

**Tab 2**

**THE LAW SOCIETY OF UPPER CANADA**

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON MAY 26, 2016

MOVED BY:            Sidney Troister

SECONDED BY:        Catherine Strosberg

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

DRAFT

MINUTES OF CONVOCATION

Thursday, 28<sup>th</sup> April, 2016  
9:00 a.m.

PRESENT:

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

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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 viewing Convocation by webcast.

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

The Treasurer welcomed Canadian Bar Association President Janet M. Fuhrer to Convocation.

The Treasurer welcomed Kathleen Waters and Steve Jorgensen from LAWPRO to Convocation.

The Treasurer reported to Convocation on the Law Society's new approach to matters related to heritage, by which heritage issues will be dealt with by Law Society operations with Professor Constance Backhouse as Special Heritage Liaison, with reference to the report at Tab 13 of the Convocation Materials.

The Treasurer advised that LibraryCo Inc. has retained a consulting group to perform a needs analysis which will provide important information as a foundation to determine future needs and effective, quality resources to licensees.

The Treasurer noted her activity report in the Convocation Materials and highlighted several events for the information of Convocation.

The Treasurer congratulated Michelle Haigh on her re-election as Chair of the Paralegal Standing Committee.

The Treasurer congratulated bencher Jerry Udell on being awarded the Ontario Bar Association Distinguished Service Award.

The Treasurer congratulated bencher Robert Evans, life bencher Roger Yachetti and former bencher Mary-Louise Dickson, Q.C. on becoming life members of the Law Society. The Treasurer also congratulated Law Society member Howard E. Staats, Q.C. on receiving life member status.

The Treasurer reminded benchers of the Annual General Meeting on May 11, 2016.

The Treasurer advised that the Federation of Ontario Law Associations will be holding its plenary meetings on May 11 to 13, 2016 and benchers are invited to attend.

The Treasurer noted upcoming Law Society roundtable events with the professions.

The Treasurer reminded Convocation of the Law Society Awards ceremony on May 25, 2016.

#### MOTION – CONSENT AGENDA – Tab 2

It was moved by Ms. Murchie, seconded by Mr. Braithwaite, 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 February 25, 2016 were confirmed.

Tab 2.2 – MOTION – APPOINTMENT

THAT Robert Evans be appointed to the Real Estate Issues Working Group.

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

Tab 2.4 – TREASURER'S REPORTS

Re: LAWPRO Annual Shareholder Resolutions

That Convocation authorize the Treasurer to sign the shareholder resolutions for the Lawyers' Professional Indemnity Company (LAWPRO) set out at Tab 2.4.1 of the report.

Carried

Re: LibraryCo Inc. Annual Meeting

That Convocation authorize the Treasurer to sign the proxy in favour of the proposed shareholder resolutions set out at Tab 2.4.4 of the report.

Carried

MENTAL HEALTH STRATEGY TASK FORCE REPORT

Mr. McDowell presented the Report.

Re: Proposed Mental Health Strategy

It was moved by Mr. McDowell, seconded by Ms. Strosberg, that Convocation approve:

- a. the proposed Mental Health Strategy, the component parts of which are set out at pages 4 to 8 of the Report; and
- b. the approach to funding for the Strategy, set out in paragraphs 27 to 34 of the Report.

Carried Unanimously

ADDRESS BY THE PRESIDENT OF THE FEDERATION OF LAW SOCIETIES OF CANADA

Jeff Hirsch addressed Convocation on the work of the Federation.

AUDIT & FINANCE COMMITTEE REPORT

Mr. Bredt presented the Report.

Re: Law Society of Upper Canada Audited Annual Financial Statements for the Year Ended December 31, 2015

It was moved by Mr. Bredt, seconded by Mr. Wardle, that Convocation approve the audited Annual Financial Statements for the Law Society for the financial year ended December 31, 2015, including the interfund transfers listed in Note 13 of the notes to the financial statements.

Carried

Re: LAWPRO REPORT

Ms. McGrath presented the LAWPRO 2015 Annual Report for information.

*For Information*

- In Camera Item
- LAWPRO Annual Financial Statements for the year ended December 31, 2015
- LibraryCo Annual Financial Statements for the year ended December 31, 2015
- Investment Compliance Reporting for the year ended December 31, 2015
- Other Committee Work
- LAWPRO Report

PARALEGAL STANDING COMMITTEE REPORT

Ms. Haigh presented the Report.

Re: Amendment to *Paralegal Rules of Conduct*: Incriminating Physical Evidence

It was moved by Ms. Haigh, seconded by Ms. McGrath, that Convocation approve the addition of subrule (5.2) regarding incriminating physical evidence to Rule 4 of the *Paralegal Rules of Conduct*, as set out at paragraph 8 of the Report.

Carried

*For Information*

- Election of the Chair of the Paralegal Standing Committee

PROFESSIONAL REGULATION COMMITTEE REPORT

Mr. Mercer presented the Report.

Re: By-Law Amendments – New Process for Administrative Surrender of Licence

It was moved by Mr. Mercer, seconded by Mr. Schabas, that Convocation make the amendments to By-Laws 4 and 8 as set out in the motions at Tab 6.1.1 and 6.1.2 of the Report respecting the new administrative surrender process.

Carried

Re: National Discipline Standards Pilot Project

Mr. Mercer presented the report for information.

Re: Report of the Acting Executive Director, Professional Regulation Division, Regarding Complaints Received in 2014

Mr. Mercer presented the report for information.

*For Information*

- National Discipline Standards
- Executive Director's Report – Analysis of Complaints Received by the Professional Regulation Division in 2014

TREASURER'S REMARKS

The Treasurer advised that the report on the Federation of Law Societies of Canada will be deferred to May Convocation.

The Treasurer advised that the report on statistical snapshots of the profession in the report of the Equity and Aboriginal Issues Committee will be presented in May.

The Treasurer congratulated Jacqueline Horvat on the opening of her new law firm, SPARK LLP.

ADDRESS BY THE PRESIDENT OF THE CANADIAN BAR ASSOCIATION

Janet M. Fuhrer addressed Convocation on the work of the Canadian Bar Association.

ADDRESS BY THE PRESIDENT OF THE ONTARIO BAR ASSOCIATION

Ed Upenieks addressed Convocation on the work of the Ontario Bar Association.

TRIBUNAL COMMITTEE REPORT

Ms. Murchie presented the Report.

Re: Amendments to Law Society Tribunal Hearing Divisions 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 Rules of Practice and Procedure set out in the motion at Tab 7.1.1: Motion – Law Society Tribunal Rules of Practice and Procedure – Hearing Division (English and French).

Carried

Re: Tribunal 2015 Third and Fourth Quarter Statistics

Ms. Murchie presented the report for information.

Ms. Murchie invited benchers to provide input on any additional information for data collection, in relation to the data collection project arising from the Tribunal three-year review.

*For Information*

- Tribunal 2015 Third and Fourth Quarter Statistics

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 Ms. Donnelly, that Convocation approve the letters and public statements in the cases as described in the Report, as set out at Tabs 8.1.1 to 8.1.6.

Carried

*For Information*

- Statistical Snapshots of the Professions
- Public Education Equality and Rule of Law Series Calendar 2016

PROFESSIONAL DEVELOPMENT AND COMPETENCE COMMITTEE REPORT

Mr. Goldblatt presented the Report.

Re: Enhancements to Licensing Process

Mr. Goldblatt presented the report for information, and advised that the proposal is to present the report for decision at May Convocation.

*THIS PAGE CONTAINS  
IN CAMERA MATERIAL*



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IN PUBLIC

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*REPORTS FOR INFORMATION ONLY*

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

LAW SOCIETY OPERATIONAL HERITAGE PLAN

CONVOCATION ROSE AT 12:50 P.M.

## THE LAW SOCIETY OF UPPER CANADA

### MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON MAY 26, 2016

THAT the following be reappointed to the Proceedings Authorization Committee:

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

#### Explanatory note:

Under By-Law 11 [Regulation of Conduct, Capacity and Professional Competence], members of the Proceedings Authorization Committee are appointed for a one year term and serve at the pleasure of Convocation. The current term of appointment expires May 28, 2016 requiring the appointment of members of the Committee.

## THE LAW SOCIETY OF UPPER CANADA

### MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON MAY 26, 2016

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

MOVED BY:

SECONDED BY:

THAT Marian Lippa 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

#### Explanatory Note

The individuals named in this motion, with the exception of elected paralegal bencher Marian Lippa, are all non-licensee adjudicators approved for reappointment by the Attorney General pursuant to s. 49.21 (3)(c) of the *Law Society Act*. These are reappointments of individuals originally appointed following a merit-based, competitive process in 2014. The Tribunal Chair has recommended them for reappointment following a performance evaluation. The reappointment term of bencher Marian Lippa corresponds with her term as an elected paralegal bencher and will expire at the same time as other paralegal benchers.

**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:

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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, May 26<sup>th</sup> 2016

ALL OF WHICH is respectfully submitted

DATED this 26<sup>th</sup> day of May, 2016

**CANDIDATES FOR CALL TO THE BAR**  
**May 26<sup>th</sup> 2016**

**Transfer from another province (Mobility)**

Caroline Grace Kiva  
Diana Vasilescu

**Transfer from another province (Quebec)**

Marie Aziz

**L3**

Alnashir Salim Tharani

**Licensing Candidates**

Natalia Kroukova