member of panels on countrywide contaminated-site standards and on pulp-mill sludge; co-author of a report on mine-site reclamation; consultant on the "greening" of foreign ships entering Canadian waters; participation in projects involving environmental problems in Mexico, Latvia and China. She teaches environmental law at Capilano College, Kwantlen University College and the British Columbia Institute of Technology. She speaks regularly at continuing legal education conferences, and publishes articles. She does volunteer work for the Canadian Bar Association and other environmental bodies and publications. She spent two years in Japan learning to speak Japanese and, for good measure, also studied Spanish. She has completed at least 30 triathlons; she finished the Ironman in 2001, and in 2002 she qualified as a Canadian national team member for the World Olympic Distance Triathlon. Somehow, she also finds time to read books (she likes Margaret Laurence,

Robertson Davies, Peter Gzowski, but not Margaret Atwood), to listen to music ("everything except opera"), and to maintain a relationship with her partner, a businessman. She has learned to fill the unforgiving minute.

There are lots of sole practitioners, of course, but almost all of them must do the usual variety of work: family, real estate, wills, maybe some small corporate matters and a minor criminal case now and then — or specialize in a high-volume area like plaintiffs' personal injury or real estate. However, Houlihan sticks exclusively to the small and rarified area of environmental law. Adopting such a specialty can come with a price: even more of the freelancer's normal quota of financial uncertainty and unpredictability. But she has managed to dodge that bullet and, at the same time, she has been able to experience the profound rewards of independence. Of course, none of this happened overnight. It took her a while to get to her present happy state. First, she had to pay her dues.

Houlihan graduated from law school at the University of British Columbia in 1988, and articulated at McCarthy Tétrault LLP's Vancouver office. "It was the worst year of my life," she says. The typical long hours of big-firm articling consumed her existence and precluded everything else, even exercise. She had thrived on physical activity and had been involved in all kinds of sports in high school and at university. "I gained weight and I was miserable," she recalls. Nevertheless, when McCarthy offered her a job, she took it. It's hard to turn down the money, the prestige, the security.

Houlihan slogged away for several years as a junior associate. She would probably never have kept going at all if she had had to work in tax or real estate, she says, but she was able to slot into environmental law, which had come to interest her. She worked on legal

opinions, drafted contracts and organized client development activities. She produced *Green Pages*, the firm's quarterly environmental newsletter for clients, and wrote articles for national publications such as *Compliance News* and *Ecolog*. But signs of her discomfort and disaffection arose early on.

She took two separate years off — with a year of work back at McCarthy's in between — and lived in Japan. There, she did some client development for the firm and helped organize a conference in Tokyo. Mostly, however, she absorbed the culture and studied the language. She passed the very rigorous Japanese university entrance exams. When she returned to McCarthy's the second time, she knew that that wasn't what she wanted to do with her life.

"McCarthy's was great for a number of reasons," she says, "but it drove me crazy. You don't have any autonomy. You have to work for whomever comes along. That's the way it goes. Some of the clients were fantastic, very progressive; they wanted to do whatever they could for the environment." But others were not like that at all. Houlihan thought that the way to deal with these recalcitrants was to massage them to try to get them to see the long-term benefits of environmental responsibility. But that approach isn't a priority at most law firms.

Eventually, she'd had enough and quit. "I was 'corporated out,'" she says. She went to work for West Coast Environmental Law, a law firm publicly funded by the Law Foundation of British Columbia, earning half the money she had been making. When she left McCarthy's, people said to her: "How can you live on that money? When are you coming back?"

It was a very big change, but it was fun, says Houlihan. As an environmental dispute liaison lawyer, she ran a new program on dispute resolution, and gave free advice to people and community groups on various envi-

ronmental issues. She administered a fund to hire outside lawyers and to train junior lawyers in environmental law.

She worked for West Coast for four years. Houlihan is obviously a rational, moderate person and advocate, and she liked the organization's rational, measured approach. It didn't represent everyone who came knocking, but rather groups or individuals with a reasonable position on environmental issues. People with a mere NIMBY ("not in my backyard") gripe, for example, were sent packing. There were a few groups, and only a very few she emphasizes, of the rabid kind that give environmentalists a bad name. They were the flip side of the environmentally challenged clients she had sometimes had to deal with at McCarthy's.

West Coast was a virtuous organization doing good work, but for Houlihan, something was still missing: the autonomy she craved. "An NGO [non-governmental organization] wasn't really a good fit for me. I thought, I don't want to do this either. I want a balance, more control. So, I went out on my own."

It was the moment of truth: Could she prosper solo? Could she even find enough work to get by? For eight years, she had paid her dues, and now they repaid her. "As it turned out, I had lots of contacts," she says. Right away, she got many referrals — and still does — especially from big firms with conflict problems. "They don't want to give the work to another big firm because they may wind up losing the client." So they're happy to hand it over to a non-threatening, specialized practitioner like Houlihan.

McCarthy's kept involved, too. They gave Houlihan contract work, which she continued to do until two years ago. The firm also helped her with advice and research, and it let her use its library. "They've been great," she says.

The sentiment is mutual. Jim Titerle heads up McCarthy's national environmental

group, and he worked with Houlihan while she was at the firm, as well as after she set up on her own. "I appreciate most her enthusiasm and energy," says Titerle. "If you're in her vortex, or stand close to it, you get to benefit from picking up some of that energy. She drags you along, gets you involved in things you wouldn't otherwise get involved with."

In fact, Titerle owes his legal specialty mostly to Houlihan. He had a predominantly commercial practice before she arrived, but that changed. "She'll say things like: 'You should speak at this conference; it'll be easy and exciting.' And the next thing you know you're speaking at the conference. Or she'll say: 'You should write this article.' 'I'm too busy,' you say. But next thing you know, you're writing it. You do that for a while, suddenly you become an environmental lawyer. She's quite a force."

From the beginning, Houlihan has worked hard at drumming up her own business. Whenever she hears about a large corporation that wants lawyers to work for it on environmental issues, she goes and makes a pitch. "I tell them: why not get a lawyer with expertise in the area rather than one you hire who learns about it at your expense? Hire me on contract instead." That was how she got big clients like B.C. Gas (now Terasen). She prepares reports for them on changes to the law and on new cases and on how these affect their operations. She landed a contract with the Vancouver Port Authority, and worked for more than two years on a big report dealing with everything the Authority, and its many tenants, had to do to comply with federal and provincial laws and regulations. "They said: make sure we're doing everything right. It was part of their ongoing due diligence; they needed to know they were in compliance and protected."

Most importantly for Houlihan, right after setting up her own practice, she landed a job as the province's project co-ordinator for the Expo lands redevelopment in Vancouver, "probably the most watched and regulated land development in Canada." The area had been the city's industrial heart, and remediation was necessary. Houlihan's job provided a steady stream of income. "It was a great buffer," she says.

Ever since then, she's had to hire other lawyers to work with her on various files. "I was worried at first that there wouldn't be enough work but, in fact, I had the opposite problem."

One of her hires on the Port Authority report was Vancouver sole practitioner, Gareth Duncan. Since his call to the bar in 2002, he has been engaged in establishing his own environmental law practice, and working for Houlihan helped set him up. He was impressed by his employer. "She's diligent and she can cut a swath through a lot of competing details and interests," he says. "Environmental law touches on such a broad range of jurisdictions and laws; there are all types of angles you've got to keep in mind. She can do that while keeping her eye on the important bottom line for each client." If Houlihan's working for a corporation, says Duncan, she pays attention to its liability and costs; if she's dealing with an NGO, she concentrates on its ultimate goal of preventing some specific environmental damage or of achieving regulatory compliance. Houlihan has created "a lean machine," he says. "She offers her clients what they need in the end, and no more. And she has the flexibility to get there in the most efficient way possible." Hiring him is an example — when a job's done, her contract employees move on — and so is that bare downtown office.

Duncan became a practitioner of environmental law in the way one would, somehow,

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