

THE LAW SOCIETY OF UPPER CANADA

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON NOVEMBER 28, 2014

MOVED BY:

SECONDED BY:

THAT Convocation approve the consent agenda set out at Tab 1 of the Convocation Materials.

DRAFT

MINUTES OF CONVOCATION

Thursday, 30th October, 2014
9:00 a.m.

PRESENT:

The Treasurer (Janet E. Minor), Anand, Armstrong (by telephone), Backhouse, Banack, Boyd, Braithwaite, Bredt, Burd (by telephone), Callaghan, Campion (by telephone), Corsetti, Dickson, Doyle, Earnshaw, Elliott, Epstein, Eustace (by telephone), Evans, Falconer, Festeryga (by telephone), Ferrier, Finkelstein (by telephone), Furlong, Go, Gold (by telephone), Goldblatt, Gottlieb, Haigh, Hare, Hartman, Horvat, Krishna, Lawrie, Leiper, Lem, Lerner, Lippa, MacKenzie (by telephone), MacLean, Manes (by telephone), Marmur, McGrath, Mercer, Murchie, Murray, Potter (by telephone), Pustina, Rabinovitch, Richardson (by telephone), Richer, Ross, Rothstein, Ruby (by telephone), Scarfone, Schabas, Silverstein, C. Strosberg, H. Strosberg, Sullivan, Swaye, Symes, Wardle and Wright (by telephone).

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Secretary: James Varro

The Reporter was sworn.

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IN PUBLIC

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TREASURER'S REMARKS

The Treasurer congratulated bencher Alan D. Gold on being honoured as a past president of the Criminal Lawyers' Association at a gala dinner last evening.

The Treasurer congratulated bencher Malcolm Mercer who was recognized as one of the Top 25 Most Influential Lawyers in 2014 by Canadian Lawyer Magazine for his leadership and work on Alternative Business Structures.

The Treasurer congratulated bencher Paul Schabas on receiving a Zenith Award for his work in defamation and media.

The Treasurer congratulated bencher Robert Burd on receiving the first ever Ontario Paralegal Association Lifetime Achievement Award, acknowledging his contribution to the paralegal profession.

The Treasurer updated Convocation on her activities and outreach initiatives during the past month.

The Treasurer updated Convocation on the TAG initiative, including an upcoming event of the Ministry of the Attorney General on November 18, 2014.

The Treasurer reminded benchers of the special Remembrance Day service on November 10, 2014 which will include a call to the bar of students who died in military service in World War I and who were never called.

The Treasurer announced the launch of the 2015 Bencher Election this past week.

The Treasurer announced the opening of nominations for the Law Society Awards in the upcoming week.

The Treasurer informed Convocation that the following would be luncheon guests today:

- Michelle H. Hollins, Q.C., newly elected President of the Canadian Bar Association
- Orlando Da Silva, President of the Ontario Bar Association
- Betsy Hall, Director of Policy and Public Affairs for the Ontario Bar Association.

MOTION – CONSENT AGENDA

It was moved by Ms. Leiper, seconded by Mr. Bredt, that Convocation approve the consent agenda set out at Tab 1 of the Convocation Materials.

Carried

DRAFT MINUTES OF CONVOCATION – Tab 1.1

The draft minutes of Convocation of September 24, 2014 were confirmed.

REPORT OF THE DIRECTOR OF PROFESSIONAL DEVELOPMENT AND COMPETENCE – Tab 1.2

THAT the Report of the Director of Professional Development and Competence listing the names of the call to the bar candidates be adopted.

Carried

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AUDIT & FINANCE COMMITTEE REPORT

Mr. Wardle and Mr. Bredt presented the Report.

Re: 2015 LibraryCo Inc. Budget

It was moved by Mr. Wardle, seconded by Ms. Doyle, that Convocation approve the LibraryCo Inc. budget for 2015 incorporating Law Society funding of \$7.7 million or \$202 per lawyer.

Carried

Re: 2015 Law Society Budget

It was moved by Mr. Wardle, seconded by Ms. Doyle, that Convocation approve the Law Society's 2015 Budget including the following annual fee amounts:

For lawyers:

General Fee	\$1,370
Compensation Fund	\$225
LibraryCo	\$202
Capital	\$69
<hr/> Total	<hr/> \$1,866

For paralegals:

General Fee	\$804
Compensation Fund	\$123
Capital	\$69
<hr/> Total	<hr/> \$996

Carried

Re: Treasurer Expense Reimbursement Policy

It was moved by Mr. Bredt, seconded by Mr. Wardle, that Convocation approve the new Treasurer Expense Reimbursement Policy as set out in the Report.

Carried

PROFESSIONAL REGULATION COMMITTEE REPORT

Mr. Mercer presented the Report.

Re: Amendment to the Policy on Law Society Investigations of Benchers, Employees and Adjudicators

It was moved by Mr. Mercer, seconded by Ms. Richer, that Convocation amend the policy on Law Society Investigations of Benchers, Employees, and Licensee Adjudicators, as set out at Tab 3.1.1 of the Report.

Carried

Re: Reporting Criminal or Illegal Activity to Law Enforcement and Other Regulators

Mr. Mercer presented the report on Reporting Criminal or Illegal Activity to Law Enforcement and other Regulators, for information.

For Information

- Reporting to Law Enforcement and other Regulators
- Licensee Survey

LEGAL AID ONTARIO FUNDING ANNOUNCEMENT

Ms. McGrath briefed Convocation on the announcement made by the Attorney General of Ontario this morning on details of Legal Aid Ontario funding approved in the last provincial budget.

PRIORITY PLANNING COMMITTEE REPORT

Ms. McGrath presented the Report.

Re: Approval of Amendment to LAWPRO By-Laws

It was moved by Ms. McGrath, seconded by Mr. Silverstein, that Convocation authorize the Treasurer to sign LAWPRO's shareholder's resolution to approve By-Law #21, reproduced at Tab 4.2 of the report, which will have the effect of making the Law Society the sole shareholder of LAWPRO.

Carried

TRIBUNAL COMMITTEE REPORT

Mr. Anand presented the Report.

Re: Proposed Appeal Rule 17 (Summary Orders)

It was moved by Mr. Anand, seconded by Ms. Leiper, that Convocation approve proposed new Rule 17 and Form 17A of the Law Society Tribunal Appeal Division Rules of Practice and Procedure as set out in the motion at Tab 5.1.1 of the Report.

Carried

Re: Amendment to Subrule 29.07(1) of the Hearing Division Rules of Practice and Procedure

It was moved by Mr. Anand, seconded by Ms. Leiper, that Convocation approve the amendment to English subrule 29.07(1) of the Law Society Tribunal Hearing Division Rules of Practice and Procedure set out at Tab 5.2.1 of the Report.

Carried

LAW SOCIETY HUMAN RIGHTS AWARD RECIPIENT

The Treasurer announced that The Honourable Irwin Cotler will be the recipient of the inaugural Law Society Human Rights Award, to be presented at a ceremony at the Law Society on February 12, 2015.

EQUITY AND ABORIGINAL ISSUES COMMITTEE/COMITÉ SUR L'ÉQUITÉ ET LES AFFAIRES AUTOCHTONES REPORT

Mr. Schabas presented the Report.

Re: Human Rights Monitoring Group Requests for Interventions

It was moved by Mr. Schabas, seconded by Ms. Symes, that Convocation approve the letters and public statements in the following cases:

- a) Lawyer Yara Sallam – Egypt – set out at Tab 6.2.1.
- b) Lawyer N. Surendran – Malaysia – set out at Tab 6.2.2.
- c) Lawyer Gustaf Kawer – Indonesia – set out at Tab 6.2.3.

Carried

Mr. Lerner abstained.

For Information

- Public Education Equality and Rule of Law Series Calendar 2014 - 2015

JOINT REPORT OF THE ACCESS TO JUSTICE AND EQUITY AND ABORIGINAL ISSUES COMMITTEES

Ms. Hare presented the Report.

Re: Setting the Platform: A Vision for the Renewal of the Aboriginal Initiatives Strategy

Ms. Hare presented the report for information.

EQUITY AND ABORIGINAL ISSUES COMMITTEE/COMITÉ SUR L'ÉQUITÉ ET LES
AFFAIRES AUTOCHTONES REPORT

Ms. Leiper and Mr. Anand presented the Report.

Re: Challenges Faced by Racialized Licensees Request to Consult

It was moved by Ms. Leiper, seconded by Mr. Anand, that Convocation approve the consultation proposed by the Challenges Faced by Racialized Licensees Working Group set out in the Report.

Carried

THE EVOLUTION OF LEGAL INFORMATION AND LIBRARY SERVICES IN ONTARIO

The Treasurer spoke to the report for information, outlined the next steps in the transition to a new structure and thanked the members of the Legal Information and Support Services Working Group for their work on this initiative.

MOTION

It was moved by Mr. Strosberg, seconded by Ms. Backhouse, that Convocation direct the Law Society administration not to make any decision about moving discipline hearings to a location outside of Osgoode Hall until Convocation has had an opportunity to debate the matter.

Not Put

The Treasurer ruled Mr. Strosberg's motion out of order.

Following an appeal of the Treasurer's ruling, a debate on the appeal was conducted.

Convocation voted to uphold the Treasurer's ruling.

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REPORTS FOR INFORMATION ONLY

JOINT REPORT OF THE ACCESS TO JUSTICE COMMITTEE AND EQUITY AND
ABORIGINAL ISSUES COMMITTEE

- Proposed Vision for the Law Society's Renewal of its Aboriginal Initiatives Strategy

THE EVOLUTION OF LEGAL INFORMATION AND LIBRARY SERVICES IN ONTARIO

CONVOCATION ROSE AT 12:40 P.M.

DRAFT

MINUTES OF CONVOCATION

Tuesday, 11th November, 2014
12:45 p.m.

PRESENT:

The Treasurer (Janet E. Minor), Anand, Backhouse, Boyd, Bredt, Callaghan, Campion (by telephone), Corsetti, Doyle, Earnshaw, Falconer, Gold (by telephone), Goldblatt, Krishna, Lawrie, Leiper, Lerner (by telephone), McDowell, McGrath, Mercer, Murchie, Porter, Potter, Richer, Rothstein, Sheff (by telephone), Silverstein (by telephone), C. Strosberg, Symes (by telephone) and Yachetti (by telephone).

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Secretary: James Varro

The Reporter was sworn.

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IN PUBLIC

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TREASURER'S REMARKS

The Treasurer welcomed benchers to the special Convocation for the purpose of the LibraryCo Inc. Board appointments.

MOTION – LIBRARYCO INC. BOARD

It was moved by Mr. Anand, seconded by Ms. Strosberg, that:

E. Susan Elliott and W. A. Derry Millar be appointed to the LibraryCo Inc. Board of Directors for the remainder of the term ending December 31, 2014 to replace James Scarfone and Alan Silverstein.

Ross F. Earnshaw, E. Susan Elliott, Jacqueline Horvat and W. A. Derry Millar be appointed to the LibraryCo Inc. Board of Directors for a one year term commencing December 31, 2014.

Carried

Mr. Earnshaw abstained.

CONVOCATION ROSE AT 1:00 P.M.

THE LAW SOCIETY OF UPPER CANADA

MOTION TO BE MOVED AT CONVOCAATION ON NOVEMBER 28, 2014

MOVED BY:

SECONDED BY:

THAT Vern Krishna be appointed to the Hearing Division of the Law Society Tribunal for a term ending May 28, 2015.

THAT Ross Earnshaw be appointed to the Law Foundation of Ontario Board of Trustees effective December 31, 2014 to replace Mark Sandler.

That Catherine Strosberg be appointed to the Paralegal Standing Committee to replace Dow Marmur.

THAT Virginia MacLean be appointed to the committee of benchers established under section 37 of By-Law 7 [Business Entities].*

THAT Cathy Corsetti, Seymour Epstein, Virginia MacLean, Susan McGrath and Susan Richer be appointed to the committee of benchers established under section 6 of By-Law 10 [Unclaimed Trust Funds] and the committee of benchers established under subsection 5(5) of By-Law 14 [Foreign Legal Consultants].*

*Explanatory note:

The By-Law 7 committee of benchers considers applications for review and appeals made under the By-Law with respect to business structures in circumstances where certain Law Society approvals are required and the Law Society's approval is not granted. The By-Law 10 committee of benchers deals with review of denial of claims to the Law Society's fund for unclaimed trust funds. The By-Law 14 committee of benchers deals with denials of applications for a foreign legal consultant.

Tab 1.3

To the Benchers of the Law Society of Upper Canada Assembled in Convocation

The Executive Director of Professional Development and Competence reports as follows:

CALL TO THE BAR AND CERTIFICATE OF FITNESS

Licensing Process and Transfer from another Province – By-Law 4

Attached is a list of candidates who have successfully completed the Licensing Process and have met the requirements in accordance with section 9.

All candidates now apply to be called to the bar and to be granted a Certificate of Fitness on Friday, November 28th, 2014

ALL OF WHICH is respectfully submitted

DATED this 28th day of November, 2014

CANDIDATES FOR CALL TO THE BAR
November 28th, 2014

Transfer from another province (Mobility)

Zoran Bozic
Zachary Mann Davis
Sukhjit Kaur Dhillon Alberga
Harinder Singh Grewal
Sarah Margaret Harvey
Nicole Marie Hurley
David Thomas Neave
Paul Francis Sampson

L3

Stéphane Joseph Philippe Hould

Licensing Process

Satinder Singh Brar

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