



TAB 2

Report to Convocation November 2, 2017

Strategic Communications Steering Group

Julian Falconer, Chair

Robert Burd

Teresa Donnelly

Joseph Groia,

Sandra Nishikawa,

Baljit Sikand

Tanya Walker

Purpose of Report: Decision

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COMMITTEE PROCESS

1. The Strategic Communications Steering Group met on October 10, 2017. Julian Falconer (Chair), Joseph Groia, Baljit Sikand and Sandra Nishikawa attended in person, with Robert Burd, Teresa Donnelly, and Tanya Walker participating by telephone. The Treasurer was also present.
2. Staff members Sheena Weir, Diana Miles, and Alastair Harris-Cartwright were present.

FOR DECISION

RENAMING THE LAW SOCIETY OF UPPER CANADA

Motion

3. That the Law Society of Upper Canada / Barreau du Haut-Canada change its name to one of the following:

- a. Law Society of Ontario / Barreau de l'Ontario
- b. Ontario Law Society / Barreau de l'Ontario
- c. Legal Regulator of Ontario / Professionnels juridiques de l'Ontario
- d. Legal Professionals of Ontario / Ordre professionnel juridique de l'Ontario

effective January 1, 2018, and request that the Government of Ontario make the required amendments to the *Law Society Act*.

Background

4. The Strategic Communications Steering Group was established in February 2017 to examine how best to meet the organization's strategic priority to 'engage stakeholders and the public with responsive communications'.
5. The steering group engaged the services of an external communications consultant to provide advice on developing a comprehensive communications plan.
6. The objectives of the communications plan:
 - a. **For the public:** to generate awareness and understanding of what to do when they need legal help, how to find a lawyer or paralegal, and how the Law Society is working for them to ensure Ontarians have access to the right legal services when they need it;
 - b. **For licensees:** develop an understanding and engagement among the legal community of what the Law Society is doing to ensure Ontarians get access to the right legal services and how it is advancing the profession to be responsive, inclusive and progressive.

7. To inform the communications plan, the external consultant carried out research in late 2016/ early 2017 (see [Tab 2.1.1](#) for executive summary) to understand public and licensees' opinions of the Law Society, level of awareness of the services amongst the public, and understand what licensees like and dislike about the organization, and what it could be doing better.
8. The research showed that while 81 per cent of people who had used a lawyer were satisfied with the experience, only 29 per cent of the public were familiar with the services that lawyers provide.
9. These findings were echoed with paralegals: while only one in ten people had hired a paralegal, of those, 73% were satisfied with the experience. However, only ten per cent of the public were familiar with the services that paralegals provide.
10. The research also showed that the public do not know where to go to seek information on legal issues or on finding a lawyer or paralegal. Eighty-one (81) per cent would ask a friend and 72 per cent would search online.
11. This research highlighted to the steering group that a significant opportunity exists to educate the public about what lawyers and paralegals do, and how to find legal help and legal representation.
12. As the regulator that governs lawyers and paralegals in the public interest, the Law Society is in a unique position to educate the public and be the conduit for accessing legal services. However, the research further showed that only seven per cent of the public were familiar with the Law Society.
13. The steering group agreed that an awareness campaign is needed to increase the Law Society's profile, position it as the ideal place for the general public to look to for legal information, and to find a lawyer or paralegal.
14. As part of the research, or 'discovery' phase, of the communications planning process, the issue of the organization's name presenting issues arose. Although licensees were divided on the name, research showed that the name, particularly the words "Upper Canada", are a barrier to connecting with the public.
15. This research was presented to benchers at an information session in June, 2017.

16. It was recommended that as a first step before implementing a communications plan, a name change occur.
17. The reasons for a name change in the context of a wider educational and engagement communications plan include overcoming confusion over the geographic area the Law Society represents; to make the organization more accessible; to present a name more reflective of the diverse population of Ontario; and to have a name that is consistent with the institution as a modern, forward-looking regulatory body acting in the public interest.
18. The steering group took this advice and agreed that a change of name as the first step of a much larger communications plan should be presented to Convocation.
19. At September's Convocation a motion was put forward to change the name of the Law Society of Upper Canada to the Law Society of Ontario.
20. This recommendation was based on the findings of the research, which included the top three words licensees would consider in a name change as being Law, Ontario and Society.
21. At September's Convocation, the motion was amended to read: 'That the words "Upper Canada" be discarded from the name the Law Society of Upper Canada and that Convocation vote to adopt a new name which does not include "Upper Canada" at the next sitting of Convocation.' The motion was passed 38 in favour, 11 against.
22. During the debate, it was suggested that the steering group present a number of options at November's Convocation, and undertake some research to test the options in advance.

Issue for Consideration

23. During October, the steering group met to develop a plan to identify potential new names using the existing research and data which showed the top words thought suitable for the name were Law (66 per cent), Ontario (64 per cent), Society (52 per cent), Upper Canada (23 per cent), Professional (19 per cent), Legal (17 per cent), and Regulator (14 per cent).
24. Based on these word preferences, four new options for a name were developed: Law Society of Ontario, Ontario Law Society, Legal Regulator of Ontario, and Legal Professionals of Ontario and were tested. Upper Canada did not feature as an option due to Convocation passing the motion in September.

25. On October 13, 2017 a survey was sent to licensees asking for their preference on one of the four names. The question put to licensees was:

Which name do you believe best represents the Law Society today and in the future and is most suitable for engaging with the general public?

1. Law Society of Ontario
2. Ontario Law Society
3. Legal Regulator of Ontario
4. Legal Professionals of Ontario

(Note: the options appeared in a random order for each respondent)

French Translation

Selon vous, quel nom représenterait le mieux le Barreau aujourd'hui et à l'avenir, et engagerait le mieux le public en general?

1. Barreau de l'Ontario
2. Ordre professionnel juridique de l'Ontario
3. Professionnels juridiques de l'Ontario

26. On October 20, 2017 members of the public were asked to share their preference on one of the four names. The public was polled through the inclusion of a question in a regular quantitative research poll that is run with members of the public every week. The question asked was:

The Law Society of Upper Canada governs Ontario's lawyers and paralegals in the public interest by ensuring that the people of Ontario are served by lawyers and paralegals who meet high standards of learning, competence and professional conduct.

The Law Society has decided to change its name to be more inclusive and representative, and to better connect with the people of Ontario.

Which name do you believe best accomplishes the Law Society's goal?

1. Law Society of Ontario
2. Ontario Law Society
3. Legal Regulator of Ontario
4. Legal Professionals of Ontario

(Note: the options appeared in a random order for each respondent)

French Translation

Le Barreau du Haut-Canada réglemente les avocats et parajuristes de l'Ontario dans l'intérêt public en veillant à ce que la population de l'Ontario soit servie par des avocats et des parajuristes qui répondent à des normes élevées en matière de formation, de compétence et de déontologie.

Le Barreau a décidé de changer son nom pour être plus inclusif et représentatif et pour mieux se connecter à la population de l'Ontario.

À votre avis, quel nom permet le mieux d'accomplir l'objectif du Barreau ?

1. Barreau de l'Ontario
2. Professionnels juridiques de l'Ontario
3. Ordre professionnel juridique de l'Ontario

(Note: the options appeared in a random order for each respondent)

Key Issues and Considerations

27. 17,079 licensees shared their preference on a new name. Law Society of Ontario was favoured by 83 per cent of licensees, Ontario Law Society by 11 per cent, Legal Regulator of Ontario by two per cent, and Legal Professionals of Ontario by three per cent.
28. The public poll, based on 953 responses, showed 41 per cent preferred Law Society of Ontario, 29 per cent Ontario Law Society, 23 per cent Legal Professionals of Ontario, and six per cent Legal Regulator of Ontario.
29. The research results are included in [Tab 2.1.2](#).

30. The organization will begin to operate under its new name on January 1, 2018, while the legal name of the organization will remain as the Law Society of Upper Canada until an amendment is made to the Act. A request for a legislative amendment to the Law Society Act will be made to the Ontario government immediately.

Transition Information

31. The name change will be phased in over 12 months. This allows for a transition period and ensures utilization of any materials with the 'Upper Canada' name, both reducing cost implications of a name change, and allowing for a gradual adoption of a new name throughout the organization.
32. Much of the work associated with the name change will be completed by existing staff in their individual areas at minimal cost. An amount of \$150,000 has been allocated in the 2018 budget for the purposes of phasing in the formal name change requirements over 2018 including, for example, updating stationery, signage, website references, and logo update. This cost is included in the draft communications budget as part of the awareness campaign considered by the Audit and Finance Committee as part of the 2018 budget process.

Process for Decision

33. Benchers will be requested in a roll call to state their preferred choice for a new name from those provided in the question asked of licensees and the public, as set out in the motion.
34. If a clear majority is not achieved, a second roll call will be taken with the last option removed from the choices.
35. This process will be repeated until a majority is achieved.

September, 2017

Executive Summary

Law Society of Upper Canada Research Project

The Law Society of Upper Canada commissioned qualitative and quantitative research in 2016/17 to better understand Ontarians' views on legal services in the Province and obtain member feedback on the Society's communications efforts and preferences for communications channels and media. The following is a summary of these findings.

Ontarians' views on legal services

Hiring a lawyer or paralegal

A large majority of Ontarians, 75% have hired a lawyer in the past and of those who did, 81% were satisfied with their experience. Of 19% who were not satisfied, the key reasons given were cost and timing. Only 29% of the people are familiar with the services that lawyers provide. Most Ontarians 90% understand lawyers need a license to practice and they are regulated in Ontario 80%.

One in 10 Ontarians have hired a paralegal in the past. Of the few who had hired a paralegal, 73% were satisfied with their experience. The key reasons with hiring a paralegal were largely based on it being less expensive. Very few Ontarians, only 10%, are familiar with the services that paralegals provide and most do not know that they are licensed.

How to find a lawyer or paralegal

Most Ontarians would "ask a friend or family member" or go online if they were trying to find a lawyer or paralegal. 81% of Ontarians would ask friend/family if they were trying to find a lawyer, 69% to find a paralegal. In terms of searching online, 73% of Ontarians would search online to find a paralegal, 72% would search online to find a lawyer.

Key Drivers – Trust and Honesty

Ontarians were asked what is most important to you when choosing legal help and the top two drivers were trust 76% and honesty 72%. Other things that were important were expertise 70%, value for money 69% and competency 67%. Trust and honesty were also highly correlated with satisfaction of hiring for both lawyers and paralegals. The key barriers to choosing legal help are largely cost at 72%, and concern over competency of hired legal help at 36%.

Want to learn how to find legal help and what to do

Ontarians want to learn how to find legal help, what to do when they need legal help and more about the services lawyers and paralegals provide. When informed about the Law Society Referral Service, most Ontarians were not aware of the service but were quite interested in hearing more about the “30 minutes of free legal consultation from the Law Society Referral Service.”

Impressions of Law Society of Upper Canada

Ontarians were not very familiar with the Law Society of Upper Canada. Less than half of Ontarians 46% believe that it represents the province of Ontario, 20% believe it represents Canada, and 25% do not know. Ontarians also provided feedback as to what disliked about the name. These comments mainly focused on “Upper Canada” and verbatim comments included “out of touch”, “unclear”, “too colonial”, “not inclusive” and “don’t know what Upper Canada is?”

Research Sample – Ontario Adults

The Ontario population research study was conducted with 1000 Adults 18+, evenly split male/female. The sample size was regionally representative of the population across the Province; 51% completed a college or university degree; 12% completed high school; 50% were employed full time; 16% retired; 74% white and 18% racialized. The sample size was statistically significant [stat].

Members’ views on communications

Impressions of the Law Society

While members see the Law Society as the legal regulator and governing body, it was also described as “bureaucratic,” “antiquated” and “old”. 53% have positive impressions of the Law Society, 26% are neutral and 21% have negative impressions.

Law Society should be an agent of change for the professions

Members were asked to best describe their views on the approach the Law Society should take on the future. Only 24% of members believe the Law Society should maintain the status quo. 49% came out strongly in favour of the Law Society being be an agent of change for the professions.

Law Society communications

Member awareness of Law Society communications is greatest for Ontario Reports 95%, followed by the Member Portal 92%, CPD program information 88%, and the Law Society Website 85%. When asked what do members want to hear more about rule changes topped the list. Members would also like improvements to communications including better targeted and less frequent emails, and a better portal experience.

Awareness of key law society initiatives is low

Member awareness of key law society initiatives was low between 12 – 32%. Lawyer licensing 32%, advertising 28%, racialized licensees 28%, alternative business structures 21%, The Access Group (TAG) 21%, Coach and Advisor Network 19%, Mental Health Framework 15%, and Compliance-based Entity regulation 12%.

Public Awareness

Members would like any public awareness initiatives from the Society to focus on what to do when you need legal help 38%, benefits of using a lawyer or paralegal 37% and how to find a lawyer or paralegal 35%.

Members views on the name

Half of members believe the name the Law Society of Upper Canada is suitable at 50%, while the other half thought the name not suitable or somewhat suitable. Reasons for not being suitable centred on Upper Canada in the name.

Analysis & Insight

- While a large portion of Ontarians have hired legal services in the past they are not very familiar with what services are provided by lawyers and paralegals.
- Ontarians views and member views on the key elements of a public awareness program are fairly aligned. They focus on what to do when you need legal help and how to find a lawyer and paralegal.
- Many Ontarians are confused about the name the Law Society of Upper Canada as most do not know what it represents or do not like the words Upper Canada.
- Many members do not feel connected to the Society as they are not familiar with what the Society does and they are not aware of many of the key initiatives undertaken by the Society.
- Members would like the Society to play a larger role in advancing the professions and be an agent of change.

Methodology

The Ontario population research study was conducted with 1007 Adults 18+, evenly split male/female. The sample size was regionally representative of the population across the Province; 51% completed a college or university degree; 12% completed high school; 50% were employed full time; 16% retired; 74% white and 18% racialized. The sample was robust and the data was statistically significant (stat tested at 95% CI).

The member research study was conducted with N=2312 licensed members (1936 lawyers, and 376 paralegals), evenly split male/female. The sample size was representative of the member population across the Province; 51% were ages 35-64; 45% were private practice, soles or smalls, and 29% were in-house or government; 17% were racialized; 54% were from Toronto, 17% from the East and 29% from rest of province. The sample was robust and the data was statistically significant (stat tested at 95% CI).

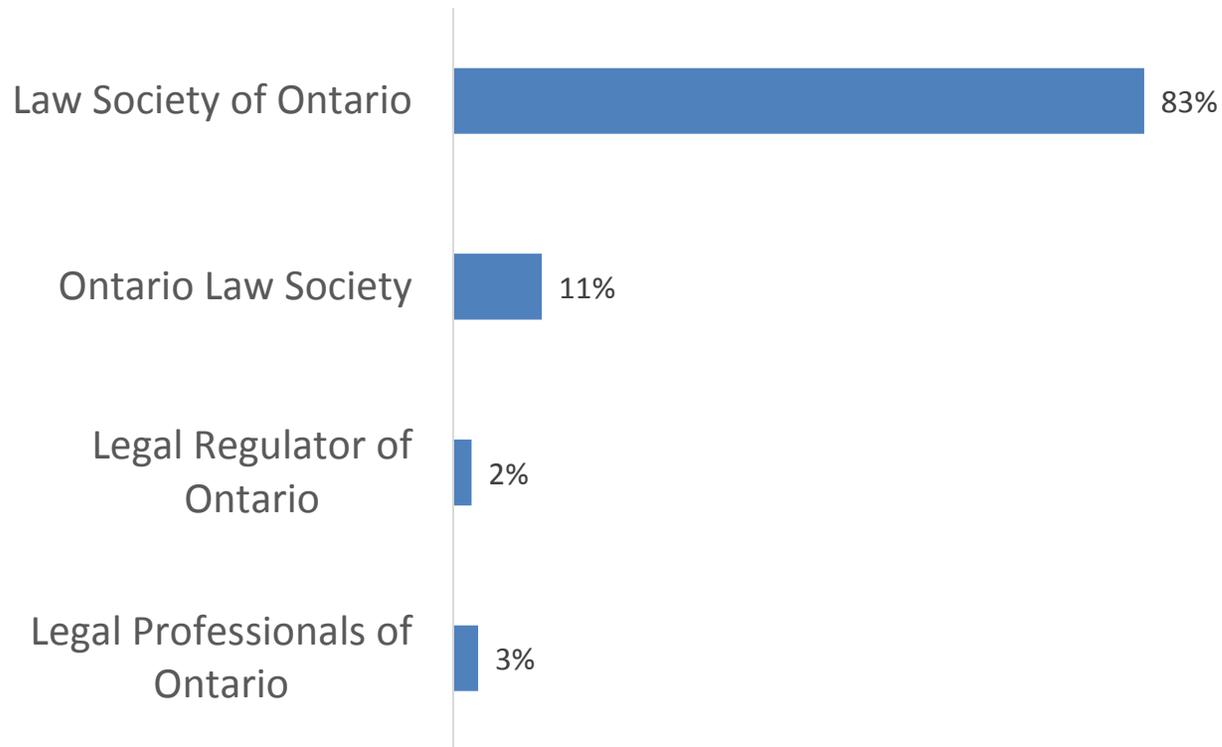
Research conducted by Colbourne Consulting Inc. 2017

Law Society of Upper Canada Member and Ontarians Research Name Change

October 23, 2017

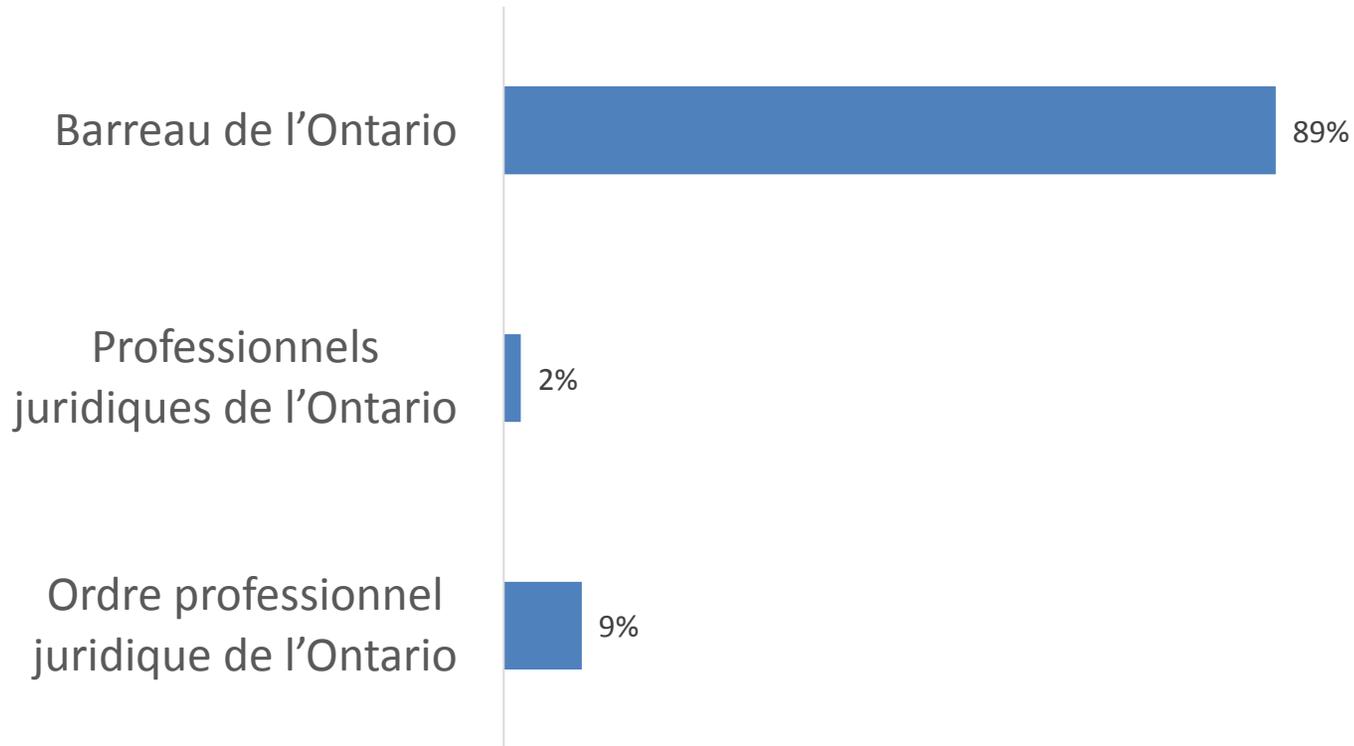
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The Law Society of Ontario was chosen by 83% of English Members



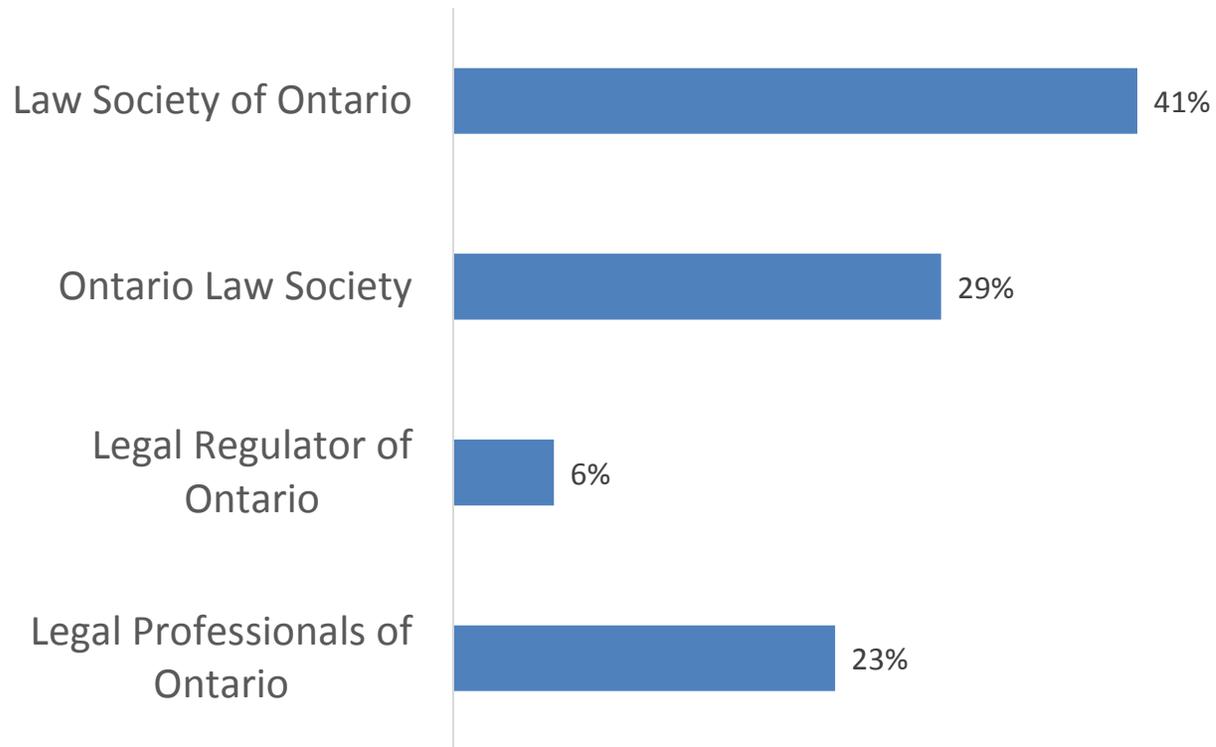
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Barreau de l'Ontario was chosen by 89% of French Members



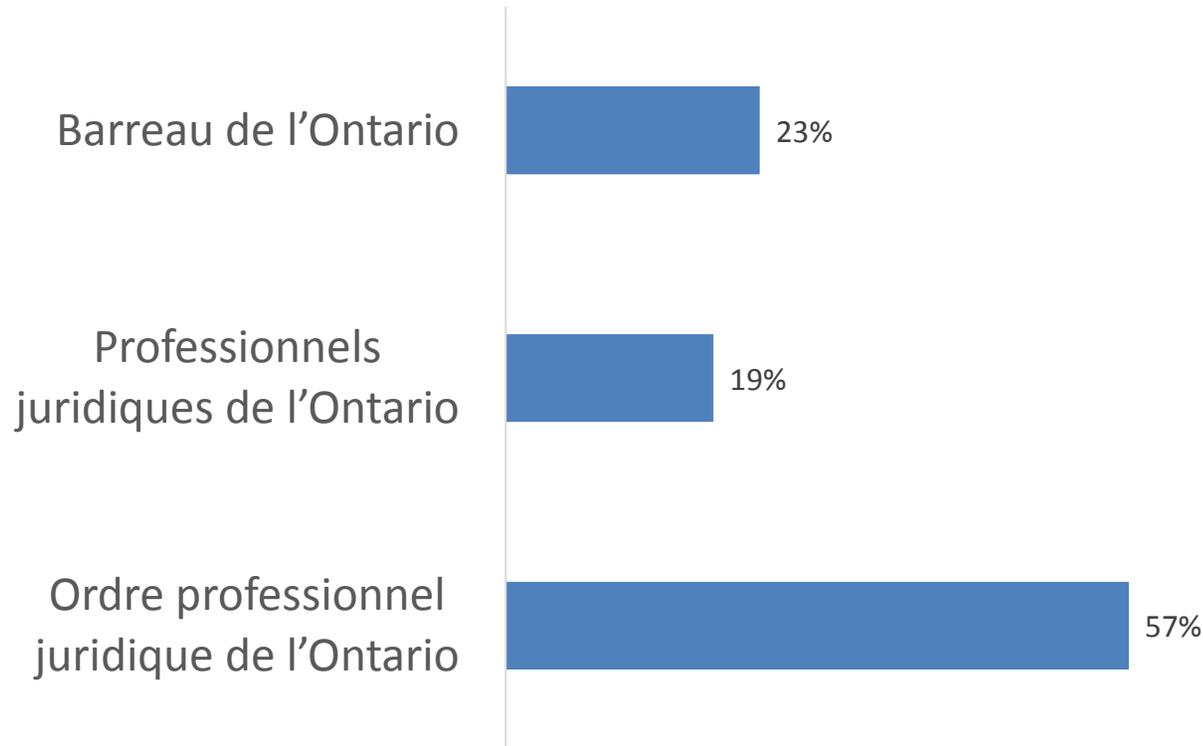
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The Law Society of Ontario was chosen by 41% of Ontarians



N=953

Barreau de l'Ontario was chosen by 23% of French Ontarians



N=47