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THE LAW SOCIETY OF UPPER CANADA

SPECIAL CONVOCATION

TORONTO CALL 1

Thursday, February 25, 1999 - 10:30 A.M.

Roy Thomson Hall

60 Simcoe Street

Toronto, Ontario

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1 ---Upon commencing at 10:30 a.m.

2 THE TREASURER: Convocation will come to  
3 order. Please remain standing while Siobhan Dungan sings  
4 our National Anthem.

5 --- National Anthem

6 THE TREASURER: Thank you. Please be  
7 seated. My name is Harvey Strosberg and I am the Treasurer  
8 of the Law Society. The Treasurer is the President of the  
9 Law Society. The Law Society of Upper Canada governs the  
10 profession in Ontario in the public interest. The  
11 Directors of the Law Society are called Benchers, and the  
12 Directors' meeting is called Convocation. Today the  
13 Benchers of the Law Society have assembled in Convocation  
14 to admit Edward Greenspan to the degree of Doctor of Laws  
15 and also to bestow upon our candidates the degree of  
16 Barrister of Laws and call each of them to the Bar in the  
17 Province of Ontario.

18 Once those tasks are completed Convocation  
19 will adjourn. Then Mr. Justice Morden, the Chief Justice  
20 of Ontario, will call to order a special sitting of the  
21 Ontario Court of Appeal and the Ontario Court (General  
22 Division) for the purposes of the administration of the  
23 Oath of Allegiance, the Barristers Oath and the Solicitors  
24 Oath, and that will be the agenda for today.

25 I would like to take a moment to introduce

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1 the members of Convocation who are guests.

2 I wonder if you might stand when your name  
3 is called. Chief Justice Morden; Mr. Greenspan; Hugette  
4 Malyon, the Registrar of the Ontario Court of Appeal for  
5 Ontario; the Assistant Dean, Alexander Greer from Osgoode  
6 Hall Law School; the Assistant Dean Bonnie Colt from the  
7 Faculty of Law, University of Toronto; Victoria Kondo,  
8 representing the Canadian Bar Association of Ontario; Mary  
9 Grosso representing the Metropolitan Toronto Lawyers  
10 Association; Janet Leiper, Head of Section for Criminal  
11 Procedure; David Stinson, Head of the Section for Civil  
12 Litigation; Michael Watson, Head of the Section for Civil  
13 Litigation. Thank you.

14 We then have the staff of the Law Society  
15 who are here. Chief Executive Officer John Saso; Richard  
16 Tinsley, Secretary; Bob Bernhardt, the Director of  
17 Education; Ian Lebane; and Cindy Pinkus. Thank you.

18 We have Jimmy Dick. He will perform a Cree  
19 Honour Song for our guests and candidates. Thank you for  
20 coming.

21 Benchers of the Law Society, I would ask you  
22 to stand, Ms. Backhouse, Nora Angeles, Don Lamont, Gavin  
23 MacKenzie, Gerald Swaye from Hamilton, Bob Aaron, not here,  
24 William Carter, Phil Epstein, Gary Gottlieb, Jane Harvey,  
25 Jennifer Keenan, Heather Ross, David W. Scott. Thank you.

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1                   You have been told that Convocation is a  
2 formal affair. You have been told to withhold your  
3 applause. Don't listen. If you want to say, "There is my  
4 John" or "There is my Joe," do that. Today is a special  
5 day. It is a day that is not only for our candidates it is  
6 for all of you. It is one of the few days in our lives in  
7 which we will be in a room and a theatre and everyone will  
8 be happy.

9                   Mr. Epstein, will you introduce the doctoral  
10 candidate.

11                   MR. EPSTEIN: Associate Chief Justice  
12 Morden, Fellow Benchers, distinguished guests, graduates  
13 and ladies and gentlemen, it is my very great pleasure and  
14 privilege to introduce to you and Convocation a person who  
15 actually needs no introduction whatsoever. If I would  
16 simply ask the Treasurer to confer an honorary degree on  
17 "Eddie", everyone would know who I meant and why it was  
18 being awarded. But given my long relationship with Mr.  
19 Greenspan I thought that I would use this opportunity to  
20 tell you something about the person who is being honoured  
21 here today.

22                   A week ago when Eddie called me he wanted to  
23 see my remarks in advance. I demurred. He insisted. I  
24 firmly declined. He announced that he wasn't coming if I  
25 didn't give him a copy of my remarks. I told him that I

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1 would fax him a copy but then told him the fax had somehow  
2 been missed or omitted. Up until three minutes ago before  
3 we came on the stage Eddie was still pressuring me to tell  
4 him what I was about to say.

5 I tell you this true story because it tells  
6 you volumes about the man that we are honouring today. It  
7 tells you about how Eddie thinks and works. He does  
8 nothing without in depth preparation and he would no more  
9 think to respond to my comments off-the-cuff than he would  
10 to plead a client guilty.

11 For many years, many years we shared space  
12 as lawyers. I once returned to the office at 2:30 a.m.  
13 because I needed a file for an out-of-town case in the  
14 morning. I found Eddie's light on so I wandered over to  
15 his side of office and I found him there in a vest at 2:30  
16 a.m. piled high with books. "What are you doing?" He  
17 said, "I am lecturing to the Bar Admission Course tomorrow  
18 on jury addresses." I said, "Eddie, how many times have  
19 you given that lecture?" He said, "About 18." I said, "So  
20 what are you doing here at 2:30 in the morning?" "I am  
21 reworking it," he said.

22 This is a man of enormous talent and charm,  
23 but he has never forgotten that his style is no substitute  
24 for hard work and preparation. No lawyer in Canada works  
25 more prodigiously. Eddie takes nothing in a case for

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1 granted. He has been described by some as a workaholic but  
2 that would not be true. Eddie has never let his work  
3 interfere with what he perceives to be his community  
4 obligations, his teaching, his writing and his insatiable  
5 curiosity about the world which he attempts to rectify by  
6 constant travel. He is in every respect a well rounded  
7 person. In fact his beloved wife Suzie would probably say  
8 he is too well rounded.

9 Two years ago Eddie was invited to address  
10 the graduating class at the Call to the Bar. Eddie spent,  
11 on my count, most of his speech complaining that virtually  
12 all previous speakers called to the Bar were given an  
13 honorary degree and he could not understand why he was  
14 asked to address the Call to the Bar but was not being so  
15 honoured. He kept on and on and on about the failure of  
16 the Law Society to give him an honorary degree. Honestly,  
17 it was embarrassing.

18 His speech was, despite that criticism,  
19 inspirational and caring and for those reasons and those  
20 reasons only he was asked again to address the Call to the  
21 Bar. But since neither the Treasurer nor I were willing to  
22 face the barrage of criticism of having him again speak at  
23 the Call to the Bar without being given an honorary degree  
24 the Treasurer and I thought it was time to give him an  
25 honorary degree. That is the reason, therefore, Mr.

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1 Greenspan is receiving the honorary degree from the Law  
2 Society of Upper Canada today.

3 His teaching career at Osgoode Hall and  
4 University of Toronto, his willingness to share his skills  
5 and knowledge to the Bar, countless continuing legal  
6 education courses, his dedication to human rights and Civil  
7 Liberties Association, his one-man across Canada campaign  
8 to prevent the reintroduction of the death penalty to  
9 Canada, his editorship of the Criminal Law Reports and mark  
10 on the Criminal Code are all beside the point. This is a  
11 man who has given freely to his profession and is deserving  
12 of the honour and for those reasons, those reasons I ask  
13 you to confer upon Edward L. Greenspan the degree of Doctor  
14 of Laws, honoris causa.

15 THE TREASURER: On behalf of the Benchers of  
16 the Law Society of Upper Canada, and pursuant to the  
17 authority vested in me I admit you to the degree of Doctor  
18 of Laws, honoris causa, with all the rights and privileges  
19 pertaining thereto. Congratulations, Dr. Greenspan.

20 DR. GREENSPAN: Quite frankly I don't care  
21 if I got this honorary degree out of guilt, the fact is  
22 that I got it.

23 My new name is Dr. Edward Leonard Greenspan,  
24 Q.C., and I like it. I now have letters before my name and  
25 after my name.

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1           To think I went to law school because I  
2           didn't want to be a doctor. I was so excited at being  
3           asked to receive this honour that I pleaded a completely  
4           innocent person guilty this morning in order to be here.  
5           Now I think I would like to be an astronaut. I'm wondering  
6           if Harvey and Phil can do something about it.

7           There are many ways of getting an honorary  
8           degree. You can buy it. I did not do that. You can earn  
9           it. I most probably did not do that. Or you can do it the  
10          way I did it. Thirty years ago I met Harvey Strosberg, and  
11          although Harvey doesn't know I am about to tell you, I said  
12          to myself, "I think this guy will be the Treasurer of the  
13          Law Society one day, and when that day comes I'll get an  
14          honorary degree." In fact, I have been Harvey's friend  
15          since 1970 when only our mothers vaguely believed we might  
16          amount to something. If you knew Harvey well, you would  
17          know that I definitely did earn it and most definitely do  
18          deserve it for putting up with him for so very long.

19          Harvey, I want to thank you and the Law  
20          Society of Upper Canada for this singular honour.

21          There are some sixty people who have  
22          received this honorary doctorate. Among them are three  
23          premiers, two Governor Generals of Canada, three Chief  
24          Justices of Canada, three Chief Justices of Ontario, one  
25          Chief Justice of the United States Supreme Court and seven

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1 others who, like me, knew the Treasurer of the Law Society.

2           It is part of the history of this doctorate  
3 that the U.S. Chief Justice left town with the traditional  
4 robes which were lent to him for the day. They were  
5 replaced by these much cheaper red robes with three stripes  
6 on the arm. I wondered, when I looked at these stripes  
7 whether it meant three stripes and you are out. It is a  
8 little known fact that the thief, Chief Justice Berger gave  
9 the Law Society gown to Chief Justice Renquist who wore it  
10 in the recent impeachment proceeding involving another well  
11 known lawyer.

12           When I looked closely at the list of  
13 honorary doctorates I realized that most of the recipients  
14 are now dead. And I wondered why, of all his friends,  
15 Harvey picked me.

16           As well as being the leader of the Family  
17 Law Bar and one of the major contributing Benchers,  
18 particularly in the area of legal education, Phil Epstein  
19 became my friend in 1962 when we were undergraduates at the  
20 University of Toronto. Sixteen years ago when Phil first  
21 ran for Bencher I wrote a letter of support on his behalf  
22 to the profession. I said the best reason to elect Phil  
23 was for the protection of the public. That way as a  
24 Bencher Phil will be kept away from his practice and have  
25 to turn away cases thereby protecting the public.

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1           The only important fact you must know about  
2 Phil is that he is not funny. If he made you laugh today  
3 -- well, ridiculing me is not difficult and I wrote all his  
4 funny lines. And I have it on good authority that there is  
5 nothing wrong with Phil's arm.

6           Mr. Treasurer, Associate Chief Justice  
7 Morden, Distinguished Benchers, Ladies and Gentlemen, as I  
8 look out at 190 black robes and vests, white shirts and  
9 tabs, and the disbelieving but unequivocally smiling,  
10 delighted faces of all those who are here to bear witness  
11 to this great and important event, I am immediately  
12 reminded of Shakespeare's famous tribute in Henry the VI,  
13 Act IV, Scene II. "The first thing we do, let's kiss all  
14 the lawyers." It is a little know historical fact that  
15 when Shakespeare wrote this famous phrase that his S's had  
16 a large loop and looked like L's. He truly loved lawyers.  
17 I know that he would be very proud of all of you today.

18           Today is the day when we banish all other  
19 thoughts from our minds, except your significant  
20 achievement. Tomorrow your mothers and fathers, brothers  
21 and sisters, husbands and wives, cousins and friends will  
22 treat you exactly the same as they did yesterday. They  
23 will forget what you have become but today, in a few  
24 minutes you will all be barristers and solicitors of the  
25 Law Society of Upper Canada and nobody but nobody can take

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1 that away from you. That ordeal is over!

2 You have already learned that the Bar is not  
3 without its challenges, frustrations and difficulties. Mr.  
4 Justice Felix Frankfurter of the United States Supreme  
5 Court put it insightful. "Lawyers better remember that  
6 they are human beings and that a human being that hasn't  
7 his periods of doubts and distresses and disappointments  
8 must be a cabbage, not a human being."

9 You will wake up tomorrow, as you did  
10 yesterday, and some of you will know the painful truth,  
11 that the volume of legal work tends to reflect the overall  
12 level of economic activity. Periods of slump or boom are  
13 felt as much at the Bar as anywhere else, that go-go years  
14 are often replaced by austerity programs and economic  
15 downturns. Some of you know that today the Bar may not be  
16 as strong nor as prosperous as it has been nor as it will  
17 it be again. It will happen. An article in the New York  
18 Times Magazine recently suggested that America might be  
19 entering a sixties styles economic golden age. See things  
20 as part of a grand continuum, not in a downbeat way but in  
21 an upbeat way. Don't be frustrated by our yesterdays or  
22 even our todays. Never mind that there may be no more  
23 Legal Aid as we knew it. Never mind that you can't seem to  
24 afford your steep due. Never mind that some say there are  
25 too many lawyers. Never mind the uncertain beginnings, the

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1 proposed ill-considered, unrealistic cost cutting in the  
2 civil justice system that is generating once unthinkable  
3 worries about whether the civil system will survive in the  
4 long run.

5 No question there is a challenge, but you  
6 are only 25, 26 years old. There are and will be  
7 opportunities. Nobody gets anything handed to them on a  
8 silver platter. If the effort is there you can make it.  
9 The olden days were not always golden days.

10 I remember when I was called to the Bar in  
11 1970 and just twelve months later I seriously discussed  
12 with my wife Suzy, who is here today, the possibility of  
13 moving back to Niagara Falls my home town. I only  
14 generated \$3,200 in fees that first year. I was convinced  
15 that my only realistic option was to return to Niagara  
16 Falls, give up my dream of becoming a criminal lawyer and  
17 do real estate and run a general practice. Suzie was a  
18 great encouragement to me. She said, "Let's give it one  
19 more year. If it doesn't work you go back to Niagara  
20 Falls." And we are still together and in Toronto.

21 So don't be frustrated, don't be upset and  
22 do not despair. Whatever you feel about the Bar Admission  
23 Course, I felt it too. We all did. Like everything else  
24 it fades into our history.

25 Let's celebrate today. Let's be optimistic

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1 about tomorrow. Tomorrow is a new world. It is different  
2 now. When you were students-at-law it was, "Get me a cup  
3 of coffee." Now you are lawyers. Now it is, "Please get  
4 me a cup of coffee."

5 You probably think that you have at last  
6 finished taking examinations and that you will need not any  
7 longer suffer the torment of being questioned and marked.  
8 Some day you may miss The Bar Admission Course. I know  
9 that's hard to believe but someday you will miss it because  
10 some of you will enter a law office and be responsible to  
11 some associate. Your work will be judged daily. You will  
12 have little time to properly prepare a memorandum. Your  
13 performance will be marked more rigorously than you have  
14 ever been marked before. Trust me when I say that you will  
15 miss the Bar Admission Course. Later, you may become a  
16 senior member of the firm but judges will mark you every  
17 day and will find every crevice in your armour. Even if by  
18 chance you were to become a judge, there are the higher  
19 courts which will tell you that you have erred in the law,  
20 that the case must be retried. And if by some  
21 extraordinary mathematical chance one of you should become  
22 the Chief Justice of Canada, from which there no appeal on  
23 this earth, there are law journals, law reviews, lawyers  
24 and legal columnists who will dissect your decisions and  
25 point out their inconsistencies and contradictions.

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1           And never forget, whether you are a sole  
2 practitioner or a member of a firm, there is always the  
3 client who will peer over your shoulder every step of the  
4 way and demand a reckoning. You will refer to the Bar  
5 Admission Course one day as the "good old days".

6           You may also think that you have finished  
7 your law studies. You have not. Enormous bodies of  
8 statutes keep growing at an alarming rate. Law journals,  
9 law reviews appear daily, hundreds upon hundreds of cases  
10 are released weekly in this great country. No, you have  
11 not finished your law studies. You have barely begun. I  
12 know that you would like to stand here today and have me  
13 give you a final exhortation to go out and do mightily, to  
14 enter the lists of battle. I regret to say that it won't  
15 be happening.

16           One of the most beautiful sights in the  
17 world is that of a law graduate gowned with his or her  
18 diploma in hand. But when I think of the iron and steel of  
19 intellectual combat in the legal profession I am afraid  
20 that your paper diplomas are frail weapons indeed.

21           As Barristers and Solicitors you must have a  
22 sense of dedication to the administration of justice;  
23 demand of yourself the high standards of competence and  
24 dignity; be of incorruptible integrity; never be careless  
25 or reckless of judgment; always have the law in your heart.

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1 It must be the standard and the rule of your conduct. Be  
2 courageous and forthright; always curious and inquisitive;  
3 never be a mouth piece, a hired gun; maintain and defend  
4 all of our constitutional guarantees and rights against all  
5 violations. Your task is to serve at the altar and aid in  
6 the administration of justice, to give succor to the  
7 oppressed and defend the innocent, to be fiercely  
8 individualistic, be one to whom the community can look up  
9 to as a leader and a guide. Remember, nobody can overrule  
10 you except for the judge on the bench. Even then you can  
11 appeal. Being a lawyer is walking the lonely path but do  
12 it with courage and complete integrity of mind.

13 Let me leave the lofty heights and deal with  
14 certain practicalities that I have come to learn as a trial  
15 lawyer with lots of scar tissue. I live by the following  
16 rules. When your opponent calls you "my learned friend" it  
17 means that you are an intolerable jerk. When a judge says  
18 "we would like to thank counsel for his or her able  
19 argument," it means you have lost, primary because of your  
20 abysmal argument. When another lawyer says to you "with  
21 the greatest of respect" it means that lawyer has no  
22 respect for you at all. Only other lawyers' clients get  
23 immunity. The best arguments are delivered before the  
24 worst Court Reporters. I have thought so many of my  
25 arguments were brilliant until I read the transcript.

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1           The public regards lawyers with great  
2           distrust. They think that lawyers are smarter than the  
3           average person but that we use our intelligence deviously.  
4           Well, they are wrong! Usually we are not smarter.

5           I take great pride in being a lawyer. We  
6           are a resourceful lot. I think a lawyer has to have  
7           curiosity, imagination, intellectual discipline, a devotion  
8           to ideas and moral principles, a warm, sympathetic,  
9           merciful and understanding heart above all. Courage,  
10          integrity, steadfastness, an indomitable will to know, the  
11          burning zeal for the ascertainment of truth, a respect for  
12          the integrity of the law, a dispassionate approach to  
13          problems. Look to be a healer, not a promoter of conflict,  
14          if possible. Harmonizers, peacemakers, problem solvers are  
15          essential to this business.

16          One of our responsibilities is the  
17          advancement of freedom. What is freedom? To me, it is a  
18          state of mind. It is a way of life. It is a concept. It  
19          is the individual on the one hand and all the powers of  
20          Government and the State and Society on the other. Freedom  
21          is our most precious treasure. Freedom is the study of a  
22          lifetime. Our Charter of Rights has to be a dynamic,  
23          flexible, ever expanding and growing definition of our  
24          fundamental rights. Like the search for truth the ultimate  
25          in freedom is always just over the horizon just beyond our

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1 grasp. The trick is not to lose it or any part of it but  
2 rather to get as much more of it as we can properly  
3 assimilate.

4           When you take your oath to become barristers  
5 and solicitors the obligation of this office becomes yours.  
6 Your devotion to freedom, to law. Law is the bulwark  
7 against oppression. The law just protect the oppressed,  
8 the poor, the downtrodden. Once you have taken the oath  
9 you may never sit silent if the law denies humanity or the  
10 human dignity of others. A lawyer must rage against  
11 injustice, outrages against what you deem unjust, believe  
12 in freedom, self-fulfillment, raise your voices, your  
13 fists, your consciousness. Never forget the idealism of  
14 why we went to law school and as you grow, balance it with  
15 a commitment to professionalism with the commitment to  
16 social justice. No systems of laws designed by human  
17 beings have ever been perfect. But a government of law is  
18 the supreme manifestation of civilization. The quest for  
19 justice is like the search for truth, it goes on and on  
20 endlessly.

21           I hope that you all have within you that  
22 burning zeal for justice, because it is this dynamic force  
23 that gets people to do things. We all want you to become  
24 successful lawyers, to gain the esteem of your associates  
25 at the Bar, the respect of the judiciary, the confidence of

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1 your clients and the appreciation of the community which  
2 you will serve.

3 Emerson said, "The world belongs to the  
4 energetic." I don't know whether the world does but I am  
5 sure the legal profession does. A successful lawyer has a  
6 burning zeal and enthusiasm for the law. It is this zeal  
7 and enthusiasm that will drive you to extraordinary effort,  
8 that will blind you to the clock. The successful lawyer  
9 will work often all hours of the day and night because it  
10 is not work to you. Nothing is work unless you would  
11 rather be doing something else. The successful lawyer is  
12 one who no matter how simple the task, will be absolutely  
13 prepared. The successful lawyer is one who the judge will  
14 tell you no matter how young the lawyer, has a complete  
15 command of every document, of every fact, of every  
16 proposition of law even in the tiniest case that he or she  
17 tried, that although clumsy and inexperienced there was no  
18 alternative but to give the client judgment.

19 There is a mystic word that will make you a  
20 success and that word which makes all things possible is  
21 "work". Benjamin Franklin once said, "Never was one  
22 glorious who was not also laborious." There is nothing  
23 special about working hard. A lot of people work hard to  
24 better themselves. I do not object to work. In fact, I  
25 like work. It fascinates me. I can sit and look at it for

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1 hours. I love to keep it by me. I hate the idea of  
2 getting rid of it. It has given me continual interest, a  
3 great deal of excitement and above all infinite variety. It  
4 has offered me the melancholy of temporary failure and the  
5 joy of temporary success. I have loved it and I always  
6 shall. Work gives me an incessant, undying tenacity of  
7 purpose. In fact for me, as Noel Coward put it, "Work is  
8 much more fun than fun." Gary Spence, an American trial  
9 lawyer put it this way, "I rise every morning at five and  
10 average a fourteen hour day. I am consumed by all this. So  
11 time counts. By the way, you didn't ask when I will  
12 retire. Don't bother. I will die in court."

13 All of this concern about lawyers working  
14 too hard was addressed by Clarence Darrow in this way: As  
15 a boy hired to clear up Farmer Brown's potato fields,  
16 Clarence said that he "killed bug after bug all that long  
17 morning, and then I took a kerosene can in the general  
18 direction of that army of bugs and ran home, declaring  
19 through tears that I would never do a lick of work again in  
20 my life. And I never have." Work for him was defined as  
21 something one did not like to do. Darrow said, "The law is  
22 work for some law clerks who ought not to be in it. It  
23 isn't work for me, just one fascinating moment after  
24 another." Robert Frost said the object of living is to  
25 unite your avocation and your vocation.

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1           For those who love being a lawyer being told  
2           that you should bill 2,000 hours a year is meaningless. If  
3           you are blessed with the work you will happily do it.

4           To be a success you must always obtain the  
5           trust and confidence of your client. A client who knows  
6           that you have dedicated yourself with every fibre of your  
7           being to his or her cause is likely to put their faith in  
8           you. When your clients come to tell you their troubles  
9           they usually come with great anxiety. Perhaps they have  
10          not slept nights. They will have fashioned in their own  
11          mind a long and careful story of their position, colored by  
12          remote incidents. Their statements are a catharsis by  
13          which they unburden themselves to someone who is patient  
14          and sympathetic. You will do your client a great service  
15          by simply being there and listening patiently.

16          When you tell your client you will do your  
17          best to protect his or her interests, that you ask of them  
18          only that they place their burdens on your shoulders and  
19          free themselves from their self-imposed anxiety and you  
20          receive the reply, "I feel better already," you will be a  
21          successful lawyer. The successful lawyer is one who has  
22          integrity, a scrupulous adherence to ethics and high  
23          principles under stressful circumstances. Remember the law  
24          is not a set of mechanical rules to manipulate for the  
25          interests of your client. A truly great lawyer is a wise

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1 and effective counsellor.

2 Today you are taking oaths to comply with  
3 the highest standards of our honoured calling, and of  
4 course you will be as good as your word and your oath. You  
5 cannot be a successful lawyer unless you practise law in  
6 accordance with the highest principles. Scrupulous ethics  
7 are a practical weapon in your army.

8 You should derive great solace from the fact  
9 that your fate is in your own hands as you climb the  
10 mountain of legal achievement. You will find that the  
11 higher you reach the more room there is on the plateau. The  
12 law may be an overcrowded profession in the lower ascents  
13 but there is unlimited room at the peaks. You can scale  
14 the heights if you but will. How you will react to the  
15 pressures and the strains determines the result.

16 You are extremely fortunate for you are  
17 entering the most exciting and stimulating profession in  
18 the world. It will offer you infinite opportunities for  
19 service and infinite satisfaction of a full life.

20 I hope that you will become an honour to  
21 yourself, be an honour to your profession and your  
22 community.

23 I want to welcome all of you as my  
24 colleagues at the Bar. Thank you.

25 THE TREASURER: Dr. Greenspan, I would like

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1 to say thank you for being the counsel that you are and for  
2 being the friend that you are.

3 ACTING DIRECTOR OF EDUCATION: Treasurer, I  
4 have the greatest pleasure in presenting the following  
5 candidates who have won prizes in the Bar Admission Course.

6 Awarded a share of the Stuart Thom Prize  
7 donated by Osler, Hoskin & Harcourt for the student  
8 attaining the highest grade in Business Law, and the  
9 McCarthy Tetrault Business Law Prize donated by McCarthy  
10 Tetrault for the student attaining the highest grade in  
11 Business Law at Toronto - Brenda Lynne Cowie.

12 Awarded a share of the S.J. Birnbaum, Q.C.  
13 Scholarship Second Prize for the student attaining the  
14 second highest grade in Estate Planning - Ryan Michael  
15 Filson.

16 Awarded a share of the S.J. Birnbaum, Q.C.  
17 Scholarship First Prize for the student attaining the  
18 highest grade in Estate Planning - Danielle Iampietro.

19 Awarded a share of the S. J. Birnbaum Q.C.  
20 Scholarship Third Prize for the student attaining the third  
21 highest grade in Estate Planning - Suzanne Melissa  
22 Kauffman.

23 Awarded a share of the Isadore Levinter  
24 Prize donated by The Advocates' Society for the student  
25 attaining the highest grade in Public Law - Cheryl Ann

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1 Stacey.

2 MS. ANGELES: Treasurer, I present to you  
3 the following candidates for Call to the Bar of Ontario,  
4 and admission to the Degree of Barrister-at-Law: Evelyn  
5 Ackah, George Stephen Alsace, Lainie Michelle Appleby,  
6 Michael Atlas, George Avraam, Darren David Baccus, Deborah  
7 Ross Baird, Peter Raman Balasubramanian, Michele Marie  
8 Ballagh, Bruce Neil Baron, Ian Michael Baskerville, Bruno  
9 Pierre Domenico Battista, Shawn Leslie Beber, James Robert  
10 Beland, Esther Benari-Altman, Gian Paolo Berard, Sanjay  
11 Bhatnagar, Keith Dane Bird, David Bruce Bish, Steven James  
12 Blackburn, Kerry Ann Boniface, Robert Hayes Brent, Leonard  
13 Jason Brody, Fiona Margaret Brown, Andrea Kristine Burck,  
14 Lawrence Haynes Calenti, Peter Panayiotis Carayiannis,  
15 Nancy Cellucci, Martha Louise Chamberlain, Amanda Cecilia  
16 Chester, Sarah Michelle Chesworth, Tak Yan Teresa Cheung,  
17 Joyce Michele Chun, Cynthia Dawn Clarke, Jason J. Cohen,  
18 Lawrence Joseph Condon, Nadine Diane Cote, Brenda Lynne  
19 Cowie, Simon Paul Crawford, Peter Robert Cuff, Pietro  
20 D'Amico, Julie Aviva Dabrusin, Michael Christopher De  
21 Cosimo, Rosario DeFilippis, Chantal Alice Annette Desloges,  
22 Christopher Owen Diana, Denis Gerald Donnelly, Daniela  
23 Chimisso dos Santos, Aimee Michelle Draper.

24 MR. LAMONT: Lisa Marie Dwyer, John  
25 Evangelos Emanoilidis, Alexandra Astrid Eshelman, Alec Ali

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1 Mahadeen Fadel, Robert Howard Feldman, Lars James Fenkell,  
2 Evangeline P. Fernandes, Marnie Cheryl Filderman, Ryan  
3 Michael Filson, Larry Florou, Kevin Andrew Fougere, Shane  
4 Gregory Foulds, Alan Sean Freedman, Tammy Fudem, Mark  
5 William Galvin, Alpana Garg, Peter Douglas Giddens, Lorella  
6 Giliberti, Jennifer Ann Goldman, Eric Daniel Goldsiver,  
7 Peter Govas, Angela Therese Grant-Lee, Bram Jeffrey Green,  
8 Ramandeep Garth Grewal, Irene Ying Ho, Sean Peter Horgan,  
9 Michael Franc Horvat, Larissa Lee Hretchka, Deanna Lee  
10 Hucklack, Alison Marie Marthe Hurst, Danielle Iampietro,  
11 Najma Jamaldin, Sheryl Louise Johnson, Colin Bruce  
12 Johnston.

13 MR. MACKENZIE: Elizabeth Amber Jordan, Mark  
14 Anthony Joseph, Efsthathia-Eva Katsis, Jodi Katz, Suzanne  
15 Melissa Kauffman, Robert Lorne Kleinman, Grace Kersasp  
16 Knakowski, Donata Maxine Konigsberg, Richard Koo, Bryce  
17 Allan Kracker, Robert Krizman, Phillip Jason Kroft, Jordan  
18 Michael Kupinsky, Daniel Jason Kuzmarov, Ricci S. H. Kwan,  
19 Christopher William Langdon, Nora Seco (phonet.) Lapp,  
20 Robert Andrew Leck, Carol Chung Yee Lee, Mun-Yong Hannah  
21 Lee, Roland Lee, Walter Christian Lehman, Andrew Stuart  
22 Levin, Sonya Jane Lewis, Douglas William Keir Lonsbrough,  
23 Pollyanna Joy Lord, Sean Douglas Love, Carrie Ann McArthur  
24 Low, Pantea Mahim, John Craig Manuel, Jan Marsalek,  
25 Giuseppe Martino, Yaron Marzel, Katherine Patricia

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1 Matthews, Susan Meisels, Linda Elizabeth Misetich, Lisa  
2 Elizabeth Moreau, Sherrie Diane Moss, Mitchell Ian Mostyn,  
3 James William Murdoch, Zak Ari Muscovitch, Daniel Musso.  
4 Andrea Lisa Naccarato, Kirsten Erin Sherwood Nicolson,  
5 Sandra Nissan.

6 MR. SWAYE: Treasurer, my student, now my  
7 associate, Adrian Richard Nurse, Kevin Albert O'Neil, Paul  
8 Stephen O'Ryan, Vincent Damien Paul, Jeffrey Edward George  
9 Pentland, Michael Douglas Perry, Harilaos Polizos, Joanne  
10 Marie Prince, Franceso Puchiele, Ruth Roberts, Stacey Frank  
11 Robertson, Diana Angela Romano-Reid, Pasquale Mike Rotondo.  
12 Panagiota Rounis, Adwowa Nyame Rouse, Jennifer Elyse Sacks,  
13 Tiina Katriina Salo, Stephen Schmidt, William Anthony  
14 Schnurr, Michelle Malka Sharetski, Rajiv Sharma, Nadeem  
15 Ahmad Siddiq, Anne Simitisis, David Walter Simpson, Adam  
16 Laibe Slater, Shawna Michelle Sosnovich, Peter Andrew  
17 Stabins, Cheryl Anne Stacey, Geoffrey Sean Stewart Stevens,  
18 Krystyna Marie Storr, Emilija Sutlic, Maureen Suet Yee Tai,  
19 Carol Tan Smith, Shaul Yisroel Tarek, Susan Valarie Thomas,  
20 Katherine Emily Thompson, Thomas Ronald Tower, Konstantinos  
21 Triantafillopoulos, Vingar Tsui, Rachel Judith Urman.  
22 Joseph Stephen George Vaz, Veena Verma, Walter  
23 Wagnleithner, Gillian Rael Weintraub.

24 Treasurer, my nephew, Eric Owen Weisz.

25 Karen Louise Williams, Matthew George

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1 Williams, David Ten Sang Wong, Jennifer Woo, Karen Megumi  
2 Yamamoto, Fariborz Zahrai, Rene Zanin, Corina Oana  
3 Zatreanu, Felicia Yael Zeidman, Farhana Rasheed Zuberi,  
4 Howard Joel Burshtein, Alan Stuart Drimer, Helen Michas,  
5 Solomon Sonnenschein.

6 Will the candidates please rise.

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

14 THE TREASURER: By virtue of the authority  
15 vested in me by Convocation, and pursuant to the Statutes  
16 in that behalf, I bestow upon each of you the Degree of  
17 Barrister-of-Law and call each of you to the Bar at the  
18 Province of Ontario. Congratulations. Thank you.

19 Please be seated. We have today with us  
20 Jimmy Dick, who is a Cree, from Moose-Cree on James Bay. He  
21 will perform a Cree Honour Song written by him using the  
22 "Eagle Heart Drum".

23 JIMMY DICK: I wanted to explain about the  
24 singing style of the beating of this drum. The singing  
25 style has been with us as the original form of

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1 communication. When we are born, when we are brought  
2 into this world we would sing. We couldn't communicate in  
3 the language of your parents. We have to sing in a certain  
4 way if you are hungry, you're tired, et cetera. This drum  
5 is the heartbeat of the people and voice of creation, and  
6 this drum represents a spirit. When we hit this drum we  
7 give it life, the same way your heart operates. It gives  
8 you life when it starts beating in your body. Anyway, I  
9 put together a song and I played it last time in Ottawa but  
10 I want to change it up today. I want to sing the Honour  
11 Song, a couple of versions of it, and then a Victory Song  
12 for the occasion, to sing appropriately. Anyways, here it  
13 goes.

14 ---Honour Song

15 ---Victory Song

16 THE TREASURER: Thank you, Mr. Dick.

17 We have heard much about our candidates  
18 today, and well we should. It is their day but it is also  
19 a celebration for you who loved and supported the  
20 candidates over the last years. So my new brothers and  
21 sisters at the Bar I would ask you to rise and turn and  
22 give a round of applause that you appreciate what they have  
23 done.

24 Today on behalf of the 28,500 lawyers of  
25 Ontario, who will by the end of tomorrow be 29,300, I

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1 welcome you to the Law Society of Upper Canada and the  
2 profession of law. And to your families, spouses,  
3 significant others and friends, without whose steady  
4 encouragement and support you could not have arrived at  
5 this place in your lives, I offer the Society's enormous  
6 gratitude.

7           It has been a long time coming today and you  
8 have been put to a severe test. You have persevered, you  
9 have survived the test and you ought to be very proud of  
10 your accomplishments.

11           You may ask, what does the future hold? And  
12 my answer is that you have arrived in the profession at the  
13 very best of times. I say this without equivocation and am  
14 aware that some others are of a contrary view. I assure  
15 you that our profession has never been stronger and your  
16 prospects particularly never more abundant. The reason is  
17 that you are better educated, smarter and more  
18 technologically proficient than most of us who have  
19 preceded you into the profession. Your talents, your gifts  
20 will lead us into in the new millennium. This is so not  
21 merely because you possession exuberance and the passion to  
22 accomplish the task but also because you come equipped with  
23 the best legal education ever provided in this province or  
24 anywhere else in the world. You are perfectly positioned  
25 to respond easily and well to the technological

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1 transformation of the legal practice which is upon us.

2 So the simple message that I give to you  
3 today is this - value and preserve for as long as you can  
4 the spirit, the energy, the commitment and enthusiasm that  
5 is so evident in this room. I also ask you to remember  
6 that the law is not a job. It is obviously more than just  
7 a mastering of procedure. It is a noble and learned and  
8 honourable profession and it is a privilege to practice law  
9 and it is a privilege that you should always cherish. And  
10 just as the Law Society governs the profession in the  
11 public interest so, too, you must conduct yourself in the  
12 public interest by recognizing that you serve the  
13 administration of justice in Ontario and in Canada.

14 So whatever your goals are, whatever your  
15 aspirations, abide your commitment to serve your clients  
16 and to serve the public with honesty and with integrity and  
17 with honour, and if you abide your commitment you will do  
18 honour to yourselves, you will do honour to your families,  
19 and you will do honour to this noble profession. I offer  
20 you congratulations. I wish every day for you as if it  
21 were today.

22 Convocation stands adjourned.

23 THE REGISTRAR: Order, all rise. This  
24 special sitting of the Court of Appeal of Ontario and the  
25 Ontario Court of Justice (General Division) is now

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1 convened. God save the Queen.

2 Will the candidates please remain standing  
3 and all others be seated.

4 CHAIR OF ADMISSIONS AND EQUITY COMMITTEE:

5 Your Honour, Associate Chief Justice, on behalf of the  
6 Treasurer and Benchers of the Law Society of Upper Canada,  
7 I have the honour to present the candidates whose names are  
8 before you. These candidates have complied with the rules  
9 of the Law Society and have been Called to the Bar in  
10 Convocation today. I would ask that they be allowed to  
11 take the usual Oaths.

12 THE REGISTRAR: Shall I proceed to  
13 administer the Oaths, Your Honour, Associate Chief Justice?

14 ASSOCIATE CHIEF JUSTICE MORDEN: Yes,  
15 please.

16 THE REGISTRAR: I am about to administer the  
17 Oath of Allegiance, the Barristers Oath and the Solicitors  
18 Oath. At the end of each oath I will say the words "So  
19 help you God." You will then respond as follows. Any of  
20 you who object to being sworn may make an affirmation that  
21 is of the same force and effect as if you had sworn to the  
22 Oaths. At the conclusion of each Oath you will say the  
23 words "I do affirm." Those who are being sworn will, at  
24 the conclusion of each Oath, say the words "So help me  
25 God." The Oath of Allegiance is to be taken by those of

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1 you who wish to be sworn to that Oath.

2 The Oath of Allegiance will now be taken by  
3 those candidates who wish to be sworn to that Oath.

4 You do swear that you will be faithful and  
5 bear true allegiance to Her Majesty Queen Elizabeth the  
6 Second, Her heirs and successors according to law, so help  
7 you God. And now we say together.

8 --- Oath of Allegiance

9 THE REGISTRAR: We'll continue with the  
10 Barristers Oath.

11 You are called to the Degree of  
12 Barrister-at-Law to protect and defend the rights and  
13 interests of such citizens as may employ you. You shall  
14 conduct all cases faithfully and to the best of your  
15 ability. You shall neglect no one's interest nor seek to  
16 destroy anyone's property. You shall not be guilty of  
17 champerty or maintenance. You shall not refuse causes of  
18 complaint reasonably founded nor shall you promote suits  
19 upon frivolous pretences. You shall not pervert the law to  
20 favour or prejudice anyone, but in all things shall conduct  
21 yourself truly and with integrity. In fine, the Queen's  
22 interest and the interest of citizens you shall uphold and  
23 maintain according to the Constitution and law of this  
24 province. All of you swear to observe and perform to the  
25 best of your knowledge and ability, so help you God. And

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1 now we say together.

2 --- Barristers Oath.

3 THE REGISTRAR: Now for the Solicitor's  
4 Oath.

5 You also do sincerely promise and swear that  
6 you will truly and honestly conduct yourself in the  
7 practice of a solicitor according to the best of your  
8 knowledge and ability. So help you god. And now we say  
9 together.

10 --- Solicitors Oath.

11 THE REGISTRAR: You may now be seated.

12 ASSOCIATE CHIEF JUSTICE MORDEN:

13 I have no doubt that as far as you are  
14 concerned the most important feature of the remarks that I  
15 will make now that you are hoping for will be their  
16 shortness. I can assure you I will oblige you. They will  
17 be very short indeed.

18 This right of passage marks your entry into  
19 a learned profession, a profession that enjoys many  
20 privileges and challenges as well as responsibilities and  
21 obligations. Your real education has been concerned with  
22 training you in confronting problems and to seek out all of  
23 the possible solutions and then armed with the full  
24 knowledge of all of the alternatives to choose the course  
25 of action. It is a process that demands a sound knowledge

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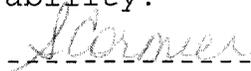
1 of the law; that is, an insightful prediction of what the  
2 court will do in fact and also insight in the many matters  
3 outside of the law such as human nature, economic processes  
4 and the like coupled with common sense and good judgment.

5 All of us who have been fortunate enough to  
6 have acquired a legal education should appreciate our  
7 general obligation to Society. In a very important sense  
8 you hold your knowledge and skills in trust for the benefit  
9 of others. You must always remember that the advice you  
10 give and the courses of action you take may have a profound  
11 effect on the future quality of the lives of your fellow  
12 citizens and on Society's betterment. I wish you well as  
13 you face these challenges in the years that lie a head.

14 Registrar, would you please close the court.

15 THE REGISTRAR: The court will all rise.  
16 This sitting of this court is now concluded. God save the  
17 Queen.

18  
19 I hereby certify the foregoing to be  
20 a true and accurate computer-aided  
21 transcription of my shorthand notes  
22 taken to the best of my skill and  
23 ability.

24 -----

25 *per:* M. J. Corcoran, C.S.R.

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