

Tab 1

THE LAW SOCIETY OF UPPER CANADA

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON SEPTEMBER 22, 2016

MOVED BY:

SECONDED BY:

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

Tab 1.1.1

DRAFT

MINUTES OF CONVOCATION

Thursday, 23rd June, 2016
9:00 a.m.

PRESENT:

The Treasurer (Paul B. Schabas), Anand, Banack (by telephone), Beach, Bickford, Boyd (by telephone), Braithwaite, Bredt, Burd, Callaghan, Chrétien, Clément, Conway, Cooper, Corbiere, Corsetti, Criger, Donnelly, Earnshaw, Epstein, Evans, Falconer, Ferrier, Furlong, Galati, Go (by telephone), Goldblatt, Gottlieb, Groia, Haigh, Hartman, Horvat, Krishna, Lawrie, Leiper, Lem (by telephone), Lerner, Lippa, MacKenzie, MacLean, McDowell, McGrath, Merali, Mercer, Minor, Murchie, Murray (by telephone), Nishikawa, Papageorgiou, Pawlitz, Porter, Potter, Richardson, Richer, Rosenthal, Ross, Sharda, Sheff, Sikand, Spurgeon, St. Lewis, C. Strosberg, H. Strosberg, Swaye, Troister, Udell, Vespry, Wardle, Wright 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 everyone joining by webcast

The Treasurer acknowledged that the meeting is occurring on the traditional territory of the Mississauga of New Credit First Nations and thanked the First Nations and Métis for sharing their lands with us.

ELECTION OF TREASURER

The Secretary announced the results of the first ballot:

Raj Anand	14
Howard Goldblatt	15
Susan McGrath	4
Paul Schabas	26

The Secretary announced the results of the second ballot:

Raj Anand	14
Howard Goldblatt	16
Paul Schabas	29

The Secretary announced the results of the third ballot:

Howard Goldblatt	21
Paul Schabas	38

The Secretary declared Mr. Schabas elected as Treasurer.

It was moved by Mr. Goldblatt, seconded by Mr. Mercer that the vote in the Treasurer's election be made unanimous.

Carried Unanimously

Former Treasurer Minor congratulated the new Treasurer and addressed Convocation.

Treasurer Schabas thanked Ms. Minor for her service as Treasurer.

The Treasurer invited Mr. Anand, Mr. Goldblatt and Ms. McGrath to address Convocation.

Mr. Goldblatt congratulated the new Treasurer and addressed Convocation.

Mr. Anand congratulated the new Treasurer and addressed Convocation.

Ms. McGrath congratulated the new Treasurer and addressed Convocation.

Treasurer Schabas addressed Convocation.

TREASURER'S REMARKS

The Treasurer welcomed Jeff Hirsch, President of the Federation of Law Societies of Canada, to Convocation.

The Treasurer thanked Diana Miles and her staff for their work in organizing the calls to the bar this month.

The Treasurer congratulated the recipients of the 2016 honorary LL.D. at the calls to the bar.

The Treasurer congratulated The Honourable Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada, on her call to the bar at the Ottawa call on June 14, 2016, and thanked her for her keynote address.

The Treasurer congratulated the new Attorney General of Ontario, Yasir Naqvi, on his recent appointment.

The Treasurer reminded benchers of the upcoming Indigenous Peoples Event, "What Does Reconciliation Mean to You?" later today in the Lamont Learning Centre at 3:00 p.m.

The Treasurer acknowledged the recent events around the world that have created a heightened awareness of the importance of human rights and the right to personal safety.

The Treasurer reminded benchers of the Pride event on June 28, 2016 hosted by the Law Society and SOGIC, the Sexual Orientation and Gender Identity Law Section of the Ontario Bar Association, on the subject of LGBTQ inclusions in sport.

The Treasurer advised benchers that committee appointments will be made at a special Convocation to be held later this summer.

The Treasurer referred benchers to the information report in the material from the Priority Planning Committee and the Chief Executive Officer's Report, which will be spoken to at September Convocation.

REPORT ON THE FEDERATION OF LAW SOCIETIES OF CANADA COUNCIL AND RELATED MEETINGS

Ms. Pawlitza presented the report for information.

MOTION – CONSENT AGENDA – Tab 1

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

Carried

Tab 1.1 – DRAFT MINUTES OF CONVOCATION

The draft minutes of Convocation of May 26, 2016 were confirmed.

Tab 1.2 – AUDIT & FINANCE COMMITTEE REPORT

Re: Law Society Auditor

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.

Carried

Tab 1.3 – 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

MOTION

Re: Professional Regulation and Proceedings Authorization Committee Appointments

It was moved by Mr. Wardle, seconded by Mr. Mercer, that Jacqueline Horvat be appointed a Vice-Chair of the Professional Regulation Committee to replace Paul Schabas and that Jacqueline Horvat be appointed Chair of the Proceedings Authorization Committee, to replace Paul Schabas, who will continue as a member of that Committee.

Carried

PROFESSIONAL REGULATION COMMITTEE REPORT

Mr. Mercer presented the Report.

Re: By-Law Amendments – Surrender of a Professional Corporation Certificate

It was moved by Mr. Mercer, seconded by Ms. Richer, that Convocation amend By-Law 7 as set out in the motion at Tab 2.1.1 to remove the requirement that a professional corporation provide an accountant's certificate when surrendering a certificate of authorization.

Carried

Re: Advertising and Fee Arrangements Issues Working Group Report

Mr. Mercer presented the report for information.

For Information

- Report of the Advertising and Fee Arrangements Issues Working Group
- In Camera Item

ACCESS TO JUSTICE COMMITTEE REPORT

Ms. Corsetti presented the Report.

Re: Request for Renewal of Law Society Support in Principle for the Mandate of the Law Commission of Ontario

It was moved by Ms. Corsetti, seconded by Mr. Goldblatt, that Convocation approve the Law Commission of Ontario's request for renewal of the Law Society's support in principle for the mandate of the Law Commission of Ontario.

Carried

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

Ms. Donnelly presented the Report.

Re: Human Rights Monitoring Group Request for Interventions

It was moved by Ms. Donnelly, seconded by Mr. Falconer, that Convocation approve the letters and public statements in the cases set out at Tabs 4.1.1 to 4.1.5 of the Report.

Carried

For Information

- Human Rights Monitoring Group Responses to Interventions
- Equity Legal Education and Rule of Law Series Calendar 2016

TRIBUNAL COMMITTEE REPORT

Ms. Murchie presented the Report.

Re: Proposed Amendments to the Law Society Tribunal Hearing Division and Appeal Division Rules of Practice and Procedure

It was moved by Ms. Murchie, seconded by Mr. Wardle, that Convocation approve the proposed French and English amendments to the Law Society Tribunal Hearing Division and Appeal Divisions Rules of Practice and Procedure set out in the motion at Tab 5.1.1 of the report.

Carried

Re: Tribunal 2015 Annual Report

Mr. David Wright, Law Society Tribunal Chair, presented the report for information.

Mr. Wright thanked Grace Knakowski, who will be leaving the Law Society shortly, for her outstanding work in the Tribunal Office.

For Information

- Tribunal 2015 Annual Report
- Tribunal 2016 First Quarter Statistics

PROFESSIONAL DEVELOPMENT AND COMPETENCE COMMITTEE REPORT

Ms. Leiper presented the Report

Re: Indigenous Legal Issues Specialty

Ms. Leiper presented the report for information.

Ms. Leiper thanked the staff in the Professional Development and Competence Division for their hard work on this initiative.

Re: Appointments to the Certified Specialist Board

Ms. Leiper presented the report for information, setting out the names of the new appointees to the Certified Specialist Board:

David J. Bannon
May Cheng
Douglas Downey
Donna Shier

REPORT OF THE CHIEF EXECUTIVE OFFICER

Mr. Lapper presented the report for information.

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IN PUBLIC
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REPORTS FOR INFORMATION ONLY

FEDERATION OF LAW SOCIETIES OF CANADA UPDATE

REPORT OF THE CHIEF EXECUTIVE OFFICER

AUDIT & FINANCE COMMITTEE REPORT

- Financial Support for the Law Commission of Ontario
- LibraryCo Inc. First Quarter Financial Statements 2016
- Other Committee Work

GOVERNMENT RELATIONS AND PUBLIC AFFAIRS COMMITTEE REPORT (IN CAMERA)

PRIORITY PLANNING COMMITTEE REPORT

- Progress Report on the Law Society's Strategic Plan 2015-2019

PROFESSIONAL DEVELOPMENT AND COMPETENCE COMMITTEE REPORT

- Indigenous Legal Issues Specialty
- Appointments to Certified Specialist Board

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

TREASURER'S ENGAGEMENT REPORT

CONVOCATION ROSE AT 12:51 P.M.

DRAFT

MINUTES OF CONVOCATION

Tuesday, 9th August, 2016
9:00 a.m.

PRESENT:

The Treasurer (Paul B. Schabas), *Banack, Beach, *Bickford, *Boyd, *Braithwaite, *Bredt, *Burd, Callaghan, *Chrétien, *Clément, Cooper, *Corbiere, *Corsetti, *Criger, *Donnelly, *Earnshaw, *Epstein, *Evans, *Ferrier, *Finkelstein, *Furlong, *Goldblatt, Groia, *Haigh, *Horvat, *Krishna, Lawrie, *Leiper, *Lem, *Lerner, *Lippa, *MacKenzie, *MacLean, McDowell, *McGrath, *Mercer, *Murchie, *Murray, *Nishikawa, *Papageorgiou, *Potter, *Richardson, *Rosenthal, *Sheff, *Sikand, *Spence, *Spurgeon, C. Strosberg, *H. Strosberg, *Swaye, *Troister, Udell and Walker.

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* By Telephone

Secretary: James Varro

The Reporter was sworn.

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IN PUBLIC

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TREASURER'S REMARKS

The Treasurer welcomed everyone to Convocation.

MOTION – ELECTION OF BENCHER

It was moved by Mr. Udell, seconded by Mr. Beach, that, –

WHEREAS Paul B. Schabas who was elected from the Province of Ontario “A” Electoral Region (City of Toronto) on the basis of the votes cast by all electors, has been elected as Treasurer; and

WHEREAS upon being elected Treasurer, Paul B. Schabas ceased to hold office as an elected benchner in accordance with subsection 25(2) of the *Law Society Act*, thereby creating a vacancy in the number of benchers elected from the Province of Ontario “A” Electoral Region (City of Toronto) on the basis of the votes cast by all electors.

THAT under the authority contained in By-Law 3, Tanya C. Walker, having satisfied the requirements contained in subsections 43(1) and 45(1) of the By-Law, and having consented to the election in accordance with subsection 45(2) of the By-Law, be elected by Convocation as benchner to fill the vacancy in the number of benchers elected from the Province of Ontario “A” Electoral Region (City of Toronto) on the basis of the votes cast by all electors.

Carried

MOTION – CONSENT AGENDA – Tab 2

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

Carried

Tab 2.1 – AMENDED MINUTES OF CONVOCATION

The amended minutes of Convocation of May 26, 2016 were confirmed.

Tab 2.2 – MOTION – RULES OF PRACTICE AND PROCEDURE

THAT Convocation amend the French version of Law Society Tribunal Hearing Division Rules of Practice and Procedure, made by Convocation on March 12, 2014, and amended by Convocation on May 22, 2014, September 24, 2014, October 30, 2014, February 25, 2016, April 28, 2016 and June 23, 2016 by replacing Rule 13.01(1) with the following:

13.01 (1) Les motions sont présentées par voie d’avis de motion (formulaire 13A) sauf si l’avis n’est pas nécessaire en raison des circonstances ou de la nature de la motion.

Carried

MOTION

Re: Committee and Other Appointments

It was moved by Ms. MacLean, seconded by Ms. Chrétien, –

THAT Convocation approve the appointments under **Schedule A**.

THAT Isfahan Merali be appointed to the Law Foundation of Ontario Board of Trustees to replace Paul Schabas.

THAT Convocation recommend that Jerry Udell be nominated to the LAWPRO Board of Directors.

THAT Teresa Donnelly be appointed to the Proceedings Authorization Committee to replace Paul Schabas.

SCHEDULE A

COMMITTEE, TASK FORCE, WORKING GROUP AND EXTERNAL/OTHER APPOINTMENTS
August 9, 2016

Not included in the list of appointments in Schedule A are entities whose memberships are not currently changing or appointments or reappointments not currently required based on terms for appointment that have not yet expired.

COMMITTEES

Access to Justice

Howard Goldblatt (Chair)
Janet Leiper (Vice-Chair)
Gina Papageorgiou (Vice-Chair)
Raj Anand
Fred Bickford
Robert Burd
Cathy Corsetti
Robert Evans
Avvy Go
Marian Lippa
Malcolm Mercer
Susan Richer
Baljit Sikand
Anne Vespry

Audit & Finance

Christopher Bredt (Chair)
Teresa Donnelly (Vice-Chair)
Suzanne Clément (Vice-Chair)
Peter Beach
Paul Cooper
Janis Criger
Seymour Epstein
Michelle Haigh
Vern Krishna
Jan Richardson
Rocco Galati
Andrew Spurgeon
Gina Papageorgiou
Catherine Strosberg
Tanya Walker

Compensation

Paul Schabas (Chair)
Christopher Bredt
Teresa Donnelly
Gerald Sheff
Peter Wardle

Compensation Fund

Carol Hartman (Chair)
Michelle Haigh (Vice-Chair)
Gisèle Chrétien
Joseph Groia
Jan Richardson

Equity and Aboriginal Issues

Dianne Corbiere (Co-Chair)
Julian Falconer (Co-Chair)
Sandra Nishikawa (Vice-Chair)
Gina Papageorgiou (Vice-Chair)
Marion Boyd
Suzanne Clément
Robert Evans
Avvy Go
Howard Goldblatt
Marian Lippa
Isfahan Merali
Sidney Troister
Tanya Walker

Government and Public Affairs

John Callaghan (Chair)
Marion Boyd (Vice-Chair)
William McDowell (Vice-Chair)
Jack Braithwaite
Paul Cooper
Ross Earnshaw
Julian Falconer
Marian Lippa
Virginia MacLean
Susan McGrath
Julian Porter
Jonathan Rosenthal
Joanne St. Lewis
Catherine Strosberg

Inter-Jurisdictional Mobility

Michael Lerner (Chair)
Jacqueline Horvat (Vice-Chair)
Peter Beach
Jack Braithwaite
Ross Earnshaw
Seymour Epstein
Robert Evans
Jerry Udell

Law Society Awards

Paul Schabas (Chair)
Dianne Corbiere
Michelle Haigh
William McDowell
Sandra Nishikawa
Andrew Spurgeon
Catherine Strosberg

Law Society LL.D. Advisory

Paul Schabas (Chair)
Dianne Corbiere
Michelle Haigh
William McDowell
Sandra Nishikawa
Andrew Spurgeon
Catherine Strosberg

Litigation

Jacqueline Horvat (Chair)
Peter Wardle (Vice-Chair)
John Callaghan
Janis Criger
Seymour Epstein
Howard Goldblatt
William McDowell
Sandra Nishikawa
Jonathan Rosenthal

Paralegal Standing

Michelle Haigh (Chair)
Janis Criger (Vice-Chair)
Marion Boyd
Robert Burd
Cathy Corsetti
Ross Earnshaw
Brian Lawrie
Marian Lippa
Susan McGrath
Barb Murchie
Jan Richardson
Baljit Sikand
Anne Vespry

Priority Planning

Paul Schabas (Chair)
Christopher Bredt
Dianne Corbiere
Teresa Donnelly
Julian Falconer
Michelle Haigh
Jacqueline Horvat
Howard Goldblatt
William McDowell
Malcolm Mercer
Sandra Nishikawa
Catherine Strosberg
Peter Wardle

Professional Development and Competence

Peter Wardle (Chair)
Jacqueline Horvat (Vice-Chair)
Joanne St. Lewis (Vice-Chair)
Jack Braithwaite
Dianne Corbiere
Teresa Donnelly
Joseph Groia
Michelle Haigh
Barbara Murchie
Sandra Nishikawa
Andrew Spurgeon
Catherine Strosberg
Sidney Troister
Anne Vespry

Professional Regulation

William McDowell (Chair)
Jonathan Rosenthal (Vice-Chair)
Malcolm Mercer (Vice-Chair)
Fred Bickford
John Callaghan
Gisèle Chrétien
Suzanne Clément
Seymour Epstein
Carol Hartman
Michael Lerner
Brian Lawrie
Virginia MacLean
Susan Richer
Raj Sharda
Jerry Udell

Summary Disposition

John Callaghan
Malcolm Mercer

Tribunal

Barbara Murchie (Chair)
Isfahan Merali (Vice-Chair)
Raj Anand
Larry Banack
Peter Beach
Christopher Bredt
Robert Burd
Janis Criger
Paul Cooper
Rocco Galati
Baljit Sikand
Peter Wardle

TASK FORCE

Compliance-Based Entity Regulation

Ross Earnshaw (Chair)
Raj Anand
Gisèle Chrétien
Howard Goldblatt
Joseph Groia
Carol Hartman
Brian Lawrie
Malcolm Mercer
Barbara Murchie
Sidney Troister
Raj Sharda
Peter Wardle

WORKING GROUPS

Advertising and Fee Arrangements Issues (Professional Regulation Committee)

Malcolm Mercer (Chair)
Jack Braithwaite
Paul Cooper
Jacqueline Horvat
Michael Lerner
Marian Lippa
Virginia Maclean
Jan Richardson
Jonathan Rosenthal
Andrew Spurgeon
Jerry Udell

Alternative Business Structures

Susan McGrath (Co-Chair)
Malcolm Mercer (Co-Chair)
Fred Bickford
Marion Boyd
Suzanne Clément
Cathy Corsetti
Janis Criger
Carol Hartman
Brian Lawrie
Jeffrey Lem
Joanne St. Lewis
Anne Vespry

Disclosure (Professional Regulation Committee)

Malcolm Mercer (Chair)
John Callaghan
Jacqueline Horvat
Brian Lawrie
Jan Richardson
Jonathan Rosenthal

Human Rights Monitoring Group

Teresa Donnelly (Chair)
Robert Evans
Julian Falconer
Avvy Go
Isfahan Merali
Judith Potter
Heather Ross
Joanne St. Lewis

EXTERNAL/OTHER APPOINTMENTS

Ontario Bar Association Council

Fred Bickford
Jack Braithwaite
Barbara Murchie (Treasurer's Nominee)

Carried

CONVOCATION ROSE AT 9:13 A.M.

Tab 1.2

THE LAW SOCIETY OF UPPER CANADA

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON SEPTEMBER 22, 2016

THAT Ross F. Earnshaw be appointed as the Law Society's representative on the Council of the Federation of Law Societies of Canada, effective November 15, 2016.

THAT Jack Braithwaite be reappointed as the Law Society's representative on the Canadian National Exhibition Association for a term of one year commencing October 27, 2016.

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, September 22nd 2016

ALL OF WHICH is respectfully submitted

DATED this 22nd day of September, 2016

CANDIDATES FOR CALL TO THE BAR
September 22nd 2016

Transfer from another province (Mobility)

Jesse Aubyn Ahuja
David John Beaton
Lauren Emily Cook
Heather Elizabeth Dawe
Kelsey Fairway Evaniew
Roland Lok Wan Hung
Hannah Claire Kazman
Peter Michael Kurt Kazman
Heidi Nicole LeBlanc
Peter Gordon MacKay
Andrew James McGarva
Jordan Andrew Dylan Michaux
Philip Alexander Seth Milley
James Robert Coldwell Morse
Steven Andrew Neal
Hind Noori
Jayaweera Liyanage Anita Nalani Perera
André Yves Poulin-Denis
Kathryn Patricia Samaras
Anne Burnham Sedgwick
Kelly Jay Serbu
Gwenyth Sheila Stadig
Stephanie Anna Szczesniak
Brooklyn Marie Thorpe

Licensing Candidates

Caroline Ling-Yu Chen
Justin Lindsay Milne
Yanhua Peng
Noam Pratzer
Stephanie Marie Samson
Kai David Nicholas Sheffield
Nora Széles

L3

Robert Thomas Frederick Sharp

Transfer Candidates (from Quebec)

Anh Thang Nguyen
Roger Ying-Kit Yuen

Academic Candidate (Law School Professor/Dean)

Jennifer Emma Farrell
Nicholas Michael Robert Léger-Riopel