

THE LAW SOCIETY OF UPPER CANADA

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON SEPTEMBER 24, 2014

MOVED BY:

SECONDED BY:

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

D R A F T

MINUTES OF CONVOCATION

Thursday, 26th June, 2014
9:00 a.m.

PRESENT:

The Treasurer (Janet E. Minor), Anand, Backhouse, Banack (by telephone), Boyd, Braithwaite, Bredt, Burd, Campion, Conway, Copeland (by telephone), Corsetti, Dickson, Doyle, Earnshaw, Elliott, Epstein, Eustace (by telephone), Evans, Falconer, Ferrier, Festeryga (by telephone), Furlong, Go, Goldblatt, Gottlieb, Haigh, Hartman, Horvat, Hunter (by telephone), Krishna, Lawrie (by telephone), Leiper, Lem, Lerner, Lippa, MacKenzie, MacLean, Marmur, McDowell, McGrath, Mercer, Murchie, Murray, Pawlitz, Porter, Potter, Pustina, Rabinovitch, Richardson, Richer, Ross, Ruby (by telephone), Sandler, Scarfone, Schabas, Sheff, Sikand, Silverstein, C. Strosberg, H. Strosberg, Sullivan, Swaye, Symes, Wardlaw, Wardle, Wright (by telephone) 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 guests from the Federation of Law Societies of Canada, Bâtonnière Marie-Claude Bélanger-Richard, Q.C., President, and Jonathan G. Herman, Chief Executive Officer.

ELECTION OF TREASURER

The Secretary announced the results of the votes cast:

Raj Anand	9
Christopher Bredt	20
Janet Minor	31

The Secretary declared Janet Minor elected as Treasurer.

Mr. Conway congratulated the new Treasurer and addressed Convocation.

The Treasurer thanked Mr. Conway.

It was moved by Ms. Boyd, seconded by Ms. Corsetti that the vote in the Treasurer's election be made unanimous.

Carried Unanimously

Mr. Anand and Mr. Bredt congratulated the Treasurer on her election.

The Treasurer addressed Convocation.

MOTION – ELECTION OF BENCHER

It was moved by Ms. Doyle, seconded by Mr. Lerner, that, –

WHEREAS Janet Minor 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, Janet Minor ceased to hold office as an elected bencher 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, Jeffrey Lem, 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 bencher 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

TREASURER'S REMARKS

The Treasurer advised Convocation of the launch of The Action Group on Access to Justice on June 3, 2014, and thanked the co-Chairs of the The Action Group and Grant Wedge for their work on the launch.

The Treasurer also noted discussions that have begun to update the Law Society's 2009 Aboriginal Strategy.

The Treasurer informed Convocation that the Law Society hosted its annual Pride Event on June 17, 2014.

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

The Treasurer congratulated the recipients of the 2014 Honorary LL.D. degree at the calls to the bar in June: David F. Smye, Q.C. (London, June 16), The Honourable Stephen T.

Goudge (Toronto, June 19), Professor Martin Friedland (Toronto, June 20), Laurie H. Pawlitza (Toronto, June 20) and John H. Sims, Q.C. (Ottawa, June 23).

The Treasurer congratulated former bencher William J. Simpson, Q.C. who received during the call to the bar event in Ottawa a special award for his work on implementing paralegal regulation at the Law Society.

The Treasurer advised that former Treasurer Conway had congratulated Ontario Premier Wynne on her successful re-election, and noted Premier Wynne's commitment to the same funding for legal aid in the provincial budget to be tabled this summer.

The Treasurer welcomed guests from the Federation of Law Societies of Canada, Bâtonnière Marie-Claude Bélanger-Richard, Q.C., President, and Jonathan G. Herman, Chief Executive Officer.

MOTION – CONSENT AGENDA

It was moved by Ms. Leiper, seconded by Ms. Corsetti, that Convocation approve the consent agenda set out under Tab 2 of the Convocation Materials.

Carried

DRAFT MINUTES OF CONVOCATION – Tab 2.1

The draft minutes of Convocation of May 22, 2014 were confirmed.

MOTION – APPOINTMENTS – Tab 2.2

THAT the following be reappointed to the Proceedings Authorization Committee for a one year term:

Paul Schabas (Chair)
Michelle Haigh
Jacqueline Horvat
Gerald Sheff
Alan Silverstein
Peter Wardle

Carried

REPORT OF THE DIRECTOR OF PROFESSIONAL DEVELOPMENT AND COMPETENCE – Tab 2.3

THAT the Report of the Director of Professional Development and Competence listing the names of the call to the bar candidates be adopted.

Carried

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

Mr. Schabas presented the Report.

Re: Human Rights Monitoring Group Requests for Intervention

It was moved by Mr. Schabas, seconded by Mr. Falconer, that Convocation approve the letters and public statements in the following cases:

- a. lawyer Mahienour El-Massry – Egypt – letters of intervention and public statement presented at Tab 3.1.1 of the Report;
- b. lawyer Rashid Rehman – Pakistan - letters of intervention and public statement presented at Tab 3.1.2 of the Report.

Carried

Mr. Lerner abstained.

Ms. Ross presented the Human Rights Monitoring Group Report, Facilitating International Access to Justice through Intervention, for information.

Ms. Murchie presented the report on The Justicia Project – Overview and Next Steps for information.

For Information

- Report on the Justicia Project
- Report on the Status of the Parental Leave Assistance Program
- Development of a Law Society Aboriginal Strategy
- Public Education Equality and Rule of Law Series Calendar 2014

PROFESSIONAL REGULATION COMMITTEE REPORT

Mr. Mercer presented the Report.

Re: Amendment to By-Law 11 to Enforce Payment of Costs

It was moved by Mr. Mercer, seconded by Ms. Leiper, that Convocation approve an amendment to By-Law 11, as set out in the motion at Tab 4.1.1 of the Report, to support the Law Society's authority to enforce the payment of costs under section 45.1 of the *Law Society Act*.

Carried

For Information

- Update on Work of the Alternative Business Structures Working Group
- Analysis of Complaints Received by the Professional Regulation Division in 2013

BENCHER ELECTION WORKING GROUP REPORT

Ms. Leiper presented the Report.

Re: Matters Related to the Bencher Election Process

It was moved by Ms. Leiper, seconded by Ms. Richer, that Convocation amend voting procedures for the lawyer and paralegal bencher elections, as follows:

- a. Make the date for the Elections Officer's preparation of the polling list for the lawyer bencher election on or shortly after the second Friday in April in an election year, and
- b. Make the date for the Elections Officer's preparation of the polling list for the paralegal bencher election on or shortly after the second Friday in March in an election year.

Carried

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

Bâtonnière Marie-Claude Bélanger-Richard, Q.C. addressed Convocation.

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APPOINTMENT TO THE LAW SOCIETY TRIBUNAL

The Treasurer announced that Convocation appointed Stephen T. Goudge to the Hearing and Appeal Divisions of the Law Society Tribunal for a term of two years.

REPORTS FOR INFORMATION

ACCESS TO JUSTICE COMMITTEE REPORT

- Report on Next Steps on the Law Society's Access to Justice Initiative

AUDIT & FINANCE COMMITTEE REPORT

- Other Committee Work

PRIORITY PLANNING COMMITTEE REPORT

- Convocation's Priority Planning - Status of Work on Convocation's Priorities

CONVOCATION ROSE AT 12:34 P.M.

DRAFT

MINUTES OF CONVOCATION

Wednesday, 13th August, 2014
9:00 a.m.

PRESENT:

The Treasurer (Janet E. Minor), *Aaron, *Anand, *Backhouse, Boyd, *Braithwaite, *Bredt, *Burd, *Campion, *Corsetti, Doyle, Earnshaw, *Epstein, *Falconer, *Festeryga, *Ferrier, *Furlong, *Gold, Goldblatt, *Hare, *Hartman, *Horvat, *Krishna, Lawrie, *Leiper, *Lem, *Lerner, *Lippa, *Manes, *Marmur, *McGrath, Mercer, *Murchie, *Murray, *Pawlitza, *Porter, *Potter, *Pustina, *Rabinovitch, *Richardson, *Richer, Ross, *Rothstein, *Sheff, *Sikand, *Silverstein, *C. Strosberg, *H. Strosberg, *Swaye, *Symes and *Wardlaw.

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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

Re: Committee and Other Appointments

It was moved by Mr. Braithwaite, seconded by Mr. Porter, that the attached list of appointments under **Schedule A** be approved and that Janet E. Minor be removed as a member of the Hearing Division and Appeal Division of the Law Society Tribunal at her own request.

SCHEDULE A

COMMITTEE, TASK FORCE, WORKING GROUP AND EXTERNAL/OTHER APPOINTMENTS
August 13, 2014

COMMITTEES

Access to Justice

Cathy Corsetti, Co-Chair

Paul Schabas, Co-Chair

Susan Hare, Vice-Chair, Special Liaison with the Equity and Aboriginal Issues Committee

Beth Symes, Vice-Chair

Raj Anand

Marion Boyd

Mary Louise Dickson

Robert Evans

Avvy Go

George Hunter

Brian Lawrie

Michael Lerner

Virginia MacLean

Malcolm Mercer

Susan Richer

Baljit Sikand

Bradley Wright

Audit & Finance

Christopher Bredt, Co-Chair

Peter Wardle, Co-Chair

Adriana Doyle, Vice-Chair

John Callaghan

Susan Elliott

Seymour Epstein

Michelle Haigh

Vern Krishna

Judith Potter

James Scarfone

Alan Silverstein

Catherine Strosberg

Compensation

Janet Minor, Chair
Christopher Bredt
Howard Goldblatt
Catherine Strosberg
Peter Wardle

Compensation Fund

Michelle Haigh, Chair
Adriana Doyle
Carol Hartman
Jan Richardson
Catherine Strosberg

Equity and Aboriginal Issues

Julian Falconer, Co-Chair
Janet Leiper, Co-Chair
Susan Hare, Vice-Chair, Special Liaison with the Access to Justice Committee
Beth Symes, Vice-Chair
Constance Backhouse
Peter Festeryga
Avvy Go
Howard Goldblatt
Jeffrey Lem
Marian Lippa
Dow Marmur
Barbara Murchie
Judith Potter
Susan Richer

Government and Public Affairs

Marion Boyd, Co-Chair
John Callaghan, Co-Chair
William McDowell, Co-Chair
Christopher Bredt
Robert Burd
John Champion
Susan Elliott
Seymour Epstein
Michelle Haigh
Susan McGrath
Barbara Murchie
Julian Porter
Linda Rothstein
Catherine Strosberg
Joseph Sullivan

Heritage

Constance Backhouse, Chair
Patrick Furlong
Virginia MacLean
Nicholas Pustina
Jan Richardson

Inter-Jurisdictional Mobility

Jacqueline Horvat, Chair
Jack Braithwaite
Ross Earnshaw
Michael Lerner
Malcolm Mercer
Jack Rabinovitch
Joseph Sullivan

Law Society Awards

Janet Minor, Chair
Constance Backhouse
John Callaghan
Carol Hartman
William McDowell
Catherine Strosberg

Law Society LL.D. Advisory

Janet Minor, Chair
Constance Backhouse
John Callaghan
Carol Hartman
William McDowell
Catherine Strosberg

Litigation

Linda Rothstein, Chair
Peter Wardle, Vice-Chair
John Callaghan
William McDowell
Julian Porter
Paul Schabas
Harvey Strosberg
Joseph Sullivan

Paralegal Standing

Cathy Corsetti, Chair
Susan McGrath, Vice-Chair
Marion Boyd
Robert Burd
Adriana Doyle
Ross Earnshaw
Robert Evans
Michelle Haigh
Brian Lawrie
Marian Lippa
Dow Marmur
Malcolm Mercer
Baljit Sikand

Priority Planning

Janet Minor, Chair
Raj Anand
Marion Boyd
Christopher Bredt
John Callaghan
Cathy Corsetti
Julian Falconer
Howard Goldblatt
Michelle Haigh
Carol Hartman
Jacqueline Horvat
Janet Leiper
William McDowell
Susan McGrath
Malcolm Mercer
Julian Porter
Linda Rothstein
Paul Schabas
Peter Wardle

Proceedings Authorization

Paul Schabas, Chair
Michelle Haigh
Jacqueline Horvat
Jeffrey Lem
Gerald Sheff
Alan Silverstein

Professional Development and Competence

Howard Goldblatt, Chair
Barbara Murchie, Vice-Chair
Alan Silverstein, Vice-Chair
Raj Anand
Constance Backhouse
Jack Braithwaite
Robert Burd
Mary Louise Dickson
Ross Earnshaw
Lawrence Eustace
Peter Festeryga
Susan Hare
Vern Krishna
Michael Lerner
Marian Lippa
Virginia MacLean
Dow Marmur
Judith Potter
Nicholas Pustina
Jack Rabinovitch
Joseph Sullivan
Gerald Swaye
Peter Wardle

Professional Regulation

Malcolm Mercer, Chair
Susan Richer, Vice-Chair
Paul Schabas, Vice-Chair
Robert Armstrong
John Callaghan
John Campion
Seymour Epstein
Robert Evans
Julian Falconer
Patrick Furlong
Carol Hartman
Jacqueline Horvat
Brian Lawrie
Jeffrey Lem
William McDowell
Ross Murray
Jan Richardson
Heather Ross

Summary Disposition

Barbara Murchie
Malcolm Mercer

Tribunal

Raj Anand, Chair
Janet Leiper, Vice-Chair
Larry Banack
Jack Braithwaite
Christopher Bredt
Robert Burd
Cathy Corsetti
Adriana Doyle
Lee Ferrier
Alan Gold
Dow Marmur
Barbara Murchie
Linda Rothstein
Mark Sandler
Baljit Sikand
Peter Wardle

TASK FORCE

Mentoring and Advisory Services Proposal Task Force

Linda Rothstein, Co-Chair
Peter Wardle, Co-Chair
Howard Goldblatt, Vice-Chair
Lawrence Eustace
Julian Falconer
Michelle Haigh
Susan Hare
Jacqueline Horvat
Virginia MacLean
Dow Marmur
Derry Millar
Paul Schabas

WORKING GROUPS

Alternative Business Structures

Susan McGrath, Co-Chair
Malcolm Mercer, Co-Chair
Constance Backhouse
Marion Boyd
Ross Earnshaw
Susan Elliott
Carol Hartman
Jacqueline Horvat
Brian Lawrie
Jeffrey Lem
Jan Richardson
James Scarfone
Alan Silverstein
Peter Wardle

Challenges Faced By Racialized Licensees

Raj Anand, Co-Chair
Janet Leiper, Co-Chair
Julian Falconer, Vice-Chair
Howard Goldblatt, Vice-Chair
Marion Boyd
Robert Burd
Susan Hare
William McDowell
Malcolm Mercer
Susan Richer
Baljit Sikand

Human Rights Monitoring Group

Paul Schabas, Chair
Paul Copeland
Julian Falconer
Avvy Go
Judith Potter
Heather Ross
Beth Symes

EXTERNAL/OTHER APPOINTMENTS

Law Foundation of Ontario Board of Trustees

Linda Rothstein
Mark Sandler
Paul Schabas

Law Society Foundation (nominations to the Board of Trustees)

Mary Louise Dickson
Ian Hull
Michael Lerner
Derry Millar
Catherine Strosberg

Ontario Bar Association Council

Constance Backhouse (Treasurer's Nominee)
Carol Hartman
Barbara Murchie

Carried

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CONVOCATION ROSE AT 9:10 A.M.

THE LAW SOCIETY OF UPPER CANADA

MOTION TO BE MOVED AT CONVOCATION ON SEPTEMBER 24, 2014

MOVED BY:

SECONDED BY:

THAT Raj Anand be appointed to the Law Commission of Ontario Board of Governors for a term of three years effective October 15, 2014 to replace Christopher Bredt.

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 23, 2014.

THAT Cathy Corsetti be removed from the Tribunal Committee at her own request and be appointed to the Professional Regulation Committee.

THAT Jacqueline Horvat be appointed to the Ontario Justice Education Network Board of Directors to replace Constance Backhouse.

THAT Malcolm Mercer be appointed to the Litigation Committee.

THAT Peter C. Wardle be appointed to the Hearing Division of the Law Society Tribunal for a term ending on May 28, 2015.

THAT the composition of the Challenges Faced By Racialized Licensees Working Group be as follows:

Janet Leiper, Chair
Julian Falconer, Vice-Chair
Howard Goldblatt, Vice-Chair
Raj Anand
Marion Boyd
Robert Burd
Susan Hare
William McDowell
Malcolm Mercer
Susan Richer
Baljit Sikand

Tab 1.3

To the Benchers of the Law Society of Upper Canada Assembled in Convocation

The 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 Wednesday, September 24th, 2014

ALL OF WHICH is respectfully submitted

DATED this 24th day of September, 2014

CANDIDATES FOR CALL TO THE BAR
September 24th, 2014

Transfer from another province (Mobility)

Stéphanie Elizabeth Armengau
Chase William Arnesen
Rachel Leigh Barker
Andrew Clifford Burgess
Adam Neal Gotfried
Catherine Ann Graham
Christian James Ronayne Hurley
Nathaniel Brock Fitzgerald Marshall
Emma Michielsen
Paul Desmond Mooney
Tiffany O'Hearn Davies
Kathryn May Stoneman
Lara Jessie Tessaro

Licensing Process

Nafay Al-Alam Choudhury
Kevin John Daley
Shiv Raj Malik
Ram Anand Shankar

Transfer (Quebec)

Aiden Araz Talai

L3

Michael Jacob Citrome
Vanessa Reina Dadoun
Patrick Jean Roy Reynaud

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