



Tab 7

Report to Convocation

Governance Task Force 2016

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Purpose of Report: Information

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COMMITTEE PROCESS

1. The Governance Task Force 2016 has held four meetings to date and is currently considering a number of discrete governance issues previously identified by the Governance Issues Working Group of the Priority Planning Committee and issues referred from certain standing committee deliberations.
2. This information report, which follows a report to February 23, 2017 Convocation, includes updates on a number of issues.

FOR INFORMATION

GOVERNANCE TASK FORCE 2016 UPDATE

Introduction and Background

3. This report provides an update regarding the work of the Governance Task Force 2016 (Task Force).
4. In accordance with its Terms of Reference, the Task Force has been reviewing the Law Society's governance, including practical process issues and governance structure issues.
5. In November 2016, Janet Leiper, the Chair of the Task Force, provided an oral update to Convocation. She noted that the Task Force had developed a preliminary work plan in order to focus on two broad categories of issues:
 - a. practical process issues that may require policy or by-law change, that should be addressed in the shorter term; and
 - b. reviewing how Convocation, the Treasurer's Office and Committees are constituted and do their work, the potential for election reform, the name of and nomenclature used by the Law Society and other broader governance initiatives.This report was followed by a written report to the February 23, 2017 Convocation, referred to below.

Task Force Developments

6. Since the February 2017 update, the Task Force has continued to advance its concurrent work on shorter term and longer term issues.

Current Issues

7. With respect to the shorter term practical process issues, the Task Force is currently developing the following initiatives:
 - a. Election Reforms
 - i. A single bench election date: As reported to Convocation in February 2017, the Task Force is proposing that the bench election be changed so there is a single election date for the lawyer and paralegal elections, with the first single election proposed to be held on April 30, 2019. In order to hear from the professions before recommending any change, the Task Force issued a Call for Input to receive

comments with respect to this proposal. The Call for Input has been broadly communicated to the professions, and submissions may be made by email or regular mail by April 28, 2017. The Task Force webpage at <http://www.lsuc.on.ca/governance-task-force/> provides further information.

- ii. Paralegal Term Limit: The Task Force is also considering how the 12 year term limit for paralegal benchers should be calculated. The issue is what service as a paralegal in the governance of the Law Society should count towards the 12 year term limit, given that paralegals may have served at the Law Society as an appointed or elected member of the Paralegal Standing Committee prior to the creation of an election process for paralegals.
- iii. Voting Periods and Election Timing Issues: The Task Force considered potential changes to the voting periods and the period between the close of bencher candidate nominations and voting. As reported to Convocation in February 2017, ultimately the Task Force is proposing no changes to these time periods.

b. Board Evaluation

The Task Force continues to explore whether evaluation of benchers as board members is warranted or useful in the Law Society structure. Potential tools include a self-assessment and board effectiveness survey. The Task Force expects to report further about this aspect of its work by June of this year.

c. Review of Emeritus Treasurers

In January 2011, Convocation approved certain rights for emeritus Treasurers as participants in Convocation, including a requirement that these provisions be reviewed five years from the time of the first emeritus Treasurer, or no later than June 2017. The Task Force is conducting this review, and has met with or will be meeting with all emeritus Treasurers to obtain their input as part of this review. The Task Force will be reporting further in June 2017 with respect to this review.

d. Advice to the Treasurer regarding Convocation and Committees

At the request of the Treasurer, the Task Force will be providing advice to the Treasurer on various governance issues related to Convocation and Committees. The issues considered by the Governance Task Force include the following:

- i. Use of Lamont for Convocation;
- ii. Bencher education regarding Rules of Procedure for Convocation (By-Law 3); and
- iii. Continuation of designated seating in Convocation for certain committee chairs.

- e. Updating the Law Society's 1995 Conflicts Policy: The Task Force has reviewed the Law Society's 1995 Conflicts Policy, and has noted that there are areas requiring updating. It has instructed staff to develop a revised Conflicts Policy for the Task Force to review. The Task Force will bring forward a revised Conflicts Policy for Convocation's consideration later this year.

The Work Ahead

8. The Task Force has also been considering broader governance issues such as the current operation of Convocation, Committees and the Treasurer's Office. The Task Force is currently in an information-gathering phase. It will be reviewing evidence-based governance best practices and the governance structures of other law societies and other self-regulating professions.
9. In Task Force's discussions on the range of governance reforms that may be appropriate for review, the subject of the name of the Law Society and the nomenclature used has arisen. This includes titles for the president (Treasurer), the board members (benchers) and the meeting of the board (Convocation). The question the Task Force has discussed is whether these terms reflect current and modern practices for a governing body or are inconsistent with a modern and accessible organization that should reflect its diverse membership and public interest mandate. The Task Force believes there is significant merit in exploring how these terms and the name of the organization itself could be updated to more accurately reflect its role as regulator of legal services in Ontario and the leadership roles within the organization. The Task Force will continue its examination and advise Convocation on proposals on this subject in a future report.
10. Next steps for the Task Force will be to consider how to structure engagement with benchers on the broader governance issues. It is expected that this will be the subject of a subsequent report to Convocation in June.