

THE LAW SOCIETY OF UPPER CANADA

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON DECEMBER 4, 2015

MOVED BY: Carol Hartman

SECONDED BY: Dianne Corbiere

THAT Convocation approve the consent agenda set out at Tab 2 of the Convocation Materials.

DRAFT

MINUTES OF CONVOCATION

Thursday, 29th October, 2015
10:00 a.m.

PRESENT:

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

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Secretary: James Varro

The Reporter was sworn.

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TREASURER'S REMARKS

The Treasurer welcomed those joining Convocation by webcast.

The Treasurer informed benchers that she attended and participated along with Dianne Corbiere and Julian Falconer at the 27th Annual Indigenous Bar Association conference in Toronto.

The Treasurer advised that the ribbon-cutting was held for the new premises for the Law Society Tribunal on October 28, 2015, followed by a reception. The Treasurer thanked Tribunal Chair David Wright, Tribunal staff, Law Society staff and the Tribunal Committee for their support of the tribunal reforms. The Treasurer also thanked the Attorney General, The Honourable Madeleine Meilleur, for attending and supporting the Law Society through the transition.

The Treasurer advised that Carol Hartman has been appointed to the Board of Legal Aid Ontario, which now has a full complement. The Treasurer thanked the Attorney General of Ontario and the Government of Ontario for making legal aid and access to justice a priority.

The Treasurer reported on the first Early Careers Roundtable on October 26, 2015, which is anticipated to meet quarterly.

The Treasurer announced that nominations for the Law Society Awards are open, with a deadline of January 29, 2016. The awards include the new John Shirley Denison award. The other awards are the Law Society Medal, the William J. Simpson Distinguished Paralegal Award, the Laura Legge Award and the Lincoln Alexander Award. The Treasurer encouraged nominations from all communities, practice areas, firm sizes and regions across the province.

The Treasurer advised Convocation of upcoming events including Women in Leadership, in the Lamont Learning Centre today, a joint event of the Law Society of Upper Canada, Ontario Bar Association and Women's Law Association of Ontario.

The Treasurer reminded benchers of the Magna Carta exhibit at Fort York, from October 4 to November 7, 2015 and advised of a national essay prize sponsored by the Law Society, to be presented on November 5, 2015 and awarded to the Ontario Law Student who submits the best essay. Other events include Louis Riel Day on November 16, 2015 and the County and District Law Presidents' Association plenary from November 11 to 13, 2015.

The Treasurer announced the guests for lunch today include:

- Anna Kinastowski, City Solicitor
- Valerie Jepson, Integrity Commissioner
- Linda Gehrke, Lobbyist Registrar
- Fiona Crean, Ombudsman
- Ulli S. Watkiss, City Clerk

MOTION – CONSENT AGENDA

The Treasurer advised that the Report of the Equity and Aboriginal Issues Committee will be removed from the Consent Agenda and dealt with separately.

Based on a question raised by Ms. Vespry, the Treasurer removed the In Camera Appointments motion from the Consent Agenda, to be dealt with separately in camera.

It was moved by Mr. Bredt, seconded by Ms. Donnelly, that Convocation approve the remaining items on the consent agenda set out at Tab 1 of the Convocation Materials.

Carried

DRAFT MINUTES OF CONVOCATION – Tab 1.1

Re: Tab 1.1.1:

The draft minutes of Convocation of September 24, 2015 were confirmed.

Re: Tab 1.1.2:

The draft minutes of Convocation of October 15, 2015 were confirmed.

MOTION – Tab 1.2

Re: Tab 1.2.1 – Committee and Other Appointments

THAT Convocation approve the following appointments:

THAT Gavin MacKenzie be appointed as Vice-Chair of the Task Force on Compliance-Based Entity Regulation.

THAT Malcolm Mercer be appointed to the Real Estates Issues Working Group.

THAT Peter Wardle be appointed to the Professional Development and Competence Committee.

THAT the following benchers be appointed to the committee of benchers described in s. 40(7) of By-Law 4 [Licensing]:

Peter Beach
Jack Braithwaite
Jacqueline Horvat
Michael Lerner

THAT the following benchers be appointed to the committee of benchers described in s. 40(17.2) of By-Law 4 [Licensing]:

Cathy Corsetti
Janis Criger
Seymour Epstein
Barbara Murchie

THAT Peter Wardle be appointed as the bencher described in s. 38 of By-Law 11 [Regulation of Conduct, Capacity and Professional Competence].

THAT the following benchers be appointed as the panel of benchers described in s. 42(1) of By-Law 11 [Regulation of Conduct, Capacity and Professional Competence]:

Michelle Haigh
Carol Hartman
Jan Richardson

Carried

REPORT OF THE EXECUTIVE DIRECTOR OF PROFESSIONAL DEVELOPMENT AND COMPETENCE – Tab 1.3

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

AUDIT & FINANCE COMMITTEE REPORT

Mr. Wardle presented the Report.

Re: 2016 LibraryCo Inc. Budget

It was moved by Mr. Wardle, seconded by Mr. Bredt, that Convocation approve the LibraryCo Inc. budget for 2016 incorporating Law Society funding of \$7,662,150.

Carried

Re: Law Society Budget

It was moved by Mr. Wardle, seconded by Mr. Bredt, that Convocation approve the Law Society's 2016 Budget including the following annual fee amounts:

For lawyers:

General Fee	1,371
Compensation Fund	254
LibraryCo	194
Capital	47
<hr/> Total	<hr/> \$1,866

For paralegals:

General Fee	810
Compensation Fund	139
Capital	47
<hr/> Total	<hr/> \$996

It was moved by Mr. Cooper, seconded by Ms. Lippa, that the motion on the Law Society Budget be amended to provide that sufficient funding be available in the 2016 budget to support any initiatives that are presented to Convocation arising from the strategic plan approved by Convocation for 2016.

Withdrawn

Mr. Wardle advised that if any new initiatives arising out of the strategic plan initiatives come forward to Convocation and are approved during 2016, the financial consequences of these initiatives will be met by the Law Society either out of the contingency or if necessary, by running a deficit.

The main motion was approved.

Mr. Wardle thanked the Audit and Finance Committee and the Law Society's Finance staff for their work on the budget.

For Information:

- Other Committee Work

SECRETARY'S REPORT

Ms. McGrath presented the Report.

Re: Amendment to By-Law 6

It was moved by Ms. McGrath, seconded by Mr. Troister, that Convocation make the amendments to By-Law 6 [Professional Liability Insurance] as set out in the motion at Tab 3.1 respecting professional liability insurance coverage for professional corporations of lawyer and licensed paralegal shareholders.

Carried

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

Mr. Falconer presented the Report.

Re: Amendments to Guidelines for Lawyers Acting in Aboriginal Residential School Cases

It was moved by Mr. Falconer, seconded by Mr. Schabas, that Convocation approve the amendments proposed to the *Guidelines for Lawyers Acting in Aboriginal Residential School Cases* as set out at Tab 1.4.1.1.

Carried

TASK FORCE TO CREATE A STRATEGY TO PROMOTE WELLNESS AND ADDRESS MENTAL HEALTH AND ADDICTIONS ISSUES REPORT

Mr. McDowell provided an oral status report on the work of the Task Force for information.

FEDERATION OF LAW SOCIETIES OF CANADA REPORT

Ms. Pawlitza presented the report on the work of the Federation of Law Societies of Canada for information.

COMPLIANCE-BASED ENTITY REGULATION TASK FORCE REPORT

Mr. Earnshaw presented the report on the status of the work of the Task Force for information.

REPORT FROM THE ACTION GROUP ON ACCESS TO JUSTICE

Mr. Goldblatt presented the report for information.

PRIORITY PLANNING COMMITTEE REPORT

Re: Convocation's Priority Planning

Ms. Hartman presented the report for information.

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REPORTS FOR INFORMATION ONLY

FEDERATION OF LAW SOCIETIES OF CANADA UPDATE

COMPLIANCE-BASED ENTITY REGULATION TASK FORCE REPORT

- Status Report

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

- Paralegal Change of Status Survey
- Equity Legal Education and Rule of Law Series Calendar 2015/2016

REPORT FROM THE ACTION GROUP ON ACCESS TO JUSTICE

PRIORITY PLANNING COMMITTEE REPORT

- Convocation's Priority Planning

CONVOCATION ROSE AT 12:54 P.M.

Tab 2.2.1

THE LAW SOCIETY OF UPPER CANADA

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON DECEMBER 4, 2015

THAT Gisèle Chrétien, Ross Earnshaw, Jacqueline Horvat and W. A. Derry Millar be reappointed to the LibraryCo Inc. Board of Directors for a one year term commencing December 31, 2015.

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APPOINTMENTS TO THE LAW SOCIETY TRIBUNAL
Pursuant to Section 49.21 of the *Law Society Act*

THAT The Hon. James M. Spence and Sidney H. Troister be appointed to the Hearing Division of the Law Society Tribunal effective December 4, 2015 for a term ending May 25, 2017.

Tab 2.3

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 Friday, December 4th 2015

ALL OF WHICH is respectfully submitted

DATED this 4th day of December, 2015

CANDIDATES FOR CALL TO THE BAR
December 4th 2015

Transfer from another province (Mobility)

Michael James Bailey
Graham James Baugh
Norman John Kenneth Bishop
Nicole Diamante Caputo
Peter Bradley Epp
Darren Bart Hribar
Roisin Lisa Hutchinson
Sonia Mann
Redmond Joseph Gagnon O'Brien
Geoffrey Lucas Rawle

L3

Caryn Dale Grass