

LAW SOCIETY OF ONTARIO

MOTION TO BE MOVED AT THE SPECIAL CONVOCATION ON AUGUST 8, 2019

MOVED BY: Andrew Spurgeon

SECONDED BY: Julia Shin Doi

THAT the attached list of appointments and task force Terms of Reference, as indicated, under **Schedule A** be approved.

THAT Convocation approve Robert Adourian, Geoff Pollock and Julia Shin Doi for election to the LawPRO Board of Directors, so that the Law Society nominees are Robert Adourian, Geoff Pollock, Andrew Spurgeon and Julia Shin Doi.

THAT Gerard Charette be appointed the benchler under By-Law 11 (Regulation of Conduct Capacity and Professional Competence) respecting costs orders for audits conducted under s. 49.2 of the *Law Society Act*.¹

THAT Claire Wilkinson be removed from the Hearing Division of the Law Society Tribunal at her own request.

THAT the term of the appointments of the following to the Hearing and Appeal Divisions of the Law Society Tribunal be extended to May 28, 2021:

Raj Anand
Christopher D. Bredt
Barbara Murchie
Peter C. Wardle

THAT Paul Cooper be appointed as Vice-Chair of the Hearing Division of the Law Society Tribunal for a two year term.

THAT Gina Papageorgiou be appointed as Vice-Chair of the Appeal Division of the Law Society Tribunal for a two year term.

SCHEDULE A COMMITTEE, TASK FORCE, WORKING GROUP AND OTHER APPOINTMENTS

Not included in the list of appointments in Schedule A are appointments or reappointments not currently required based on terms for appointment that have not yet expired

COMMITTEES

Access to Justice

Cathy Corsetti (Chair)

Murray Klippenstein (Vice-Chair)

Robert Burd

Paul Cooper

Dianne Corbiere

Jean-Jacques Desgranges

Sam Goldstein

Shelina Lalji

Benson Lau

Marian Lippa

Cecil Lyon

Brian Prill

Doug Wellman

Audit & Finance

Teresa Donnelly (Chair)

Lubomir Poliacik (Vice-Chair)

Ryan Alford

Robert Bateman

Gary Graham

Philip Horgan

Vern Krishna

Shelina Lalji

Nancy Lockhart

Michelle Lomazzo

Cecil Lyon

Isfahan Merali

Clare Sellers

Tanya Walker

Compensation

Malcolm Mercer (Chair)

Robert Burd

Teresa Donnelly

Gerald Sheff

Julia Shin Doi

Compensation Fund

Joseph Groia (Chair)

Cathy Corsetti (Vice-Chair)

Geneviève Painchaud

Lubomir Poliacik

Clare Sellers

Equity and Indigenous Affairs

Dianne Corbiere (Chair)

Atrisha Lewis (Vice-Chair)

Jorge Pineda (Vice-Chair)

Robert Bateman

Robert Burd

Etienne Esquega

John Fagan

Julian Falconer

Murray Klippenstein

Cheryl Lean

Isfahan Merali

Gina Papageorgiou

Chi-Kun Shi

Tanya Walker

Doug Wellman

Alexander Wilkes

Law Society Awards/LL.D. Advisory

Malcolm Mercer (Chair)

Dianne Corbiere

Cheryl Lean

Marian Lippa

Isfahan Merali

Geneviève Painchaud

Sidney Troister

Paralegal Awards

(External appointees not included)

Malcolm Mercer (Chair)

Robert Burd

Cathy Corsetti

Shelina Lalji

Marian Lippa

Michelle Lomazzo

Megan Shortreed

Paralegal Standing

Robert Burd (Chair)

Megan Shortreed (Vice-Chair)

Joseph Chiumminto

Cathy Corsetti

Seymour Epstein

Sam Goldstein

Shelina Lalji

Marian Lippa

Nancy Lockhart

Michelle Lomazzo

Geneviève Painchaud

Geoff Pollock

Chi-Kun Shi

Priority Planning²

Government and Public Affairs

Litigation

Malcolm Mercer (Chair)

Teresa Donnelly (Vice-Chair)

Robert Burd

Joseph Chiumminto

Dianne Corbiere

Cathy Corsetti

Seymour Epstein

Philip Horgan

Jacqueline Horvat

Isfahan Merali

Lubomir Poliacik

Megan Shortreed

Andrew Spurgeon

Sidney Troister

Proceedings Authorization

Jacqueline Horvat (Chair)

Robert Adourian

Gerard Charette

Cathy Corsetti

Gerald Sheff

Claire Wilkinson

Professional Development and Competence³

Inter-jurisdictional Mobility

Sidney Troister (Chair)

Philip Horgan (Vice-Chair)

Claire Wilkinson (Vice-Chair)

Robert Adourian

Ryan Alford

Robert Bateman

Murray Klippenstein

Cheryl Lean

Atrisha Lewis

Marian Lippa

Gina Papageorgiou

Trevor Parry

Geoff Pollock

Doug Wellman

Alexander Wilkes

Professional Regulation

Jacqueline Horvat (Chair)

Etienne Esquega (Vice-Chair)

Jared Brown

Gerard Charette

Jean-Jacques Desgranges

Julian Falconer

Benson Lau

Michelle Lomazzo

Cecil Lyon

Scott Marshall

Clare Sellers

Megan Shortreed

Andrew Spurgeon

Tribunal

Isfahan Merali (Chair)

Julia Shin Doi (Vice-Chair)

Larry Banack

Jack Braithwaite

Paul Cooper

John Fagan

Marian Lippa

Geneviève Painchaud

Gina Papageorgiou

Lubomir Poliacik

Committee of Benchers under By-Laws 4, 7, 10 and 14⁴

Gerard Charette
Cathy Corsetti
Seymour Epstein
Jacqueline Horvat
Scott Marshall

Committee of Benchers under By-Law 11⁵

Cathy Corsetti
Jacqueline Horvat
Scott Marshall

TASK FORCES

Program Review Task Force⁶

Teresa Donnelly (Chair)

Joseph Chiumminto (Vice-Chair)

Nancy Lockhart (Vice-Chair)

Seymour Epstein

Etienne Esquega

Gary Graham

Philip Horgan

Michelle Lomazzo

Ross Murray

Lubomir Poliacik

Chi-Kun Shi

Julia Shin Doi

Sidney Troister

Proportionate Regulation Task Force⁷

Megan Shortreed (Chair)

Seymour Epstein (Vice-Chair)

Robert Adourian

Ryan Alford

Jack Braithwaite

Jared Brown

Robert Burd

Joseph Chiumminto

Scott Marshall

Clare Sellers

Bradley Wright

Nicholas Wright

Technology Task Force

Jacqueline Horvat (Chair)

Jack Braithwaite (Vice-Chair)

Thomas Conway

Paul Cooper

Seymour Epstein

Gary Graham

Shelina Lalji

Cheryl Lean

Michelle Lomazzo

Brian Prill

Clare Sellers

Andrew Spurgeon

Tanya Walker

Nicholas Wright

WORKING/OTHER GROUPS

Human Rights Monitoring Group (Equity)

Teresa Donnelly (Chair)

Paul Copeland
Julian Falconer
Marian Lippa
Judith Potter
Tanya Walker

Mental Health Working Group (PRC)

Isfahan Merali (Chair)

Gerard Charette
Joseph Chiumminto
Dianne Corbiere
Jorge Pineda
Megan Shortreed

OTHER APPOINTMENTS

Federation of Law Societies of Canada Council

Jacqueline Horvat

Law Society Foundation Board of Trustees

Ian Hull

Derry Millar

Jonathan Rosenthal

Megan Shortreed

Sidney Troister

FOR INFORMATION

SCHEDULE B OTHER APPOINTMENTS

Real Estate Liaison Group (Law Society Representatives)

Robert Adourian
Sidney Troister
Bradley Wright

Treasurer's Appointments Advisory Group (Treasurer's appointees)

Malcolm Mercer
Robert Burd
Etienne Esquega
Philip Horgan
Murray Klippenstein
Benson Lau

¹ Section 38 of By-Law 11 provides that on application of the Law Society, a benchler appointed by Convocation for the purpose may make an order that a licensee who was subject to an audit under s. 49.2 of the *Law Society Act* pay the costs or part of the cost of that audit.

² These three committees continue as separate entities but have common memberships.

³ These two committees continue as separate entities but have common memberships.

⁴ By-Law 4 (Licensing) (2 committee functions)

Section 40 of this By-Law addresses circumstances relating to the inter-provincial practice of law when a person requires the prior permission of the Law Society to practise law. If the Law Society refuses to permit a person to practise law in Ontario and that person required such prior permission under the provisions of the By-Law, the person may apply to a committee of benchers for the purpose of hearing that person's application. The application must be considered by at least three benchers.

The By-Law provides that permission to practise law in Ontario may be withdrawn by the Law Society if it determines that continued permission to practise law in Ontario would be contrary to the public interest. If that happens, the person may apply to a committee of benchers appointed for the purpose by Convocation for a determination of whether the permission was properly withdrawn. The application must be considered by at least three benchers.

By-Law 7 (Business Entities)

This committee of at least three benchers deals with applications for a review of a Law Society decision rejecting the proposed name of a professional corporation, appeals from Law Society decisions refusing to issue a certificate of authorization to a professional corporation, appeals from a refusal to renew a professional corporation's certificate of authorization;, appeals from a refusal to permit a licensee to enter into a multi-disciplinary partnership and appeals from a Law Society order dissolving a multi-discipline partnership.

By-Law 10 (Unclaimed Trust Funds)

This committee of at least three benchers considers applications for a reconsideration of a Law Society decision to deny a claim to have unclaimed trust funds paid out by the Law Society.

By-Law 14 (Foreign Legal Consultants)

This committee hears appeals for a reconsideration of a Law Society decision rejecting an application for the granting of a permit to a Foreign Legal Consultant to give legal advice respecting the law of a foreign jurisdiction. The application must be considered by at least three benchers.

⁵ **By-Law 11 (Regulation of Conduct, Capacity and Professional Competence)**

Section 38 provides that on application of the Law Society, a bencher appointed by Convocation for the purpose may make an order that a licensee who was subject to an audit under s. 49.2 of the *Law Society Act* pay the costs or part of the cost of that audit. A licensee may appeal the bencher's decision to a panel of three benchers appointed by Convocation for the purpose.

⁶ **Program Review Task Force**

Terms of Reference

The Task Force will examine programs currently operated or supported by the Law Society but not regulatory obligations, processes and procedures that directly affect licensees.

With the assistance of management, the Chairs of this Task Force and the Proportionate Regulation Task Force will coordinate the work of these Task Forces to ensure that the work of the Task Forces does not unnecessarily overlap.

The work of the Task Force will not include programs currently operated or supported by the Law Society that are related to equality, diversity and inclusion or Indigenous initiatives which will be considered as may be appropriate by the Equity and Indigenous Affairs Committee.

The Task Force will:

- assess the ongoing relevance and need for programs currently supported by the Law Society, including
 - the program's policy objectives or goals,
 - whether the objectives or goals continue to be valid,
 - the efficiency of the program in delivering its outcomes,
 - the effectiveness of the program against its objectives or goals, including whether the program is adequately meeting established targets, measurements or metrics,
 - the effectiveness, including cost-effectiveness, of the program's structure for its purpose, and
 - whether the Law Society is or continues to be the appropriate body to support the program;
- determine which programs, based on the assessment, should continue, be modified or restructured or be ended;
- identify policy issues arising from the determination that require review by a standing or other committee;
- consider budgetary implications arising from the determination that require review by the Audit and Finance Committee;
- commence its work under these terms of reference in November 2019;
- collaborate with management and appropriate standing or other committees with respect to proposals that might reasonably be considered for early implementation;
- report to Convocation from time to time on the Task Force's work, as appropriate;
- submit a status report to Convocation by May 2020; and
- complete its work with a final report with recommendations to Convocation before the end of 2020.

⁷ Proportionate Regulation Task Force

Terms of Reference

The Task Force will examine the proportionality of regulatory obligations, processes and procedures that directly affect licensees.

With the assistance of management, the Chairs of this Task Force and the Program Review Task Force will coordinate the work of these Task Forces to ensure that the work of the Task Forces does not unnecessarily overlap.

The work of the Task Force will not include regulatory obligations, processes and procedures related to equality, diversity and inclusion or Indigenous initiatives which will be considered as may be appropriate by the Equity and Indigenous Affairs Committee.

The Task Force will:

- review the validity, effectiveness, efficiency and reasonableness of Law Society regulatory obligations, processes and procedures to ensure that they are proportionate for the purpose of meeting required regulatory objectives and outcomes for public protection;
- determine the scope for changes to the regulatory obligations, processes and procedures in ways that ensure a balance between effective public protection and regulatory burden;
- consider potential procedural changes aimed at simplifying licensee regulatory interactions and/or reducing licensee costs of those interactions;
- identify any policy implications arising from proposed changes that may require review by the appropriate standing or other committee;
- consider any budgetary implications arising from proposed changes that may require referral to the Audit & Finance Committee;
- collaborate with management and appropriate standing or other committees with respect to proposed changes might reasonably be considered for early implementation;
- report to Convocation from time to time on the Task Force's work, as appropriate;
- submit a status report to Convocation by May 2020; and
- complete its work with a final report with recommendations to Convocation before the end of 2020.