

MINUTES OF CONVOCATION

Thursday, 24th September, 2020
9:00 a.m.
Via Videoconference

PRESENT:

The Treasurer (Teresa Donnelly), Adourian, Alford, Banack, Braithwaite, Brown, Burd, Charette, Chiummiento, Conway, Cooper, Corbiere, Corsetti, Desgranges, Epstein, Esquega, Fagan, Falconer, Ferrier, Goldstein, Graham, Groia, Horgan, Horvat, Klippenstein, Lalji, Lau, Lean, LeSage, Lewis, Lippa, Lockhart, Lomazzo, Lyon, Marshall, Mercer, Merali, Minor, Murchie, Painchaud, Parry, Pawlitzka, Pineda, Poliacik, Pollock, Prill, Rosenthal, Sellers, Sheff, Shi, Shin Doi, Shortreed, Spurgeon, Strosberg, Troister, Walker, Wellman, Wilkes, Wilkinson, B. Wright and N. Wright.

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Secretary: James Varro

The Reporter was sworn.

IN PUBLIC

TREASURER'S REMARKS

The Treasurer welcomed those joining Convocation by videoconference.

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

When Convocation meets in Toronto, the Treasurer acknowledges that Convocation meets on the traditional territory of the Mississaugas of the Credit First Nation. She also acknowledges the Haudenosaunee. She advised that for this Convocation, benchers are participating across the province and perhaps elsewhere, and across many First Nations territories. She recognized the long history of all the First Nations in Ontario and the Métis and Inuit peoples and thanks 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 via Zoom videoconference.

The Treasurer noted that Daniel Pinnington, President and Chief Executive Officer of LawPRO and other LawPRO representatives will be joining the meeting for presentation of the LawPRO Report.

The Treasurer expressed condolences to the family of the Right Honourable John Napier Wyndham Turner, P.C., C.C., Q.C., a member of the Law Society, who passed away on September 19, 2020.

The Treasurer also noted the passing of Ruth Bader Ginsburg, the second woman appointed to the U.S. Supreme Court, who was a transformative force for advancing civil rights in the United States and globally.

The Treasurer noted her outreach initiatives since the last Convocation, including offering greetings on the launch of the Ryerson University and University of Ottawa LPP programs and welcoming first year students at the Bora Laskin Faculty of Law at Lakehead University.

The Treasurer congratulated Ryerson University Faculty of Law, on opening its doors to the first cohort of students.

The Treasurer advised that she was honoured to participate in the opening of the courts ceremony on September 22, 2020, and to offer remarks on behalf of the Law Society.

The Treasurer informed Convocation of her outreach initiatives with law firms and her meetings with the Attorney General and the Chief Justice, and with the Honourable David Lametti, Minister of Justice and Attorney General of Canada.

The Treasurer reminded benchers of the Family Legal Services Provider (FLSP) consultation that is open until November 30, 2020.

The Treasurer reminded benchers that the deadline for nominations for the Law Society's Human Rights Award has been extended to November 30, 2020.

The Treasurer noted upcoming events:
Francophone event "French and the Law" Symposium on September 25, 2020
Access to Justice Week – October 26 to 30, 2020

The Treasurer congratulated Robert Burd on his election as chair of the Paralegal Standing Committee for the 2020 – 2021 term by acclamation.

The Treasurer congratulated Atrisha Lewis who was named one of Canada's Top 25 Most Influential Lawyers in the "Young Influencers" category, and on the birth of her daughter on August 3, 2020.

The Treasurer drew benchers' attention to information reports in the Tribunal Committee Report on practice directions and Tribunal second quarter 2020 statistics at Tab 3 of the Convocation Materials.

The Treasurer acknowledged the numerous responses received from licensees on the fee exemption issues and the proposed motion to decrease the 2021 Law Society fees, and thanked licensees for their feedback and comments, which have been provided to all benchers.

The Treasurer referred benchers to the information reports in the Audit & Finance Committee Report at Tab 8 of the Convocation Materials.

MOTION – CONSENT AGENDA – Tab 1

It was moved by Mr. Spurgeon, seconded by Ms. Shin Doi, 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 August 6, 2020 were confirmed.

Tab 1.2 - MOTIONS

Re: Tab 1.2.1 – Tribunal Appointment

THAT Jonathan Rosenthal be removed from the Hearing Division of the Law Society Tribunal at his own request, as a result of his appointment to the Proceedings Authorization Committee on August 6, 2020.

Carried

Re: Tab 1.2.2 – Committee Appointments

THAT Michael LeSage be appointed to the Access to Justice Committee and be removed from the Professional Regulation Committee, given his appointment to the Tribunal Committee.

THAT Nicholas Wright be removed from the Mental Health Working Group at his own request.

Carried

PRIORITY PLANNING COMMITTEE REPORT

Ms. Horvat presented the Report.

Re: Amendments to By-Law 3 Respecting an Online Treasurer Election Process

It was moved by Ms. Horvat, seconded by Ms. Corsetti, that on the recommendation of the Priority Planning Committee, Convocation make amendments to By-Law 3 as set out in the motion at Tab 2.1 to implement an online election process for the Treasurer's Election.

Carried

Dr. Alford, Mr. Chiumminto, Mr. Desgranges, Mr. Klippenstein, Ms. Lean, Mr. Parry, Mr. Prill and Ms. Shi abstained.

TRIBUNAL COMMITTEE REPORT

Ms. Shin Doi presented the Report.

Re: Amendments to the Rules of Practice and Procedure

It was moved by Ms. Shin Doi, seconded by Dr. Alford, that Convocation approve the proposed English and French amendments to the Law Society Tribunal Rules of Practice and Procedure, effective October 1, 2020, set out at Tab 3.1.1 (English) and Tab 3.1.2 (French).

Carried

Mr. Horgan abstained.

For Information:

- Practice Directions
- Law Society Tribunal Quarterly Statistics April 1 to June 30, 2020

FINANCIAL UPDATE

Mr. Groia provided a financial update with reference to the Audit & Finance Committee Report at Tab 8 of the Convocation Materials.

NOTICE OF MOTION

It was moved by Mr. Pollock, seconded by Ms. Lippa, that:

WHEREAS with the onset of COVID-19, the Ontario court system was necessarily forced to pause many of its operations;

AND WHEREAS with much of the Court system effectively closed, it became impossible for many members to provide legal services;

AND WHEREAS the pandemic has had a devastating financial impact upon the revenues of virtually all members in private practice;

AND WHEREAS it is of critical importance to the access to justice and the public interest of all Ontarians that members of the Law Society are able to remain financially viable through this pandemic;

THAT for 2021, Convocation shall reduce the annual licensing fees for all members of the Law Society by no less than 25% of the amounts at which their annual licensing fees were set for 2020.

Not Put

Mr. Groia moved, seconded by Ms. Lomazzo, that the Pollock/Lippa motion be tabled.

Carried

ROLL-CALL VOTE

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

Vote: 27 For; 25 Against

LawPRO REPORT

Mr. Spurgeon presented the Report.

Re: 2021 Insurance Program

It was moved by Mr. Spurgeon, seconded by Ms. Sellers, that Convocation approve the program of insurance offered by LawPRO for 2021 as set out in the report at Tab 5 of the Convocation Materials.

Carried

REPORT OF THE CHIEF EXECUTIVE OFFICER

Ms. Miles presented the Report.

Re: Law Society of Ontario Pandemic Update

Ms. Miles presented the Report for information.

IN PUBLIC

REPORT FOR INFORMATION ONLY

AUDIT AND FINANCE COMMITTEE REPORT

- Law Society of Ontario Financial Statements for the Six Months ended June 30, 2020
- LIRN Inc. Financial Statements for the Six Months ended June 30, 2020
- Investment Compliance Reports

CONVOCATION ROSE AT 12:49 P.M