

THE LAW SOCIETY OF UPPER CANADA

1999 SPECIAL CONVOCATION

Monday, February 15, 1999

London Convention Centre

London, Ontario

---

ATCHISON & DENMAN COURT REPORTING SERVICES LTD.

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1                    --- Upon Commencing at 2:30 p.m.

2                    MR. STROSBURG: Convocation will come to  
3 order. I would ask that you all remain standing while Akua  
4 Carson, a 13-year-old grade eight student sings our  
5 National Anthem.

6                    --- National Anthem.

7                    MR. STROSBURG: Please be seated. I thank  
8 you, Ms. Carson.

9                    My name is Harvey Strosberg and I am the  
10 Treasurer of the Law Society of Upper Canada. The  
11 Treasurer is the president. The directors of the Law  
12 Society are known as Benchers. And the Benchers of the Law  
13 Society hold their directors' meeting and it is called  
14 Convocation.

15                    Today, the Benchers have assembled in  
16 Convocation and you too are part of Convocation. The  
17 purpose of this meeting is to call to the Bar the  
18 candidates and to admit the Honourable Thomas Zuber to the  
19 Degree Doctor of Laws. Convocation will then adjourn and  
20 the Honourable Mr. Justice McDermid will convene a Special  
21 Sittings of the Court of Appeal for Ontario and the Court  
22 of Justice for Ontario and the Oath of Allegiance, the  
23 Barristers Oath and the Solicitors Oath will be  
24 administered.

25                    Before we go any further, I'd like to

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 introduce the Benchers and their guests who are here on the  
2 dais. I'd like to ask to you stand, please. I hope I  
3 don't miss anyone. Ms. Backhouse; Ms. Ross; Ms. Stomp; Ms.  
4 Carpenter-Gunn; Ms. Angeles; Mr. Chahbar; Mr. Furlong; Mr.  
5 Lamont; Mr. Millar; Mr. Murphy; Mr. Ortved; Mr. Swaye; Mr.  
6 Topp. All of those persons are Benchers.

7 Mr. Saso, Mr. Tinsley, Mr. Bernhardt, Ms.  
8 Stewart from the LSUC. Mr. Cameron is a representative of  
9 the CBAO. Mr. Oosterhoff, Dean of the University of  
10 Western Ontario; Ms. Tawfik, the University of Windsor.  
11 Mr. Lamers, the Middlesex County Law Association. Ms.  
12 McSorley from the Bar Admission Course. And our honoured  
13 Justice, Mr. Justice McDermid. And our Doctoral candidate  
14 Mr. Justice Zuber.

15 I hope there's no one I missed on the  
16 platform. If there is, I'll hear about it later.

17 Convocation is a formal affair. You'll be  
18 told to withhold your applause and you will be told in the  
19 effect that solemnity is inconsistent with spontaneity.

20 Don't listen to them.

21 I expect that what you will do is enjoy  
22 yourself. If you wish to take pictures, come up front and  
23 do it. This is an important day. It's one of the few days  
24 that you'll be in the room and every one will be smiling.  
25 We want you to enjoy yourself.

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1                   You who are not candidates, by your love and  
2 support of the candidates you've earned the right to do  
3 what you wish here today and I give you leave to do so.

4                   Ms. Backhouse, will you present the doctoral  
5 candidate?

6                   MS. BACKHOUSE: Treasurer, it is my pleasant  
7 duty to present to you and to this Convocation The  
8 Honourable Mr. Justice Thomas Zuber and request that you  
9 confer upon him the degree of Doctor of Laws honoris  
10 causa.

11                   Called to the Bar in 1951, his quick grasp  
12 of the essential legal principles of a case combined with  
13 an ability to convey his argument in a clear and concise  
14 manner soon established him as leading counsel.

15                   Those same abilities stood him in good  
16 standing when he was appointed to the County Court Bench in  
17 1968. He has served as a County Court Judge, a Judge of  
18 the Supreme Court of Ontario, a Judge of the Court of  
19 Appeal for Ontario and most latterly as the Senior Regional  
20 Judge for the Southwest District of the Ontario Court of  
21 Justice.

22                   A distinguish jurist, he has not only  
23 applied himself to the trying of disputes and court reform,  
24 but also to teaching; having taught at the University of  
25 Windsor Law School and to authoring legal texts.

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1           His career has been marked by service to his  
2 clients, his community, the profession and above all, the  
3 law and is illustrative of the highest ideals of our  
4 learned profession making him truly worthy of the degree of  
5 Doctor of Laws honoris causa which I ask Treasurer to now  
6 confer upon him.

7           MR. STROSBURG: On behalf of the Benchers of  
8 the Law Society of Upper Canada and pursuant to the  
9 authority vested me, I admit you to the degree of Doctor of  
10 Laws, honoris causa, with all the rights and privileges  
11 thereto appertaining. Doctor, congratulations doctor.

12       --- APPLAUSE

13           DR. ZUBER: My colleagues, and both Bench  
14 and War, distinguished guests, and most important of all,  
15 if I may so address you, my fellow graduates; let me say at  
16 the outset I am very deeply and profoundly grateful to the  
17 Law Society for the honour they do me today. And this  
18 sense of gratitude and honour is really heightened by the  
19 fact that it is the Law Society that confers this degree.

20           It is, after all, the Law Society that  
21 represents the whole of all of the lawyers in Ontario, and  
22 the people whose opinions I value very highly. It is the  
23 Law Society that in my day as a student operated the only  
24 law school in Ontario that would admit you to practice.  
25 And the Law Society therefore is responsible for my

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 complete education and to this day remains the custodian of  
2 my law school marks which are secreted somewhere in the dim  
3 walls of Osgoode Hall and which will forever more remain a  
4 secret.

5           If I may, I should now like to turn my  
6 attention to the main purpose for our being here and that  
7 is of course the Call to the Bar of you, my fellow  
8 graduates. It's been a long time since first set trembling  
9 pen or pencil to the LSAT test and a long time through the  
10 law school process and the period of articleship and the  
11 Bar Admission Course. And today it has all come to pass  
12 and you are now here to receive your just reward and to  
13 bask deservedly in the admiration of your friends and  
14 family.

15           This is a day upon which you can be proud of  
16 yourselves and those around you can be proud of you as  
17 well. So this is a day to simply bask in the reflected  
18 admiration of your friends.

19           There is, however, one remaining hurdle that  
20 you're required to pass before you're called to the Bar at  
21 the end of this ceremony and that remaining hurdle is for  
22 you to listen to me for a few minutes. The reason the Law  
23 Society does this is because this is a rather valuable  
24 exercise. You're required to listen to what a judge has to  
25 say and to pretend to look interested. And this is a

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 talent that will serve you well in the future when no  
2 matter what dribble is being spoken, you will cultivate the  
3 habit of looking wise and nodding appreciatively no matter  
4 what's being said. So this is part of the lesson and it  
5 begins today.

6 A long time ago when I was contemplating  
7 going to law school, I was the fortunate beneficiary of a  
8 little talk by a Windsor practicing lawyer. And he told us  
9 that the law was a jealous mistress. And I must say this  
10 all sounded faintly naughty and racy and my reaction was  
11 well, count me in. It wasn't for some time, however, that  
12 I really began to appreciate the full meaning of what he  
13 was telling us.

14 And what he was telling us then was simply  
15 this, that the practice of law unlike many other  
16 occupations is not something that you switch off at the end  
17 of the working day. It's an occupation that will consume  
18 your time, almost without end. It will consume your  
19 interest, almost all the time. It will dictate the way in  
20 which you think. It will brand almost your very soul. I  
21 take it to be exclamatic that if that's so, and I believe  
22 it to be, that it's essential that you should be happy in  
23 the practice of law. Because if you are not happy in this  
24 pervasive occupation that you've selected, then to a large  
25 extent the past five years or so have been a rather

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 expensive and time consuming waste.

2           And I regret to tell you that I am seeing  
3 increasingly unhappy lawyers. People come in to courtrooms  
4 in which I have to be and some of them seem to be in a  
5 great state of anger or in a great smit about something,  
6 even before I've said a word. And yet, on the other hand,  
7 there remain some lawyers who still seem to be smiling and  
8 reasonably content with themselves and generally one would  
9 think to be happy.

10           The issue then becomes what distinguishes  
11 the happy lawyers from the unhappy lawyers. It's been my  
12 good fortune over the past 30 years or so that I've been on  
13 the bench to have seen, I guess, most of the kind of  
14 lawyers of Ontario. It's been my good fortune to have been  
15 in courtrooms in which like John Robinet appeared, Mr.  
16 Sopinka, the late John Sopinka, Eddie Greenspan of criminal  
17 law fame and even Mr. Strosberg. And what distinguishes  
18 these lawyers and they seem to be smiling, at ease, content  
19 and so on. So the answer is now to figure out the lawyers  
20 who seem to be the happiest are the ones who have reached  
21 that point of happy competence, where they know what  
22 they're doing.

23           Now that's not to say that, and Mr.  
24 Strosberg will be quick to tell you, that they win every  
25 time. They don't. But what they do is this, they play the

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 hand that's been dealt them with consummate skill and grace  
2 and if they win or lose, they accept that result with equal  
3 grace and decorum.

4           So then, the problem becomes how does one,  
5 how does one get to that great state of competence that in  
6 turn will contribute to your happiness in the practice of  
7 law? Well, some of us I guess or some are simply born with  
8 a natural talent. But those are few and far between. For  
9 the rest of us, it simply involves a lot of effort.

10           By now I'm sure you're rather keenly aware  
11 of the great gulf that separates your law school experience  
12 from what you have encountered so far or will encounter in  
13 the practice of law. It's a great, great leap. But you're  
14 not alone in this experience.

15           You may be familiar with Professor Alan  
16 Derschowitz of the Harvard Law School. If you're not  
17 familiar with him, it's certainly no fault of his.  
18 Professor Derschowitz attended the Harvard Law School and  
19 on graduation he served as a judicial clerk, he did two  
20 judicial clerkships and then returned directly to Harvard  
21 to teach. And after having taught for some time, he  
22 decided to take on a client. And he confesses himself that  
23 at that point he'd never practiced, never tried a case,  
24 never had a client, and he hadn't the foggiest idea of what  
25 to do because the law school didn't teach that kind of

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 thing. And I suspect that most of you are in this  
2 position.

3 So that you will have to begin the hard road  
4 towards competence. I have a couple of suggestions as to  
5 how you get to that point, neither of which will be  
6 completely new to you. And the first is simply this; that  
7 you begin by selecting an area of law or a niche, if you  
8 will, in which you would like to practice. The kind of  
9 practice that makes you happy to be there, anxious to get  
10 to the office when you get up in the morning and a place  
11 that simply makes you content. And it really doesn't  
12 matter what it is. It could be something as esoteric as  
13 the Income Tax Act or real estate transaction or criminal  
14 law or whatever. But I think it's important to find a  
15 place that you like to be.

16 Regrettably, the age of the great general  
17 practitioner who could incorporate a company one day and  
18 proceed to try a murder case the next and so forth has  
19 disappeared. The complexity of the law in all areas is  
20 such that at least in my view is simply no longer possible  
21 to be competent in all areas.

22 So the first step is to select this niche,  
23 this area in which you would like to be. This is not a  
24 choice that you would make too quickly because the notions  
25 you may have as to what those areas involves may not be as

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 full as you would like this moment. So I've seen some  
2 gooey-eyed young law school students saying I'd like to do  
3 this kind of work and you know that they really don't  
4 appreciate the hard realities of what that involves. So  
5 that in the next year or two you will find your way and  
6 find yourself to that position.

7 At the moment the brass ring, some of you  
8 may think, is becoming an associate at one of the great  
9 Toronto 200 lawyer temples where you'll make in a period of  
10 within the next year or two far more than any of your law  
11 school professors. And that may represent happiness. But  
12 it may not. It may not. It's a choice to be made with  
13 considerable care.

14 Having selected this niche or area in which  
15 you find yourself to be comfortable, the next thing to do  
16 is to to become as expert as you possibly can in that area.  
17 And you will do that in several ways. You'll learn from  
18 your seniors in practice and even from your opponents. And  
19 you'll find that lawyers are remarkably generous, even the  
20 people on the other side. A simple telephone call to  
21 somebody saying could you help me, I've got this problem,  
22 how would you handle it and so on, you'll find lawyers are  
23 remarkably generous with their time.

24 The Law Society and other societies like the  
25 Ethical Society offer a variety of legal education programs

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 and these are opportunities to be seized so you can  
2 continue to improve your knowledge of law.

3 And thirdly, you will read and let me tell  
4 you, you will read a lot. Simply to read the Ontario  
5 Reports that are published every week, 96 pages as regular  
6 as the clock. To read this amounts to 5,000 pages a year.  
7 If you read the criminal cases as well, that's another  
8 5,000 pages. If you want to read what the Supreme Court of  
9 Canada is doing, that's another 5,000 or so pages. So  
10 you're up to about 15 thousand pages of law material, of  
11 law reports a year.

12 Now I have to tell you, having been the  
13 contributor to some of that mass of law reports, that not  
14 all of it is worth reading. A lot of it is really poor  
15 quality stuff. But you have to at least look at it to  
16 separate the wheat from the chaff to prepare yourself to  
17 recognize problems in the future.

18 I recognize that the electronic retrieval  
19 systems are now very popular and that you can turn on  
20 football and find out all kinds of things. This is a great  
21 tool for retrospective analysis. But it really doesn't  
22 help you much with respect to recognizing things that are  
23 coming in the future. It doesn't do much for prospective  
24 analysis. The best computer known to man for recognition  
25 of problems in the future is the one between your ears and

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 that's the one that has to be nourished all the time.

2           So I'm telling you that while you may think  
3 of today as representing the end of your legal education,  
4 it isn't. And if I may paraphrase Winston Churchill, it is  
5 not even the beginning of the end; it is rather simply the  
6 end of the beginning. And your legal education process  
7 will continue until the day you cease practice.

8           In addition to becoming expert in your  
9 particular field, there's one more factor that at least in  
10 my view will help you on this road to finding contentment  
11 in the practice of law. And that is to take advantage of  
12 the fellowship and the collegiality of the law profession  
13 of Ontario. They're a great bunch of people. And I  
14 appreciate that in the courtroom the process is adversarial  
15 and even outside the courtroom the practice is highly  
16 competitive as people strive for advantage for their  
17 clients on whatever kind of transaction may be at hand.  
18 There is even intense competition for clients. But having  
19 said all of that, there is abundant room for kindness and  
20 generosity and grace. And no room at all for sharpness of  
21 practice or the attempt to take that sort of a mean  
22 spirited advantage of someone.

23           I'm sometimes appalled at the picayune  
24 disputes that show up in motions court in which someone  
25 will try to take mean advantage of a couple of days of

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 length for notice or something or other. And I must say  
2 that I and most of my colleagues will set this right in a  
3 rather pointed fashion.

4 A long some time ago, American lawyer  
5 Harrison Tweed had this to say about the practice of law.  
6 He said this, he said: I have a high opinion of lawyers.  
7 With all their faults they stack up well against those in  
8 every other occupation of professional. They are better to  
9 work with or to play with or to fight with or to drink with  
10 than most other species of mankind. And this is a  
11 sentiment which I endorse heartedly and I would hope that  
12 you would come to endorse it too.

13 My final wish for you, my dear young friends  
14 is simply this, I hope that you will find the practice of  
15 law all that you wish it to be and that at some distant  
16 point 30, 40, 50 years from now you may be able to look  
17 back and say, as I do now, it's been a great adventure and  
18 I wouldn't have missed it for the world.

19 Thank you.

20 --- APPLAUSE.

21 MR. STROSBURG: Dr. Zuber, I thank you for  
22 addressing us. I thank you for your words of wisdom and I  
23 thank you very much for being here, for being you.

24 THE SECRETARY: Treasurer, I have the  
25 pleasure of presenting the following candidates who have

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 won prizes in the Bar Admission Course.

2                   Awarded a share of The S.J. Birnbaum, Q.C.  
3 Scholarship Third Prize for the student attaining the third  
4 highest grade in Estate Planning, Melanie Anne Coulter.

5 --- APPLAUSE.

6                   THE SECRETARY: Awarded the Pensa and  
7 Associates Prize for the student attaining the highest  
8 grades in the Bar Admission Course at London, and a share  
9 of the S.J. Birnbaum, Q.C. Scholarship Second Prize for the  
10 student attaining the second highest grade in Estate  
11 Planning, Rebecca Lee Krasnor.

12 --- APPLAUSE.

13                   THE SECRETARY: Awarded The McCarthy  
14 Tetrault Business Law Prize donated by McCarthy Tetrault  
15 for the student attaining the highest grade in Business Law  
16 at London, and a share of The Stuart Thom Prize donated by  
17 Osler, Hoskin & Harcourt for the student attaining the  
18 highest grade in Business Law, Kristina Marie Shaw.

19 --- APPLAUSE.

20                   THE SECRETARY: Awarded The E.H. McGrath  
21 Prize for the student at London who has most clearly  
22 demonstrated excellence in the skills required in Criminal  
23 Law Practice Michael Kenneth Smith.

24 --- APPLAUSE.

25                   THE SECRETARY: Awarded The Herbert Egerton

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 Harris Advocacy Scholarship for the student attaining the  
2 second highest grade in Civil Litigation, Leanne Beth  
3 Winter.

4 --- APPLAUSE.

5 THE SECRETARY: Awarded The Beverley Genest  
6 Prize for the student attaining the highest grade in Family  
7 Law at London, Sandra Elizabeth Van Ymeren.

8 --- APPLAUSE.

9 MS. STOMP: Treasurer, I present to you the  
10 following candidates for Call to the Bar of Ontario and  
11 admission to the Degree of Barrister-at-law:

12 Lara Kristine Badke; Bradley Douglas Bain;  
13 Peter John Berlingieri; Joanne Patricia Blacklock; John  
14 Burrows; Katharine Louise Byrick; Donna Jeanne Bryne;  
15 Donato Caldarone; Maeve Aine Callery; Iliana Domenica  
16 Cedrone-Mannina; Gheorghe Chifor; Brian Lee Chillman; Sarah  
17 Ann Colman; Melanie Anne Coulter; Birkin James Culp;  
18 Camillo D'Alimonte; Maria Cristina Alvir De Leon; Debbie  
19 Lynn Draganits; Joshua James Death; Andrea Marie DeSantis;  
20 William James Doran; Douglas Richard Downey; peter John  
21 Downing; George Phillip Drametu; Sandra Gail Drozd; David  
22 Shawn Dyer; Kevin Anthony Egan; Kathryn Denise Ewald; Rose  
23 Ann Faddoul; Claudia Falquez; Krista Jane Fortier; Kelly  
24 Anne Gonsalves; Corinne Pamela Habkirk.

25 MS. CARPENTER-GUNN: Lori Ann Hansen; Anita

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 Marie Harris; Mark Bishop Innes; Jennifer Sonia James; Ian  
2 Burton Johnstone; Vesna Kaps; Donald Gary Hunt; David Allan  
3 King; Katharine Ann King; Kirsten Elise Knight; Carolyn  
4 Anne Kovacs; Rebecca Lee Krasnor; Christopher Robert Kruba;  
5 Erica Wilhelmina Krygsman; Maria Margaret Kril Kuechler;  
6 Michael Alan Learmonth; Tracy-Lynn Leckie; Peter Ross  
7 Lemmond; Michelle Lynn Levasseur; Jennifer Lynn Lodge;  
8 Maria Costantina Mangiacasale; Aaron Paul Marcotte; Edward  
9 Allan McNabb; Kara Andrea Meek; Gary James Mendler; Anne  
10 Joleen Menon; Alan Bernard Merskey; Chantell Lyn MacInnes  
11 Montour; David Michael Morneau Jr.; Christopher William  
12 Nowell; Justin Noel O'Rourke; Paul Anthony Oddi; Peter  
13 James Osborn; John Scott Pagan; Robert James Payne; Suzanne  
14 Marie Porter; Heather Marlene Puchala; Sean Michael Allen  
15 Raleigh; Linda Rondinelli; Victoria Lynn Rosaasen;  
16 Stephanie Lee Ross; Lynn Marie Schmidt; Roland Peter  
17 Schwalm; Donald James Seebach; Kristina Marie Shaw; Michael  
18 George Simaan; Catharine Mary Simons; Michael Kenneth  
19 Smith; Russel Scott Snyder-Penner; Julie Lynn St. John;  
20 Jennifer Lesley Stewart; Thomas Michael Strickland; Deborah  
21 Lynn Sturdevant; Susan Marie Sullivan; Allison Marie  
22 Swindles; Colleen Amy Sylvester; Jennifer Marie Thrasher;  
23 George Tsakalis; Trevor James Unruh; Sandra Elizabeth Van  
24 Ymeren; Marco Visentini; Deborah Mary-Jane Wattier; Leanne  
25 Beth Winter; Gideon Zvi Block; Teresa Maria DeMarco; Mark

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 Minenko.

2 MS. GUNN: Will the candidates please rise.

3 Treasurer, in the name of the Benchers of  
4 the Law Society of Upper Canada, I request you to confer  
5 upon these candidates who have completed the course of  
6 study at the Bar Admission Course and passed the prescribed  
7 examinations and fulfilled all other requirements, the  
8 Degree of Barrister-at-law and Call them to the Bar of  
9 Ontario.

10 MR. STROSBERG: By virtue of the authority  
11 vested in me by Convocation and pursuant to the Statutes in  
12 that behalf, I confer upon each of you the Degree of  
13 Barrister-at-law and Call each of you to the Bar of the  
14 Province of Ontario. Congratulations.

15 --- APPLAUSE.

16 MR. STROSBERG: My fellow Benchers, judges,  
17 Dr. Zuber, newly called members to the Bar, family,  
18 friends, we've heard much today about our candidates as  
19 well we should. Today is their day. But it is no less a  
20 day for you who love them and just as importantly, or in  
21 some cases more importantly, those of you who supported  
22 them. So candidates, I'd ask you to please rise. Please  
23 rise. I'd ask you to turn around and offer to those people  
24 who are important a round of applause as a modest token of  
25 your appreciation.

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 --- APPLAUSE.

2 MR. STROSBURG: And now that we've dispensed  
3 with another photo-op, on behalf of the Benchers and the  
4 28,500 lawyers of Ontario, I have the honour and the  
5 privilege of welcoming you to a most distinguished  
6 community, the Law Society of Upper Canada and the  
7 profession of law.

8 And to your families and spouses and  
9 significant others and friends, without whose steady  
10 encouragement and support you could not have arrived at  
11 this place in your lives, I offer the society's warmest  
12 greetings and congratulations. It has been a long time  
13 coming, this day. You have been put to a severe test. You  
14 have truly endured and you have survived that test and you  
15 ought to be very proud of your accomplishment.

16 You may ask, what does the future hold? My  
17 answer is you have arrived at the profession at the very  
18 best of times. I say this without equivocation and aware  
19 that some others are of a contrary view. The profession  
20 they say is in dire straits; we are too many in number, and  
21 the government has abandoned us, abandoned its commitments  
22 to us. To them and to you I say no.

23 Our profession has never been stronger. Our  
24 prospects, your prospects particularly, never more  
25 abundant. The reason is that you are better educated,

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 smarter, and more technologically proficient than most of  
2 us who preceded you in the profession. Your talents, your  
3 gifts will lead us into the new millenium.

4 This is so not merely because you possess  
5 the exuberance and the passion to accomplish the task, but  
6 also because you come equipped with the best legal  
7 education ever provided in this province or in fact  
8 anywhere else in the world. You are perfectly positioned  
9 to respond easily and well to the imminent technological  
10 transformation of the legal practice.

11 By contrast, we of other generations will  
12 have to struggle more to adapt to these inevitable changes.  
13 You will be the change agents. You will take us over the  
14 next or 30 years in directions that we have not yet even  
15 contemplated.

16 So the simple message I give to you today is  
17 this: Value and preserve the spirit, the energy, the  
18 commitment, the enthusiasm that is self-evident in this  
19 room. And I ask you also to remember that the law is not a  
20 job and it is obviously more than the mere mastery of  
21 procedure. It is a learned, noble and honourable  
22 profession. And just as the Law Society governs the  
23 profession in the public interest, so you too must conduct  
24 yourselves in the public interest by recognizing that you  
25 serve the Administration of Justice in Ontario.

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1                   So whatever your goals or aspirations;  
2           whether you pursue a traditional or non-traditional path;  
3           whether your practice is full-time or part-time; in a large  
4           firm or in a small firm; as a sole practitioner or as an  
5           in-house counsel, I ask you abide your commitment to serve  
6           your clients and the public with honesty, with integrity,  
7           and with honour. If you make that commitment, you cannot  
8           help but do honour to yourselves, to your family, and to  
9           this profession. I have faith you will not fail yourselves  
10          and you will not fail us.

11                   Again, I congratulate you.

12                   Convocation will now adjourn and I ask that  
13          Mr. Justice McDermid convene sittings of the Court.

14                   THE REGISTRAR: Order, all rise. This  
15          special sitting of the Court of Appeal for Ontario and the  
16          Ontario Court of Justice, General Division is now convened.  
17          God save the Queen.

18                   Would the candidates remain standing and all  
19          others be seated.

20                   MS. BACKHOUSE: Your Honour, on behalf of  
21          the Treasurer and Benchers of the Law Society of Upper  
22          Canada I have the honour to present the candidates whose  
23          names are before you. These candidates have complied with  
24          the rules of the Law Society and have been called to the  
25          Bar in Convocation today. I would ask that they be allowed

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 to take the usual oaths.

2 THE REGISTRAR: Shall I proceed to  
3 administer the oaths, Your Honour?

4 THE COURT: Yes, please.

5 THE REGISTRAR: I am about to administer the  
6 Oath of Allegiance, the Barristers Oath and the Solicitors  
7 Oath. At the end of each oath I will say the words, "So  
8 help you God". You will then respond as follows. Any of  
9 you who object to being sworn, may make an affirmation that  
10 is of the same force and effect as if you had sworn to the  
11 Oaths. At the conclusion of each Oath you will say the  
12 words, "I do so affirm". Those who are being sworn will at  
13 the conclusion of each Oath say the words "So help me  
14 God". The Oath of Allegiance is to be taken by those of  
15 you who wish to be sworn to that Oath.

16 The oath of Allegiance will now be taken by  
17 those candidates who wish to be sworn to that Oath.

18 You do swear that you will be faithful and  
19 bear true allegiance to Her Majesty Queen Elizabeth The  
20 Second, Her Heirs and successors according to law. So help  
21 you got. And we now say together: So help me God.

22 --- CANDIDATES RESPOND.

23 All candidates will now take the Barristers  
24 Oath.

25 You are called to the Degrees of

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 Barrister-at-law to protect and defend the rights and  
2 interests of such citizens as may employ you. You shall  
3 conduct all cases faithfully and to the best of your  
4 ability. You shall neglect no one's interest nor seek to  
5 destroy anyone's property. You shall not be guilty of  
6 champerty or maintenance. You shall not refuse causes of  
7 complaint reasonably founded, nor shall you promote suits  
8 upon frivolous pretences. You shall not pervert the law to  
9 favour or prejudice any one, but in all things shall  
10 conduct yourselves truly and with integrity. In fine, the  
11 Queen's interest and the interest of citizens you shall  
12 uphold and maintain according to the constitution and law  
13 of this Province. All this you swear to observe and  
14 perform to the best of your knowledge and ability. So help  
15 you God. And we now say together: So help me God.

16 --- CANDIDATES RESPOND.

17 All candidates will now take The Solicitors  
18 Oath.

19 You also do sincerely promise and swear that  
20 you will truly and honestly conduct yourselves in the  
21 practice of a solicitor according to the best of your  
22 knowledge and ability. So help you God. And we now say  
23 together, so help me God.

24 --- CANDIDATES REPOND.

25 THE REGISTRAR: That duty is done, Your

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 Honour.

2 THE COURT: Candidates may be seated.

3 I want to join in congratulating our new  
4 barristers and solicitors. You and your families deserve a  
5 great deal of credit for the sacrifices and the effort you  
6 have made to achieve this goal. Indeed, it is a very  
7 considerable achievement. Therefore, I hope that you will  
8 savour this day and in the future think back from time to  
9 time about how you felt the day you were called to the  
10 Bar.

11 I hope that one of the feelings you recall  
12 and that stays with you is that you are proud to be part of  
13 this profession. You should be. Although not the world's  
14 oldest profession, it is an ancient, enduring and noble  
15 one.

16 And I am sure today you are also full of  
17 energy and enthusiasm and perhaps even some fear at the  
18 prospect of actually being accountable for the advice that  
19 you will give and the work that you will do. No doubt many  
20 of you if not most of you are anxious to start earning some  
21 money and all of these feelings of course are natural and  
22 to be expected.

23 You probably are also aware that there will  
24 be many challenges facing you as you embark upon your  
25 professional careers and indeed throughout your careers.

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 Some of you have hopes of making a lot of money and some of  
2 you will. However, I challenge you not to measure your  
3 success in the profession by the amount of money you earn.  
4 Rather, I challenge you, whether you concentrate on the  
5 work of a solicitor or that of a barrister, to frame your  
6 Barristers Oath and display it in your office where you  
7 have a chance to read it and reflect often upon what it  
8 really means to be a lawyer.

9           What it means is that you have been granted  
10 a very great privilege; not a right, but a privilege. The  
11 privilege of practicing law. We should never forget that.  
12 Always remember that as a lawyer your primary duty is to  
13 provide a service to the people who come to you for your  
14 advice and your help. Your actions or indeed your inaction  
15 may alter the course of the lives of the people who you act  
16 for dramatically, especially if you practice in the  
17 criminal courts. You may be all that safeguards your  
18 clients' liberty. That is an you awesome responsibility.

19           You will find that your clients will give  
20 you their trust and that you must always actually be worthy  
21 of that trust; that is, you must always act in their best  
22 interest, never in your own. You have within your means  
23 the power to do a great deal of good or a great deal of  
24 harm. And I hope that you will always use your  
25 considerable talents to do a great deal of good.

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1                   It is trite but true to say that the  
2 practice of law today is both a profession and a business.  
3 The business aspect is necessary, but I hope that you will  
4 emphasize the concept of profession which has inherent  
5 within it the notion of a vocation or occupation that  
6 involves special learning. It carries with it a certain  
7 social prestige and that is self-regulating. The law as  
8 has been mentioned is a learned profession and at its core  
9 is the concept and tradition of service to the public.

10                   You are all extremely well trained and  
11 intelligent people. Your training has given you the skills  
12 that can be used in your communities outside the practice  
13 of law. The influence of the legal profession upon society  
14 is enormous. I challenge you to become involved in serving  
15 your communities. Give of yourself outside the practice of  
16 law. Do not use your considerable talents simply to earn  
17 more money.

18                   I challenge you who have been granted this  
19 very great privilege to give something back to society.  
20 You will have many opportunities to do so; seize them. You  
21 will be a better person and a better lawyer for your  
22 efforts. As Mr. Justice Zuber mentioned, the law can be a  
23 demanding mistress and examples of the truth of this  
24 statement are abound.

25                   I challenge you to continue your education

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1 in the law as you practice and to do the very best you can  
2 to uphold the highest traditions of the profession. At the  
3 same time I challenge you not to ground in the law. You  
4 can always find excuses for spending more time in your  
5 practice. But I suggest that you will be a better lawyer  
6 and certainly a better person if you guard your personal  
7 life jealously. Expose yourself to good music, art,  
8 literature or some other medium that will nourish your  
9 soul. Those of you who are religious will draw strength  
10 from your faith and your beliefs.

11 Never lose sight of the fact that as  
12 important and satisfying as it may be, your work is only  
13 part of your life. Stop and smell the roses along the way.

14 Many of you will become prominent within the  
15 profession. Many of you who do not nevertheless will be  
16 cherished by your clients. Some of you who are extremely  
17 fortunate will achieve both goals. Some of you may go on  
18 to employ your talents from the Bench. Some of you who are  
19 really gifted and blessed with an exceptionally brilliant  
20 legal mind may approach the peak reached by Mr. Justice  
21 Zuber who among his countless other attributes has the  
22 enviable ability to take the most complex legal problem and  
23 state the solution in a disarmingly simple way that makes  
24 its correctness immediately obvious to everyone who reads  
25 it.

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)

---

1                   In closing, I wish to you much success  
2 personally and professionally. And personally I wish for  
3 you good health and much stamina. I wish for you the  
4 capacity to enjoy life. I wish for you the feeling of  
5 satisfaction that comes from knowing that you have helped  
6 someone and the appreciation of your clients for a job well  
7 done.

8                   I think you will find that you will value  
9 the latter above anything you might earn for doing so.  
10 Good luck, and may God bless you and yours in the years  
11 ahead.

12                   Madam registrar, will you please close the  
13 Court?

14                   THE REGISTRAR: Order, all rise. The  
15 sitting of the Court is now concluded. God save the Queen.

16  
17                   This is to certify that  
18                   the foregoing is a true  
19                   and accurate computer aided  
20                   transcription of my notes  
21                   taken to the best of my  
22                   skill and ability  
23

24  
25  
26                     
27                   \_\_\_\_\_  
28                   Angela Grinsven, C.S.R.

---

**ATCHISON & DENMAN COURT REPORTING SERVICES LTD.**

155 University Avenue, Suite 302  
Toronto, Ontario CANADA M5H 3B7  
(416) 865-9339 (800) 250-9059  
[www.stenographers.com](http://www.stenographers.com)