

MINUTES OF SPECIAL CONVOCATION

London – Monday, 19th July, 2004
2:30 p.m.

Prior to Convocation, the Treasurer and benchers held a reception and luncheon for their guests at the London Convention Centre.

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Following the luncheon, the Treasurer, benchers and their guests proceeded to the auditorium for the Call to the Bar ceremonies of the 81 graduates of the Bar Admission Course and one academic.

CONVOCATION WAS CALLED TO ORDER AT 2:30 P.M.

A quorum of Convocation was present.

The body of the auditorium was occupied by the candidates and their guests.

The Treasurer asked all present to stand for the National Anthem sung by Denise Pelley.

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CONFERRING OF AN HONORARY DEGREE

Mr. James Caskey, a representative of the Professional Development, Competence and Admissions Committee introduced the Doctoral candidate Professor Nathalie Des Rosiers, LL.B. (Montreal), LL.M. (Harvard), LSM and read the following citation:

“Treasurer, may I present to you and this Convocation Nathalie Des Rosiers, LL.B., LL.M., LSM and request that you confer upon her the degree of Doctor of Laws *honoris causa*.

Nathalie Des Rosiers has dedicated her professional career to the promotion of access to justice by advocating for minorities - often in non-adversarial and non-traditional ways.

As a professor of law she has served as a role model and mentor for many of those who form the future of the legal profession. In doing so, she has instilled in them a dedication to the commitment of justice for all.

As a leading proponent of French linguistic rights in the Franco-Ontario community, Nathalie Des Rosiers has held the office of President of AJEFO and in 1999 appeared as counsel in the Supreme Court of Canada in a seminal case dealing with linguistic rights under the Criminal code.

As the current President of the Law Commission of Canada, she works tirelessly to fulfill the agency’s commitment “to engage Canadians in the renewal of the law to ensure that it is relevant, responsive, effective, and equally accessible to all, and just.”

Nathalie Des Rosiers is deserving of the highest honour this Society can give and I request you, Sir, to confer upon her the degree of Doctor of Laws, *honoris causa*.”

The Treasurer admitted Professor Des Rosiers to the degree of Doctor of Laws, *honoris causa*.

Professor Des Rosiers then addressed the candidates and their guests.

“Mr. Treasurer, distinguished guests, Ontario’s newest lawyers, dear friends and colleagues.

I first want to thank the Law Society of Upper Canada for the honor that I receive today. I accept this honorary degree with humility and with the desire to continue through my work to be a worthy recipient of it.

I have entitled my remarks Pride, Passion and Privilege to convey the good wishes that I have for you on this occasion.

Pride

Today is a day of pride for you and for your loved ones, the ones who have helped you along the way and are here to celebrate your accomplishments. You are proud today and you should be.

I want to wish for you to continue to be proud, proud of yourself and proud of being a lawyer and to belong to the Law Society of Upper Canada that you join today.

First to be proud of yourself. Life as a lawyer is full of challenges and will probably be more so. You will encounter no doubt some difficulties. I thought I would share with what a very wise friend of mine told me as I became President of the Law Commission. “Don’t worry, he said - you will probably make ten mistakes a week - seven of them you will be the only one to notice, two of them will be known but insignificant and one, if you are lucky, it can be corrected, and if you are not, well...” I also found out that one also makes about ten good decisions a week - seven of them only apparent to one’s self, two often noted but completely insignificant and one that on occasions will be noted and maybe will matter. In my case, I worried a lot at the beginning that I had the numbers wrong that it seemed that it was more 15 mistakes to five. I just tried to work on my average for the rest of my term. I also found that what was important was to reflect on the mistakes, mostly the ones no one noticed. This self-evaluation, this commitment to self-reflection is essential because you will soon be in a position where you will have a certain professional autonomy, where your word will be listened to, where you will have some power over others, assistants, clients, colleagues, and even large communities.

So I wish you to be proud of what you do and how you do it, proud of the way in which you are ready to answer for the power that you have. And I wish you to be proud to be a lawyer and to belong to the Law Society.

And I particularly wish for you to work for change if you are not or no longer proud of your work or of your profession. You won’t be able to win all your battles but you must aim to belong to a profession that works tirelessly to respond to the needs of justice of the citizenry and not be afraid to work for this goal. The needs of justice of our citizens are numerous.

Through my work at the Law Commission, I have had occasions to travel across the country to listen to citizens expressing their wish for law reform, and detailing some of the problems of our justice system.

The reflex to law to solve complex societal problems is one that most modern societies have. They wish for law to protect them from arbitrariness, from exploitation or unfairness. But law does not always deliver. At times, it does not help ensure accountability or fairness but rather masks abuses of power, sometimes excuses them or justifies them.

Do not tolerate the gap between law and justice.

Citizens are critical of law and of the justice system, but their aspirations for justice are profound. A complex, slow and hierarchical system does not always serve their needs. Even the relationship between lawyers and clients may have to change and adapt to different expectations. Neil Nevitte describes our society as one in decline of deference. Citizens want more participation in decision-making that affects them, whether it be from judges, doctors or lawyers. A more democratic, participatory and respectful relationship between lawyer and client will have to be developed. The relationship that you have with your clients should be a model for them to use in their lives.

Consulting a lawyer, referring one's problem to the justice system should be an empowerment and a way to participate in our democracy. Make sure that it is.

There is no doubt that the demand on lawyers and on the profession will be immense and that new challenges will emerge. The profession will have to adapt to serving new needs and new problems. Justice in Canada very much needs you, your talents and your energy.

That is why you will need Passion.

Passion

There is a very nice song by a Québec artist, Linda Lemay, that asks for her daughter: "Give her passion, give her what it takes that when everything feels worthless, something that stays true, give her this flicker that never dies".

I wish you this flicker - this hope for justice that never dies - that will push you to continue even when life, the career and even the law feel unworthy.

Because it is a real privilege to be able to contribute so much. It is a real privilege offered to very few in our society to be able to give to the full measure of one's talents.

Privilege

The legal profession is extraordinary in this regard: it allows you to fulfill yourself in so many ways. It leads everywhere my father told me, who is here today, even to an honorary doctorate.

Many of your talents will be used: you can be challenged in developing business acumen, and you must also develop your capacity to listen to others. You can write, you can mediate, you can argue, you can be an activist, and adjudicator, a teacher, a researcher. You can help individuals, and also participate in reflections on the major issues facing our entire society. There is so much to do, at all levels: mediating disputes, drafting agreements, negotiating deals for communities, advocating for the disabled or for minorities, lobbying for better policies, drafting good articles, explaining law to citizens, listening to people in turmoil, talking to employers, asking questions of police officers, and one day drafting complex and hopefully not too long appellate decisions.

You will do it all and more. Because there will be new ways of thinking about and of doing justice and you will have to pursue and constantly renew the project of wanting and upholding a law that is just.

You are privileged because you can give so much - you have the possibility to contribute with all that you have and all that you will have. Do not forget this privilege. Use it well. Remember that the legal profession is an altruistic profession, one that is there to serve others, the client, and society.

So I wish you Pride, I wish Passion and I wish you to recognize the special privilege that you have to be able to serve your fellow citizens so they can fulfill their aspirations for justice. I wish you well. Thank you."

PRESENTATION OF PRIZES

Ms. Diana Miles, Director, Professional Development and Competence introduced the prizewinners to the Treasurer.

The Treasurer presented the following prizes to the respective recipients.

Awarded a share of the William Belmont Common, Q.C. Prize; a share of The Herbert Egerton Harris Advocacy Scholarship (second highest grade); and a share of the E. J. McGrath Prize

Conrad Druzeta

Awarded a share of The William Belmont Common, Q.C. Prize, and a share of The E. J. McGrath Prize

Robert Michael Kitto

Awarded a share of The McCarthy Tétrault Business Law Prize (London)

*Shawn Laurie Graham
Valerie Birgitte Irie*

CALL TO THE BAR

Ms. Carpenter-Gunn, Ms. Judith Potter, Ms. Heather Ross and Mr. Gerald Swaye presented to the Treasurer 82 candidates for the Call to the Bar as follows:

BAR ADMISSION COURSE

82 CANDIDATES FOR CALL TO THE BAR

(Enclosed in Convocation file is a list of the candidates for Call to the Bar)

The Treasurer conferred upon the candidates the degree of Barrister-at-law and called them to the Bar of Ontario.

CONVOCATION ADJOURNED

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Following Convocation a Special Sitting of the Court of Appeal for Ontario and the Superior Court of Justice convened with The Honourable Madam Justice Lynne Leitch, Regional Senior Judge, South West Region, Superior Court of Justice, presiding.

The candidates were presented to Justice Leitch before whom they took the Oath of Allegiance, the Barristers Oath and the Solicitors Oath and acknowledged their signatures on the Rolls in the presence of the Court.

Justice Leitch then addressed the new Barristers and Solicitors.

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At the conclusion of the formal proceedings the new Barristers and their guests were entertained by the Treasurer and benchers at a reception in the Ballroom Foyer of the London Convention Centre.

Confirmed in Convocation this 23rd day of September, 2004

Treasurer