

Tab 1

THE LAW SOCIETY OF UPPER CANADA

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON JUNE 23, 2016

MOVED BY:

SECONDED BY:

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

Tab 1.1

DRAFT

MINUTES OF CONVOCATION

Thursday, 26th May, 2016
9:00 a.m.

PRESENT:

The Treasurer (Janet E. Minor), Anand, Banack, Beach, Bickford, Boyd, Braithwaite, Bredt, Burd, Callaghan (by telephone), Chrétien, Clément, Conway, Cooper, Corsetti, Criger, Donnelly (by telephone), Earnshaw, Epstein, Evans, Ferrier, Furlong, Goldblatt, Gottlieb, Groia, Haigh, Horvat, Krishna, Lawrie (by telephone), Leiper, Lem (by telephone), Lerner, Lippa, MacKenzie, MacLean, Manes (by telephone), McGrath, Merali, Mercer, Murchie, Murray, Nishikawa, Papageorgiou, Pawlitzka, Potter (by telephone), Richardson (by telephone), Richer, Rosenthal, Ross, Ruby (by telephone), Schabas, Sheff, Spurgeon, St. Lewis, C. Strosberg, H. Strosberg, Swaye, Troister, Udell, Vespry, Wardle and Wright.

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Secretary: James Varro

The Reporter was sworn.

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The Treasurer welcomed those joining Convocation by webcast.

TREASURER'S REMARKS

The Treasurer informed benchers that Claudia P. Prémont, bâtonnière du Québec, Lise Tremblay, Chief Executive Officer of the Barreau du Québec and Paul Le Vay, on behalf of the Association des juristes d'expression française de l'Ontario (AJEFO), will be attending Convocation.

The Treasurer advised that Kathleen Waters from LAWPRO will attend Convocation luncheon.

The Treasurer updated Convocation on the status of the Professional Development and Competence Committee Report and proposed licensing enhancements, and advised that the licensing process changes will not be implemented for the 2017-18 licensing year.

The Treasurer updated Convocation on her outreach activities with reference to her engagement report in the Convocation Materials. The Treasurer thanked benchers who participated with her in some of the outreach activities.

The Treasurer congratulated the recipients of the Law Society Awards bestowed at a ceremony last evening. The Treasurer thanked former benchers Constance Backhouse and William Simpson who assisted in bestowing the awards.

The Treasurer announced the recipients of the 2016 honorary LL.D. at upcoming calls to the bar:

- Mark M. Persaud, June 17, London Call
- Her Excellency Mary Robinson, Former President of Ireland, June 20 morning Toronto Call
- Richard W. Pound, Q.C., June 21 morning Toronto Call
- David Lepofsky, June 21 afternoon Toronto Call

The Treasurer announced that The Honourable Jody Wilson-Raybould, the Minister of Justice and Attorney General of Canada, will be called to the bar pursuant to section 1 of the *Barristers Act* in Ottawa on June 15, 2016.

The Treasurer announced that the Attorney General of Ontario, The Honourable Madeleine Meilleur, will address the Toronto call to the bar on June 20, 2016 in the afternoon.

The Treasurer informed Convocation that Dianne Corbiere has been appointed to the Federation of Law Societies of Canada working group on the Truth and Reconciliation Commission's Calls to Action.

The Treasurer announced that the Trinity Western University appeal will be heard June 6 to 8, 2016.

The Treasurer informed Convocation of upcoming public education and other events.

The Treasurer announced the four candidates for the Treasurer's election on June 23, 2016: Raj Anand, Howard Goldblatt, Susan McGrath and Paul Schabas.

The Treasurer advised that Julia Bass, Policy Counsel, will be leaving the Law Society on May 31 and thanked her for her outstanding contribution to the Law Society.

MOTION – CONSENT AGENDA – Tab 2

It was moved by Mr. Troister, seconded by Ms. Strosberg, that Convocation approve the consent agenda set out at Tab 2 of the Convocation Materials.

Carried

Tab 2.1 – DRAFT MINUTES OF CONVOCATION

The draft minutes of Convocation of April 28, 2016 were confirmed.

Tab 2.2 – MOTIONS

Tab 2.2.1 – Motion – Committee Appointments

THAT the following be reappointed to the Proceedings Authorization Committee:

Paul Schabas, Chair
Jacqueline Horvat
Brian Lawrie
Jeffrey Lem
Jonathan Rosenthal
Gerald Sheff

Carried

Tab 2.2.2 – Motion – Reappointments to the Law Society Tribunal

THAT Marian Lipka be reappointed to the Hearing Division of the Law Society Tribunal for a term ending April 24, 2018.

THAT the following be reappointed to the Hearing Division of the Law Society Tribunal for a term ending June 29, 2018:

Eva Krangle
Sabita Maraj
John F. Spekkens
Marilyn Thain
Eric Whist

Carried

Tab 2.3 – REPORT OF THE EXECUTIVE DIRECTOR OF PROFESSIONAL DEVELOPMENT AND COMPETENCE

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

Carried

COMPLIANCE-BASED ENTITY REGULATION TASK FORCE REPORT

Mr. Earnshaw presented the Report.

Re: Final Report of the Task Force on Compliance-Based Entity Regulation

It was moved by Mr. Earnshaw, seconded by Mr. MacKenzie, that Convocation approve:

- a. that the Law Society seek an amendment to the *Law Society Act* to permit Law Society regulation of entities through which legal services are provided; and
- b. the development of a regulatory framework for consideration by Convocation based on the principles of compliance-based regulation set out in the report.

An amendment to the motion, moved by Ms. Vespry, seconded by Ms. St. Lewis, that part a. and part b. of the motion each be the subject of a separate vote, was accepted.

Part a. of the motion was carried.

Part b. of the motion was carried.

TREASURER'S REMARKS

The Treasurer welcomed Claudia P. Prémont, bâtonnière du Québec, Lise Tremblay, Chief Executive Officer of the Barreau du Québec and Paul Le Vay representing AJEFO, to Convocation.

ADDRESS BY THE BÂTONNIÈRE DU QUÉBEC

Claudia P. Prémont addressed Convocation on the work of the Barreau du Québec.

PROFESSIONAL REGULATION COMMITTEE REPORT

Mr. Mercer presented the Report.

Re: Amendments to the Rules of Professional Conduct Regarding Transactions with Clients

It was moved by Mr. Mercer, seconded by Ms. Richer, that Convocation approve amendments to Rules 3.4-27 to 3.4-37 of the Rules of Professional Conduct, as set out in Tab 4.1.1.

Carried

Re: Amendments to the Rules of Professional Conduct Regarding Duty to Report

It was moved by Mr. Mercer, seconded by Ms. Richer, that Convocation approve amendments to the commentary to Rule 3.2-1 (Quality of Service) and Rule 7.1-3 and Commentary (Duty to Report Misconduct) as set out in Tab 4.2.1.

Carried

Re: Amendments to the Rules of Professional Conduct Regarding Errors and Omissions

It was moved by Mr. Mercer, seconded by Ms. Richer, that Convocation approve amendments to the Rules of Professional Conduct regarding the reporting to clients of errors and omissions in Rules 7.8-1 and 7.8-2 as set out in Tab 4.3.1.

Carried

For Information

- Professional Regulation Division Quarterly Report January to March 2016

PARALEGAL STANDING COMMITTEE REPORT

Ms. Haigh presented the Report.

Re: Proposed Amendments to *Paralegal Rules of Conduct*

It was moved by Ms. Haigh, seconded by Ms. McGrath, that Convocation approve the amendments to the *Paralegal Rules of Conduct* set out at Tabs 5.1.1, 5.1.3. and 5.1.4.

Carried

For Information

- Update on Enhancements to Licensing Process

AUDIT & FINANCE COMMITTEE REPORT

Mr. Wardle presented the Report.

Re: Investment Policy

It was moved by Mr. Wardle, seconded by Mr. Bredt, that Convocation approve the updated Investment Policy.

Carried

Re: Portfolio Manager

It was moved by Mr. Wardle, seconded by Mr. Bredt, that Convocation approve the continued retention of the Portfolio Manager, Foyston Gordon & Payne.

Carried

Re: Investment Custodian

It was moved by Mr. Wardle, seconded by Mr. Bredt, that Convocation approve the continued retention of the Custodian, CIBC Mellon Global Securities Services Company.

Carried

For Information

- Report on Investment Returns
- Law Society of Upper Canada Financial Statements for the three months ended March 31, 2016
- Investment Compliance Reporting for the period ending March 31, 2016

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

Mr. Schabas presented the Report.

Re: Human Rights Monitoring Group Request for Interventions

It was moved by Mr. Schabas, seconded by Mr. Cooper, that Convocation approve the letters and public statements in the cases set out at Tabs 7.2.1 and 7.2.2.

Carried

For Information

- Statistical Snapshots of the Professions
- Equity Legal Education and Rule of Law Series Calendar 2016

The Treasurer advised that the Tribunal Committee Report and the Report on the Federation of Law Societies of Canada will be deferred to June 23, 2016 Convocation.

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REPORTS FOR INFORMATION ONLY

TRIBUNAL COMMITTEE REPORT

FEDERATION OF LAW SOCIETIES OF CANADA UPDATE

REPORT ON THE ACTION GROUP ON ACCESS TO JUSTICE (TAG)

CONVOCATION ROSE AT 1:16 P.M.



TAB 1.2

**Report to Convocation
June 23, 2016**

Audit & Finance Committee

Committee Members

Christopher Bredt (Co-Chair)

Peter Wardle (Co-Chair)

Michelle Haigh (Vice-Chair)

John Callaghan

Suzanne Clément

Paul Cooper

Teresa Donnelly

Seymour Epstein

Rocco Galati

Vern Krishna

Janet Leiper

Catherine Strosberg

Purpose of Report: Decision

**Prepared by the Finance Department
Wendy Tysall, Chief Financial Officer, 416-947-3322 or wtysall@lsuc.on.ca**

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For Decision:

Law Society Auditor **TAB 1.2**

COMMITTEE PROCESS

1. The Audit & Finance Committee (“the Committee”) met on June 8, 2016. Committee members in attendance were Chris Bredt (Co-Chair), Peter Wardle, (Co-Chair), Suzanne Clément, Paul Cooper, Teresa Donnelly, Seymour Epstein, Vern Krishna, and Catherine Strosberg.
2. Also in attendance: Stephanie Kalinowski from Hicks Morley.
3. Law Society staff in attendance: Robert Lapper, Wendy Tysall, Terry Knott, Juda Strawczynski, Wes Robertson, Brenda Albuquerque-Boutilier, Mary Giovinazzo and Andrew Cawse.

**CONSENT AGENDA
LAW SOCIETY AUDITOR**

Motion

4. **That Convocation appoint PricewaterhouseCoopers LLP (PwC) as auditor for The Law Society of Upper Canada, the Fund of the Pension Plan for the Employees of the Law Society and LibraryCo Inc. for the 2016 financial year.**
5. PwC are the auditors of the Law Society, LAWPRO, LibraryCo, the Law Society Foundation and the Law Society's Pension Fund. Convocation appoints the Law Society auditor on the advice of the Audit & Finance Committee. LAWPRO's auditors are appointed at their Annual General Meeting. Under the terms of the Unanimous Shareholders Agreement, LibraryCo's auditor is appointed by the Law Society. The Law Society Foundation's auditors are appointed at their Annual Meeting.
6. 2015 was the first year for PwC as Law Society auditor. There have been no issues with their services or fees and there have been no issues identified during meetings between the Audit & Finance Committee and the auditors.

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 Thursday, June 23rd 2016

ALL OF WHICH is respectfully submitted

DATED this 23rd day of June, 2016

CANDIDATES FOR CALL TO THE BAR
June 23rd 2016

Transfer from another province (Mobility)

Uba Emeka Anya
Martine Marie Huguette Boucher
Amanda Melissa Carew
Stacy Ann Coulterman
Raymond Lawrence Gill
Miata Amie Gorvie
Andrea Elizabeth Jamieson
Bianca Cherie Krueger
Alok Kumar
Kerry Kathleen Byrne McGinnis
Damilola Sunday Olawuyi
Michèle Suzie Poirier
Shannel Jasmine Rajan
Sumeet Sood
Hillson Tse

Licensing Candidates

Pierre Avram Bourassa
Raymond Dinshaw
Kathleen Marion Carole Elhatton-Lake
Kathryn Elizabeth Hart
Lisha Li
Elena Ponte
Nerissa Jia Yun Yan