

**Tab 1**

**LAW SOCIETY OF ONTARIO**

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON SEPTEMBER 11, 2019

MOVED BY:

SECONDED BY:

THAT Convocation approve the consent agenda set out at Tab 1 of the Convocation Materials.

DRAFT

MINUTES OF CONVOCATION

Thursday, 27<sup>th</sup> June, 2019  
9:00 a.m.

PRESENT:

The Treasurer (Malcolm M. Mercer), Adourian, Alford, Armstrong, Bateman, Braithwaite, Brown, Burd, Charette, Chiumminto, Conway, Cooper, Corbiere, Corsetti, Da Silva, Desgranges, Donnelly, Epstein, Esquega, Fagan, Falconer, Ferrier, Goldstein, Graham, Groia, Horgan, Horvat, Klippenstein, Krishna, Lalji, Lau, Lean, Lewis, Lippa, Lockhart, Lomazzo, Lyon, Marshall, Merali, Minor, Painchaud (by telephone), Papageorgiou, Parry, Pawlitz, Pineda, Poliacik, Pollock, Prill, Sellers, Sheff, Shi, Shin Doi, Shortreed, Spurgeon, H. Strosberg, Troister, Walker (by telephone), Wellman, Wilkes, Wilkinson, B. Wright and N. Wright.

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Secretary: James Varro

The Reporter was sworn.

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IN PUBLIC

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TREASURER'S REMARKS

The Treasurer welcomed everyone joining Convocation by webcast and in the Lamont Learning Centre.

The Treasurer recognized that Convocation is meeting in Toronto which is a Mohawk word that means "where there are trees standing in the water".

The Treasurer acknowledged that Convocation is meeting on the traditional territory of the Mississaugas of New Credit First Nation and acknowledged the Haudenosaunee, and the long history of all of the First Nations in Ontario and the Métis and Inuit peoples. The Treasurer thanked the First Nations people who lived and live in these lands for sharing them with us in peace.

The Treasurer addressed the protocol for Convocation in the Lamont Learning Centre.

ELECTION OF TREASURER

The Secretary announced the results of the ballot. A total of 53 ballots were cast:

Malcolm Mercer	31
Chi-Kun Shi	22

The Secretary declared Mr. Mercer elected as Treasurer.

The Treasurer invited Ms. Shi to address Convocation.

Ms. Shi addressed Convocation and congratulated Treasurer Mercer on his election.

It was moved by Ms. Shi, seconded by Mr. Epstein that the vote in the Treasurer's election be made unanimous.

Carried Unanimously

The Treasurer addressed Convocation.

TREASURER'S REMARKS

The Treasurer welcomed six new public appointed benchers and the two reappointed public appointed benchers:

Robert Bateman, Sudbury  
Dr. Benson Lau, O. Ont, Toronto  
Nancy Lockhart, O. Ont, Toronto  
Geneviève Painchaud, Ottawa  
Clare Sellers, Toronto  
Doug Wellman, Pickering  
Seymour Epstein, P.Eng.  
Gerald Sheff

The Treasurer congratulated The Honourable Doug Downey, MPP on his appointment as Attorney General of Ontario.

The Treasurer congratulated those who received honorary doctor of laws degrees at the recent calls to the bar.

The Treasurer thanked the Professional Development and Competence Committee staff for their efforts in managing the calls to the bar.

The Treasurer congratulated bencher Orlando da Silva on receiving a Lexpert Zenith Award.

The Treasurer advised benchers that in the coming weeks he will be considering committee appointments and would be calling a summer Convocation to make appointments.

MOTION – CONSENT AGENDA – Tab 1

It was moved by Mr. Spurgeon, seconded by Mr. Burd, that Convocation approve the consent agenda set out at Tab 1 of the Convocation Materials.

Carried

Tab 1.1 – DRAFT MINUTES OF CONVOCATION

The draft minutes of Convocation of May 23, 2019 were confirmed.

Tab 1.2 – APPOINTMENTS

THAT the following be appointed to the Compensation Fund Committee: Joseph Groia (Chair), Cathy Corsetti (Vice-Chair), Lubomir Poliacik, Seymour Epstein and Gerald Sheff.

THAT Teresa Donnelly be appointed to the Hearing and Appeal Divisions of the Law Society Tribunal for a term from June 27, 2019 to May 28, 2021.

THAT Geneviève Painchaud be appointed to the Hearing Division of the Law Society Tribunal for a term from June 27, 2019 to May 28, 2021.

Carried

Tab 1.3 – REPORT OF THE EXECUTIVE DIRECTOR OF PROFESSIONAL DEVELOPMENT AND COMPETENCE

THAT the Report of the Executive Director of Professional Development and Competence listing the names of the call to the bar candidates be adopted.

Carried

MOTION RESPECTING THE LAW SOCIETY OF ONTARIO STATEMENT OF PRINCIPLES REQUIREMENT

The Treasurer introduced the Statement of Principles motion for debate.

Notice of Motion Respecting a Point of Order

Mr. Falconer introduced a point of order. Mr. Esquega spoke to the point of order respecting a matter of conflict of interest of Dr. Alford and Mr. Klippenstein, given their application in the Ontario Divisional Court against the Law Society on the subject of the Statement of Principles, and that they should recuse themselves from the consideration of the matter at Convocation.

Mr. Falconer spoke to the matter and to a notice of a motion on the point of order moved by him and seconded by Ms. Lewis, distributed to benchers on June 27, 2019 prior to Convocation.

Dr. Alford spoke to the matter.

Mr. Klippenstein spoke to the matter.

The Treasurer ruled that Dr. Alford and Mr. Klippenstein are not disqualified from participating in the consideration of the Statement of Principles motion.

Ms. Shin Doi and Mr. Esquega appealed the ruling of the Treasurer. The ruling was upheld.

ROLL-CALL VOTE

Adourian	For	Lewis	Against
Alford	For	Lippa	For
Bateman	For	Lockhart	For
Braithwaite	Against	Lomazzo	For
Brown	For	Lyon	For
Burd	Against	Marshall	For
Charette	For	Merali	Against
Chiummianto	For	Painchaud	For
Cooper	Against	Papageorgiou	For
Corbiere	Against	Parry	For
Corsetti	Against	Pineda	For
Da Silva	For	Poliacik	For
Desgranges	For	Pollock	For
Donnelly	Against	Prill	For
Epstein	For	Sellers	For
Esquega	Against	Sheff	For
Fagan	For	Shi	For
Falconer	Against	Shin Doi	Against
Goldstein	For	Shortreed	For
Graham	For	Spurgeon	For
Groia	For	Troister	For
Horgan	For	Walker	Against
Horvat	For	Wellman	For
Klippenstein	For	Wilkes	For
Lalji	For	Wilkinson	For
Lau	For	Wright	For
Lean	For		

Vote: 41 For; 12 Against

It was moved by Mr. Klippenstein, seconded by Ms. Lean, that Convocation repeal the requirement that it approved on December 2, 2016 that every licensee adopt and abide by a statement of principles acknowledging their obligation to promote equality, diversity and inclusion generally and in their behaviour towards colleagues, employees, clients and the public.

POINT OF ORDER

Dr. Alford requested that the motion be debated first followed by any amending motions.

The Treasurer ruled that the motion and amending motions are to be debated together.

Dr. Alford appealed the ruling of the Treasurer.

The Treasurer ruled the appeal out of order as his decision was on a matter of procedure that is not appealable.

MOTION TO AMEND

It was moved by Mr. Groia, seconded by Ms. Donnelly that:

WHEREAS Convocation approved a series of recommendations outlined in the report to Convocation on December 2, 2016 titled *Working Together for Change: Strategies to Address Issues of Systemic Racism in the Legal Professions* intended to promote and enhance equality, diversity and other anti-discriminatory initiatives by the legal profession in Ontario;

AND WHEREAS a motion dated May 23, 2019 has been brought before Convocation to repeal recommendation 3(1), namely a mandatory requirement that all licensees adopt and abide by a statement of principles acknowledging their obligation to promote equality, diversity and inclusion generally, and in their behaviour towards colleagues, employees, clients and the public;

AND WHEREAS it is of critical importance to the public interest in Ontario that all licensees acknowledge their special responsibility to respect the requirements of human rights laws in force in Ontario, and, specifically to honour their obligation not to discriminate on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, or disability as set out in Rule 6.3.3-1 of the Rules of Professional Conduct and 2.03 of the Paralegal Rules of Conduct;

IT IS MOVED THAT the motion now before Convocation be amended to read as follows:

Convocation repeal requirement 3(1) that it approved on December 2, 2016, and replace it with a provision that:

- (a) all licensees be encouraged to voluntarily adopt their own personal and private Statement of Principles on how to best advance the goals of equity, diversity and inclusion in the legal profession and elsewhere;
- (b) the Society provide a section in the lawyer annual report and the paralegal annual report in which any licensee may choose to disclose that they have voluntarily adopted a Statement of Principles; and
- (c) the Society shall provide Convocation with an annual tally of the number of licensees who chose to make such disclosure.

MOTION TO AMEND THE AMENDING MOTION

It was moved by Mr. Charette, seconded by Ms. Shi, that the motion moved by Joseph Groia and Teresa Donnelly be amended to delete paragraphs (b) and (c) of the motion, and end paragraph (a) with a “.”.

LostROLL-CALL VOTE

Adourian	Against	Lewis	Against
Alford	Against	Lippa	Against
Bateman	Against	Lockhart	Against
Braithwaite	Against	Lomazzo	Against
Brown	Against	Lyon	Against
Burd	Against	Marshall	Against
Charette	For	Merali	Against
Chiummiento	Against	Painchaud	Against
Cooper	Against	Papageorgiou	Against
Corbiere	Against	Parry	Against
Corsetti	Against	Pineda	Against
Da Silva	Against	Poliacik	Against
Desgranges	Against	Pollock	Against
Donnelly	Against	Prill	Against
Epstein	For	Sellers	Against
Esquega	Against	Sheff	Against
Fagan	Against	Shi	For
Falconer	Against	Shin Doi	Against
Goldstein	Against	Shortreed	Against
Graham	Against	Spurgeon	Against
Groia	Against	Troister	Against
Horgan	Against	Walker	Against
Horvat	Against	Wellman	Against
Klippenstein	Against	Wilkes	Against
Lalji	Against	Wilkinson	Against
Lau	Against	Wright	Against
Lean	Against		

Vote: 3 For; 50 AgainstThe motion to amend carried.



ROLL-CALL VOTE

Adourian	Against	Lewis	For
Alford	Against	Lippa	Against
Bateman	For	Lockhart	For
Braithwaite	Against	Lomazzo	For
Brown	Against	Lyon	Against
Burd	For	Marshall	Against
Charette	Against	Merali	Abstain
Chiummiento	Against	Painchaud	For
Cooper	For	Papageorgiou	For
Corbiere	For	Parry	Against
Corsetti	For	Pineda	Against
Da Silva	For	Poliacik	Against
Desgranges	Against	Pollock	Against
Donnelly	For	Prill	Against
Epstein	For	Sellers	For
Esquega	For	Sheff	For
Fagan	Against	Shi	Against
Falconer	For	Shin Doi	For
Goldstein	Against	Shortreed	For
Graham	Against	Spurgeon	For
Groia	For	Troister	For
Horgan	Against	Walker	For
Horvat	For	Wellman	For
Klippenstein	Against	Wilkes	Against
Lalji	Against	Wilkinson	For
Lau	For	Wright	Against
Lean	Against		

Vote: 27 For; 25 Against; 1 Abstain

Mr. Klippenstein with the consent of Ms. Lean withdrew their motion, as amended.

It was moved by Mr. Groia, seconded by Ms. Donnelly, that:

WHEREAS Convocation approved a series of recommendations outlined in the report to Convocation on December 2, 2016 titled *Working Together for Change: Strategies to Address Issues of Systemic Racism in the Legal Professions* intended to promote and enhance equality, diversity and other anti-discriminatory initiatives by the legal profession in Ontario;

AND WHEREAS a motion dated May 23, 2019 has been brought before Convocation to repeal recommendation 3(1), namely a mandatory requirement that all licensees adopt and abide by a statement of principles acknowledging their obligation to promote equality, diversity and inclusion generally, and in their behaviour towards colleagues, employees, clients and the public;

AND WHEREAS it is of critical importance to the public interest in Ontario that all licensees acknowledge their special responsibility to respect the requirements of human rights laws in force in Ontario, and, specifically to honour their obligation not to discriminate on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, or disability as set out in Rule 6.3.3-1 of the Rules of Professional Conduct and 2.03 of the Paralegal Rules of Conduct;

IT IS MOVED THAT Convocation repeal requirement 3(1) that it approved on December 2, 2016, and replace it with a provision that:

- (a) all licensees be encouraged to voluntarily adopt their own personal and private Statement of Principles on how to best advance the goals of equity, diversity and inclusion in the legal profession and elsewhere;
- (b) the Society provide a section in the lawyer annual report and the paralegal annual report in which any licensee may choose to disclose that they have voluntarily adopted a Statement of Principles; and
- (c) the Society shall provide Convocation with an annual tally of the number of licensees who chose to make such disclosure.

The Treasurer called for a vote on the motion.

Mr. Fagan challenged the Treasurer's decision that the motion can be voted on independently.

The Treasurer dismissed the challenge as it related to a decision on a matter of procedure which is not appealable.

Mr. Horgan moved, seconded by Mr. Adourian, that Convocation be adjourned.

Lost

ROLL-CALL VOTE

Adourian	For	Lewis	Against
Alford	For	Lippa	For
Bateman	Against	Lockhart	Against
Braithwaite	Against	Lomazzo	Against
Brown	For	Lyon	For
Burd	Against	Marshall	For
Charette	For	Merali	Against
Chiummiento	For	Painchaud	For
Cooper	Against	Papageorgiou	Against
Corbiere	Against	Parry	For
Corsetti	Against	Pineda	For
Da Silva	Against	Poliacik	For
Desgranges	For	Pollock	For
Donnelly	Against	Prill	For
Epstein	Against	Sellers	Against
Esquega	Against	Sheff	Against
Fagan	For	Shi	For
Falconer	Against	Shin Doi	Against
Goldstein	For	Shortreed	Against
Graham	For	Spurgeon	Against
Groia	Against	Troister	Against
Horgan	For	Walker	Against
Horvat	Against	Wellman	Against
Klippenstein	For	Wilkes	For
Lalji	Against	Wilkinson	Against
Lau	Against	Wright	For
Lean	For		

Vote: 24 For; 29 Against

The motion moved by Mr. Groia and Ms. Donnelly was lost.

ROLL-CALL VOTE

Adourian	Against	Lewis	Against
Alford	Against	Lippa	Against
Bateman	For	Lockhart	For
Braithwaite	Against	Lomazzo	Against
Brown	Against	Lyon	Against
Burd	Against	Marshall	Against
Charette	Against	Merali	Against
Chiummiento	Against	Painchaud	Against
Cooper	Against	Papageorgiou	Against
Corbiere	Against	Parry	Against
Corsetti	Against	Pineda	Abstain
Da Silva	Against	Poliacik	Abstain
Desgranges	Against	Pollock	Against
Donnelly	For	Prill	Abstain
Epstein	For	Sellers	For
Esquega	Against	Sheff	For
Fagan	Against	Shi	Against
Falconer	Against	Shin Doi	Against
Goldstein	Against	Shortreed	Against
Graham	Against	Spurgeon	For
Groia	For	Troister	For
Horgan	Abstain	Walker	Against
Horvat	For	Wellman	For
Klippenstein	Against	Wilkes	Against
Lalji	Against	Wilkinson	For
Lau	For	Wright	Against
Lean	Against		

Vote: 13 For; 36 Against; 4 Abstain

It was moved by Mr. Horgan, seconded by Mr. Pollock, that Convocation repeal the requirement that it approved on December 2, 2016 that every licensee adopt and abide by a statement of principles acknowledging their obligation to promote equality, diversity and inclusion generally and in their behaviour towards colleagues, employees, clients and the public.

Mr. Falconer moved, seconded by Ms. Lewis, to table the motion.

Lost

ROLL-CALL VOTE

Adourian	Against	Lean	Against
Alford	Against	Lewis	For
Bateman	Against	Lippa	Against
Braithwaite	For	Lockhart	For
Brown	Against	Lomazzo	For
Burd	For	Lyon	Against
Charette	Against	Marshall	Against
Chiummiento	Against	Merali	For
Cooper	For	Painchaud	Against
Corbiere	For	Papageorgiou	For
Corsetti	For	Parry	Against
Da Silva	For	Pineda	Against
Desgranges	Against	Poliacik	Against
Donnelly	For	Pollock	Against
Epstein	For	Prill	Against
Esquega	For	Sellers	For
Fagan	Against	Sheff	For
Falconer	For	Shi	Against
Goldstein	Against	Shin Doi	For
Graham	Against	Shortreed	For
Groia	For	Spurgeon	For
Horgan	Against	Troister	For
Horvat	For	Wellman	Against
Klippenstein	Against	Wilkes	Against
Lalji	For	Wilkinson	For
Lau	For	Wright	Against

Vote: 26 For; 26 Against

Mr. Groia moved, seconded by Ms. Donnelly, that the motion be amended as follows:

WHEREAS Convocation approved a series of recommendations outlined in the report to Convocation on December 2, 2016 titled *Working Together for Change: Strategies to Address Issues of Systemic Racism in the Legal Professions* intended to promote and enhance equality, diversity and other anti-discriminatory initiatives by the legal profession in Ontario;

AND WHEREAS a motion dated May 23, 2019 has been brought before Convocation to repeal recommendation 3(1), namely a mandatory requirement that all licensees adopt and abide

by a statement of principles acknowledging their obligation to promote equality, diversity and inclusion generally, and in their behaviour towards colleagues, employees, clients and the public;

AND WHEREAS it is of critical importance to the public interest in Ontario that all licensees acknowledge their special responsibility to respect the requirements of human rights laws in force in Ontario, and, specifically to honour their obligation not to discriminate on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, or disability as set out in Rule 6.3.3-1 of the Rules of Professional Conduct and 2.03 of the Paralegal Rules of Conduct;

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- (b) the Society provide a section in the lawyer annual report and the paralegal annual report in which any licensee may choose to disclose that they have voluntarily adopted a Statement of Principles; and
- (c) the Society shall provide Convocation with an annual tally of the number of licensees who chose to make such disclosure.

Not Put

The Treasurer ruled the motion to amend out of order.

Mr. Burd moved, seconded by Mr. Falconer, to adjourn Convocation.

Lost

ROLL-CALL VOTE

Adourian	Against	Lau	For
Alford	Against	Lean	Against
Bateman	For	Lewis	For
Braithwaite	For	Lippa	Against
Brown	Against	Lockhart	For
Burd	For	Lomazzo	For
Charette	Against	Lyon	Against
Chiummiento	Against	Marshall	Against
Cooper	For	Merali	For
Corbiere	For	Papageorgiou	For
Corsetti	For	Parry	Against
Da Silva	For	Pineda	Against
Desgranges	Against	Poliacik	Against
Donnelly	For	Pollock	Against
Epstein	For	Prill	Against
Esquega	For	Sheff	For
Fagan	Against	Shi	Against
Falconer	For	Shin Doi	For
Goldstein	Against	Shortreed	For
Graham	Against	Spurgeon	For
Groia	For	Troister	For
Horgan	Against	Wellman	Against
Horvat	For	Wilkes	Against
Klippenstein	Against	Wilkinson	For
Lalji	Against	Wright	Against

Vote: 25 For; 25 Against

Mr. Groia and Mr. Cooper appealed the ruling of the Treasurer.

The ruling was not upheld.

ROLL-CALL VOTE

Adourian	For	Lean	For
Alford	For	Lewis	Against
Bateman	For	Lippa	For
Braithwaite	Against	Lockhart	Against
Brown	For	Lomazzo	Against
Burd	Against	Lyon	For
Charette	For	Marshall	For
Chiummiento	For	Merali	Against
Cooper	Against	Papageorgiou	Against
Corbiere	Against	Parry	For
Corsetti	Against	Pineda	For
Da Silva	Against	Poliacik	For
Desgranges	For	Pollock	For
Donnelly	Against	Prill	For
Epstein	Against	Sellers	Against
Esquega	Against	Sheff	Against
Fagan	For	Shi	For
Falconer	Against	Shin Doi	Against
Goldstein	For	Shortreed	Against
Graham	For	Spurgeon	Against
Groia	Against	Troister	Against
Horgan	For	Wellman	Against
Horvat	Against	Wilkes	For
Klippenstein	For	Wilkinson	Against
Lalji	For	Wright	For
Lau	Against		

Vote: 25 For; 26 Against

Mr. Da Silva moved, seconded by Mr. Falconer, that Convocation be adjourned.

Not Put

Mr. Da Silva withdrew the motion to adjourn.

The Treasurer adjourned Convocation to a date to be set in July.



REPORT FOR INFORMATION ONLY

PRIORITY PLANNING COMMITTEE REPORT

- Final Report on the Law Society's Strategic Plan 2015-2019

CONVOCATION ROSE AT 6:26 P.M.

DRAFT

MINUTES OF CONVOCATION

Thursday, 8<sup>th</sup> August, 2019  
9:00 a.m.

PRESENT:

The Treasurer (Malcolm M. Mercer), \*Adourian, \*Alford, \*Banack, \*Bateman, \*Brown, \*Burd, \*Charette, \*Chiummiento, \*Cooper, \*Corbiere, \*Corsetti, \*Da Silva, \*Desgranges, \*Donnelly, \*Epstein, \*Fagan, \*Falconer, \*Goldstein, \*Graham, \*Groia, \*Horgan, \*Horvat, \*Krishna, \*Lau, \*Lean, \*Lippa, \*Lomazzo, \*Marshall, \*Painchaud, \*Parry, \*Pawlitza, \*Pineda, \*Poliacik, \*Pollock, \*Prill, \*Sellers, \*Shi, \*Shin Doi, \*Shortreed, Spurgeon, \*H. Strosberg, \*Troister, \*Walker, \*Wellman, \*Wilkes, \*Wilkinson and \*N. Wright.

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\* By Telephone

Secretary: James Varro

The Reporter was sworn.

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IN PUBLIC

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TREASURER'S REMARKS

The Treasurer welcomed everyone to the special Convocation.

The Treasurer recognized that Convocation is meeting in Toronto which is a Mohawk word that means "where there are trees standing in the water".

The Treasurer acknowledged that Convocation is meeting on the traditional territory of the Mississaugas of New Credit First Nation and acknowledged the Haudenosaunee, and the long history of all of the First Nations in Ontario and the Métis and Inuit peoples. The Treasurer offered these remarks in the spirit of reconciliation and the importance of reminding everyone that this land is shared with one another and our Indigenous Peoples.

The Treasurer introduced the motion for appointments and commented on the approach to the appointments as reflected in the motion. The Treasurer advised that the following were taken into account: the issue of proportionate regulation, the appropriateness of programs the Law Society supports, competence, quality of service, ethical conduct of licensees, access to justice, the large number of new benchers in Convocation and the time needed for strategic planning.

The Treasurer advised of the creation of two new task forces as set out in the motion and explained their mandates. He also advised on a number of groups that will not continue or will complete work with current memberships, and elaborated on some important work that should unfold in the coming term.

The Treasurer advised that it is expected that Orlando Da Silva will resign as a bencher following the September 11 Convocation as a result of his new position with the Administrative Tribunal Support Service of Canada.

MOTION

Re: Committee and Other Appointments

It was moved by Mr. Spurgeon, seconded by Ms. 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 bencher 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*.<sup>1</sup>

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**

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*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 Planning<sup>2</sup>**

**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 Competence**<sup>3</sup>

**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 14<sup>4</sup>**

Gerard Charette  
Cathy Corsetti  
Seymour Epstein  
Jacqueline Horvat  
Scott Marshall

**Committee of Benchers under By-Law 11<sup>5</sup>**

Cathy Corsetti  
Jacqueline Horvat  
Scott Marshall

**TASK FORCES**

**Program Review Task Force<sup>6</sup>**

**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 Force<sup>7</sup>**

**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 Chiummiento

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

## **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

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<sup>1</sup> Section 38 of By-Law 11 provides that on application of the Law Society, a benchers 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.

<sup>2</sup> These three committees continue as separate entities but have common memberships.

<sup>3</sup> These two committees continue as separate entities but have common memberships.

### **<sup>4</sup> 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.

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**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.

<sup>5</sup> **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.

<sup>6</sup> **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.

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**<sup>7</sup> 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.

Carried

CONVOCATION ROSE AT 9:30 A.M.

**Tab 1.2**

**LAW SOCIETY OF ONTARIO**

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON  
SEPTEMBER 11, 2019

THAT Marian Lipka and Brian Prill be appointed to the Hearing Division of the Law Society Tribunal for a term ending May 28, 2021.

THAT Geneviève Painchaud be appointed to the Paralegal Awards Committee.

**Tab 1.3**

To the Benchers of the Law Society of Ontario Assembled in Convocation

The Executive Director of Professional Development and Competence reports as follows:

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CALL TO THE BAR AND CERTIFICATE OF FITNESS

Licensing Process and Transfer from another Province – By-Law 4

Attached is a list of candidates who have successfully completed the Licensing Process and have met the requirements in accordance with section 9.

All candidates now apply to be called to the bar and to be granted a Certificate of Fitness on Wednesday, September 11<sup>th</sup>, 2019

ALL OF WHICH is respectfully submitted

DATED this 11<sup>th</sup> day of September, 2019

**CANDIDATES FOR CALL TO THE BAR**  
**September 11th, 2019**

**Transfer from another province (Mobility)**

Gulrukh Asif  
James Andrew Bray  
Hayleigh Fay Cudmore  
Corinne Scarlett Grigoriu  
Matthew Martin Klasen  
David Roland Joseph Lefebvre  
Leah Frances Mangano

Shahryar Mazaheri  
James Oakley Patrick McCarthy  
Tumininu Modupe Odele  
Vikramjit Singh Randhawa  
Michael Gregory Shahinian  
John Itoadon Umane

**Licensing Candidates**

Kirk Brown  
Roberto Fabio Dipietrantonio  
Oussama Djalaedine Hamza

Farah Ali Issa  
Ray Lenard Power  
Munmun Sabah

**Transfer Candidates (from Quebec)**

Thomas Simon Pierre Dougherty Guénette  
Jonathan Moshe Raphaël Sasson  
Agnieszka Swierzbinska

**L3 Licence - Canadian Legal Advisor (Lawyers from Quebec)**

Harley D'Aout  
Fabien Fourmanoit