

MINUTES OF CONVOCATION

Wednesday, 23rd June 2021

9:00 a.m.

Via Videoconference

PRESENT:

The Treasurer (Teresa Donnelly), Adourian, Alford, Armstrong, Banack, Banning, Braithwaite, Brown, Burd, Charette, Chiumminto, Corbiere, Corsetti, Desgranges, Epstein, Esquega, Fagan, Falconer, Goldstein, Graham, Groia, Horgan, Horvat, Klippenstein, Krishna, Lalji, Lean, Lesage, Lewis, Lippa, Lockhart, Lomazzo, Lyon, Marshall, Merali, Minor, Murchie, Painchaud, Parry, Poliacik, Pollock, Prill, Rosenthal, Ross, Sellers, Sheff, Shi, Shin Doi, Shortreed, Spurgeon, Strosberg, Troister, Walker, Wellman, Wilkes, Wilkinson and N. Wright.

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Secretary: James Varro

The Reporter was sworn.

IN PUBLIC

TREASURER'S REMARKS

The Treasurer welcomed everyone to Convocation.

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 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 thanked the First Nations people who lived and live in these lands for sharing them with us in peace.

The Treasurer expressed condolences to the family and friends of the Afzaal family of London, Ontario, four members of which were tragically killed when struck by a vehicle, and to Muslim communities across Canada.

The Treasurer noted the tragic discovery in late May of the remains of 215 Indigenous children at the former Kamloops Indian Residential School, and on behalf of Convocation expressed condolences to the Tk'emlúps te Secwépemc First Nation, to all survivors of the residential school system, to all Indigenous Peoples of Canada and all those affected by this discovery.

Convocation observed one minute of silence as a symbol of respect for the 215 children.

The Treasurer advised that this tragedy highlights the important work the Law Society needs to conduct on the implementation of the Law Society's Indigenous Framework and recommendations of the Review Panel on Regulatory and Hearing Processes Affecting Indigenous Peoples, as part of the work on reconciliation, equality, diversity and inclusion.

LL.D. CEREMONY – R. DOUGLAS ELLIOTT

The Treasurer introduced R. Douglas Elliott, the candidate for the degree of Doctor of Laws, *honoris causa*.

Mr. Falconer read the citation.

The Treasurer admitted R. Douglas Elliott to the degree of Doctor of Laws, *honoris causa*.

Mr. Elliott addressed Convocation.

The Treasurer thanked Mr. Elliott for honouring Convocation with his presence.

ELECTION OF TREASURER

The Secretary announced that at the close of nominations at 5:00 p.m. on May 13, 2021, there was one candidate for the election of Treasurer. Teresa Donnelly was declared elected as Treasurer for the term commencing June 23, 2021.

TREASURER'S REMARKS

The Treasurer advised Convocation that she was honoured to have been given the privilege to serve as Treasurer for another term and is looking forward to working with benchers and staff on the Law Society's strategic priorities.

The Treasurer welcomed those joining Convocation by webcast and addressed the protocol for Convocation via Zoom videoconference.

The Treasurer reminded benchers of the National Well Being Study currently underway and encouraged benchers to complete the survey and to encourage others to do so by June 25, 2021.

The Treasurer noted the ongoing work of the Law Society's Mental Health Working Group and that Convocation will hear more from the Group in the fall.

The Treasurer referred benchers to the report of the Competence Task Force in the Convocation materials and the call for comment that is being launched today on the Law Society's continuing competence framework.

The Treasurer reminded Convocation of the new contingency fee requirements that come into force on July 1, 2021, and the resources for the profession on the Law Society's website.

The Treasurer noted the Human Rights Award ceremony on June 15, 2021 and congratulated the Award's recipient, Professor Payam Akhavan.

The Treasurer noted a number of equity celebrations and events in June:

- National Accessibility Week on June 3, 2021
- PRIDE on June 14, 2021
- National Indigenous History Month and National Indigenous Peoples Solidarity Day on June 22, 2021
- Italian Heritage Month, Portuguese History and Heritage Month and Filipino Heritage Month.

The Treasurer noted the upcoming Access to Justice week from October 25 to 29, 2021 and that information will be available on The Action Group (TAG) website.

The Treasurer acknowledged the challenging times for the 1,250 paralegals and 4,154 lawyers who have been licensed since the start of the pandemic in March 2020. The Treasurer, on behalf of Convocation, welcomed them to the professions and wished them success in their careers.

The Treasurer addressed Convocation on the work and key activities of the Law Society since becoming Treasurer in June 2020, including the priorities for her term and Convocation's achievements. The Treasurer thanked benchers, Law Society staff, justice stakeholders and partners for their work on Law Society initiatives.

The Treasurer advised Convocation that a mid-term review of the Law Society's 2019 – 2023 strategic plan is scheduled for October 2021.

The Treasurer referred benchers to information reports in the Convocation materials, including an update on implementation of the 2018 Abiding Interest Report to strengthen the Law Society's relationship with Legal Aid Ontario.

MOTION – CONSENT AGENDA – Tab 1

It was moved by Mr. Marshall, seconded by Mr. Wilkes, 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 27, 2021 were confirmed.

Tab 1.2 – TRIBUNAL APPOINTMENT

That Andrew Spurgeon be appointed to the Hearing Division of the Law Society Tribunal for a term ending May 31, 2023.

Carried

AUDIT AND FINANCE COMMITTEE REPORT

Mr. Groia presented the Report.

Re: Law Society of Ontario Investment Policy

It was moved by Mr. Groia, seconded by Mr. Poliacik, that Convocation approve the new Investment Policy.

Carried

For information:

- LAWPRO Financial Statements for the Three Months ended March 31, 2021
- LIRN INC. Financial Statements for the Three Months ended March 31, 2021

STRATEGIC PLANNING AND ADVISORY COMMITTEE REPORT

Ms. Horvat presented the Report.

Re: Amendments to By-Law 3 on the Paralegal Standing Committee Chair Election Process

It was moved by Ms. Horvat, seconded by Ms. Corsetti, that on the recommendation of the Strategic Planning and Advisory Committee, Convocation make amendments to By-Law 3 as set out in the motion at Tab 3.1.1 to modernize the process for the election of the Paralegal Standing Committee Chair.

Carried

For information:

- Update on 2019-2023 Strategic Plan Implementation

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, 2021, as set out at Tab 4.1 (English) and Tab 4.2 (French).

Carried

HUMAN RIGHTS MONITORING GROUP

Ms. Walker presented the Report.

Re: Letter of Intervention on Behalf of Thein Hlaing Tun and Ayeyar Lin Htut

It was moved by Ms. Walker, seconded by Mr. Wellman, that Convocation approve the letter and public statement in the following case:

Thein Hlaing Tun and Ayeyar Lin Htut – Myanmar – letter of intervention and public statement presented at Tab 5.1.

Carried

Mr. Charette, Mr. Desgranges, Mr. Goldstein, Mr. Lyon and Ms. Shi abstained.

EQUITY AND INDIGENOUS AFFAIRS COMMITTEE REPORT

Re: Equity Partners Review

Beginning with comments from Mr. Fagan, benchers discussed the manner in which the subject of the information report was dealt with.

REPORTS FOR INFORMATION ONLY

ACCESS TO JUSTICE COMMITTEE REPORT

- An Abiding Interest: Implementation Update

COMPETENCE TASK FORCE REPORT

- Call for Comment - Renewing the Law Society's Continuing Competence Framework

EQUITY AND INDIGENOUS AFFAIRS COMMITTEE REPORT

- Equity Partners Review

CONVOCATION ROSE AT 10:30 A.M.

Confirmed in Convocation this 1st day of October 2021.

Teresa Donnelly,
Treasurer