



TAB 6

**Report to Convocation
May 28, 2015**

Tribunal Committee

Committee Members

Raj Anand (Chair)
Janet Leiper (Vice-Chair)
Larry Banack
Jack Braithwaite
Christopher Bredt
Robert Burd
Lee Ferrier
Alan Gold
Barbara Murchie
Linda Rothstein
Mark Sandler
Baljit Sikand
Peter Wardle

Purpose of Report: Decision

**Prepared by the Policy Secretariat
(Sophia Spurdakos 416-947-5209)**

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In Camera Item

TAB 6.2

COMMITTEE PROCESS

1. The Committee met on May 14, 2015. Committee members Raj Anand (Chair), Janet Leiper (Vice-Chair), Larry Banack, Jack Braithwaite, Chris Bredt, Robert Burd, Lee Ferrier, Barbara Murchie, Mark Sandler, and Baljit Sikand participated. Benchers (effective May 28, 2015) Peter Beach, Fred Bickford, Paul Cooper, Rocco Galati, Jonathan Rosenthal, Raj Sharda, Joanne St. Lewis, Sid Troister and Jerry Udell also attended. Tribunal Chair, David Wright, and staff members David Draper, Grace Knakowski, Lisa Mallia and Sophia Sperdakos also attended.

FOR DECISION

PRACTICE DIRECTION – TRIBUNAL BOOK OF AUTHORITIES

Motion

2. That Convocation approve the Practice Direction respecting a Tribunal Book of Authorities, set out at [TAB 6.1.1: Practice Direction - English](#) and [TAB 6.1.2 Practice Direction - French](#), to be effective August 17, 2015.

Proposal under Consideration

3. The *Rules of Practice and Procedure* for both the Hearing Division and the Appeal Division provide for books of authorities. Some cases are cited frequently in Tribunal proceedings. The introduction of a Tribunal Book of Authorities means that a party relying on any case included in it need not reproduce that case in its book of authorities.
4. The Committee has considered the draft Practice Direction on this issue set out [TAB 6.1.1: Practice Direction - English](#) and [TAB 6.1.2 Practice Direction - French](#) and recommends it to Convocation.

Rationale

5. The Tribunal Book of Authorities is meant to facilitate the process by relieving parties of the need to copy or file frequently cited cases. To assist parties and reduce costs, the Tribunal proposes developing a Tribunal Book of Authorities containing frequently cited cases. For Convocation's information only, a list of authorities to be included at this time is provided at [TAB 6.1.3: Authorities](#). The Tribunal will update this, as needed.
6. The proposed approach is cost effective and will modestly reduce costs to parties and the Law Society as well as enhance the Tribunal process. The Chair's Practice Roundtable has provided input on the draft Practice Direction.



Law Society Tribunal
Tribunal du Barreau

PRACTICE DIRECTION: TRIBUNAL BOOK OF AUTHORITIES

The *Rules of Practice and Procedure* for both the [Hearing Division](#) and the [Appeal Division](#) provide for books of authorities. Some cases are cited frequently in Tribunal proceedings. To assist parties and reduce costs, the Tribunal has developed a Tribunal Book of Authorities containing frequently cited cases. A party relying on any case included in the Tribunal Book of Authorities need not reproduce that case in its book of authorities. In written and oral argument, parties should refer to the citation and tab number of the case in the Tribunal Book of Authorities, and the paragraph number(s) relied upon.

The Tribunal Book of Authorities is posted on the Tribunal website at www.lawsocietytribunal.ca. It is available to all adjudicators and a hard copy is available in each hearing room.

The Tribunal Book of Authorities is meant to facilitate the hearing process by relieving parties of the need to copy or file frequently cited cases. It is not a complete list of relevant cases or a statement of law. Tribunal reasons are reported on the CanLII website at <http://www.canlii.org/en/on/onlst/>.

Cases are added to and deleted from the Book of Authorities from time to time. Any questions or comments concerning the Book of Authorities, including recommendations for additions to or deletions from the list, should be directed in writing to the [Tribunal Office](#). The parties remain responsible for making copies of all other authorities to which they wish to refer. Parties are asked to make all books of authorities double sided.



DIRECTIVE DE PRATIQUE : RECUEIL DE SOURCES JURIDIQUES DU TRIBUNAL

Les *Règles de pratique et de procédure* de la [Section de première instance](#) et de la [Section d'appel](#) pourvoient aux recueils de sources juridiques. Certains cas sont fréquemment cités dans les procédures du Tribunal. Pour aider les parties et réduire les coûts, le Tribunal a élaboré un recueil de sources juridiques contenant des cas fréquemment cités. Une partie se fondant sur tout cas inclus dans le Recueil de sources juridiques du Tribunal n'a pas à reproduire ce cas dans son recueil de sources juridiques. Dans les plaidoiries écrites et orales, les parties devraient faire référence à la citation et au numéro d'onglet de l'affaire dans le Recueil de sources juridiques du Tribunal, ainsi qu'au numéro du paragraphe correspondant.

Le Recueil de sources juridiques du Tribunal est affiché sur le site Web du Tribunal www.tribunaldubarreau.ca. Il est offert à tous les arbitres, et une copie papier est disponible dans chaque salle d'audience.

Le Recueil de sources juridiques du Tribunal est destiné à faciliter le processus d'audience en dégageant les parties de la nécessité de faire des copies ou de déposer les cas fréquemment cités. Il ne s'agit pas d'une liste complète des cas pertinents ni d'une déclaration de droit. Les motifs du Tribunal sont publiés sur le site Web de CanLII à www.canlii.org/fr/on/ontb.

Des cas sont ajoutés ou retirés du Recueil de sources juridiques du Tribunal de temps à autre. Si vous avez des questions ou des commentaires concernant le Recueil de sources juridiques, y compris des recommandations d'ajouts ou de suppressions dans la liste, veuillez vous adresser par écrit au [bureau du Tribunal](#). Les parties ont toujours la responsabilité de faire des copies de toutes les autres sources auxquelles elles souhaitent faire référence. Les parties sont priées d'imprimer leurs recueils de sources juridiques des deux côtés de la page.

Tribunal Book of Authorities*

*NOTE: These indexes do not form part of the Practice Direction. These are samples and will be formatted differently in the physical books and on the website.

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