

MINUTES OF CONVOCATION

Thursday, 22nd May, 2014
9:00 a.m.

PRESENT:

The Treasurer (Thomas G. Conway), Anand, Backhouse, Boyd, Braithwaite, Bredt, Burd, Callaghan, Campion, Copeland (by telephone) Corsetti, Dickson, Doyle, Earnshaw, Epstein, Elliott, Eustace, Evans, Falconer (by telephone), Ferrier, Festeryga (by telephone), Furlong, Go, Gottlieb, Goldblatt, Haigh, Hartman, Horvat, Krishna, Lawrie, Leiper (by telephone), Lerner, Lippa, MacLean, Marmur, McDowell, McGrath, Mercer, Minor, Murchie, Murray (by telephone), Pawlitzka, Pustina, Rabinovitch, Richardson (by telephone), Richer, Ruby (by telephone), Sandler, Scarfone (by telephone), Sikand, Silverstein, C. Strosberg, H. Strosberg (by telephone), Sullivan, Swaye (by telephone), Symes, Wardle, Wardlaw.

.....

Secretary: James Varro

The Reporter was sworn.

.....
IN PUBLIC
.....

TREASURER'S REMARKS

The Treasurer commented on the recent media coverage of the Law Society's investigative and discipline functions, to which the Law Society has responded.

The Treasurer expressed condolences to the family of former Law Society Under-Treasurer Archibald Rendall Dick, Q.C., LSM, who passed away on May 2, 2014.

The Treasurer congratulated the recipients of the Law Society Awards, which were bestowed at a ceremony on May 21, 2014: Law Society Medalists Frank E. P. Bowman, Clare E. Lewis, O.Ont, Q.C., W. A. Derry Millar, Sandra R. Stephenson and William M. Trudell, Nigel G. Gilby who received the Lincoln Alexander Award, Susan E. Opler who received the Laura Legge Award and Paula Stamp who received the Law Society Distinguished Paralegal Award. The Treasurer also thanked Marni Alexander, wife of the late Lincoln Alexander, for participating in the ceremony.

The Treasurer reported on the County and District Law Presidents' Association (CDLPA) Plenary and related meetings and events which he attended with benchers and staff in London, Ontario last week. The Treasurer thanked Janet Whitehead, immediate past chair of CDLPA, for her support and service to CDLPA and the profession.

The Treasurer advised Convocation about the dedicated Alternative Business Structures web page on the Law Society's website.

The Treasurer announced the celebration of the official release of the Law Society's Justicia Project resources at a Symposium to be held at the Law Society on May 28, 2014, with a reception following the event.

The Treasurer announced the official launch of The Action Group on Access to Justice at an event scheduled for June 3, 2014.

The Treasurer announced the recipients of the Law Society LL.D. at upcoming Call to the Bar ceremonies in Toronto, Ottawa and London in June: David F. Smye, Q.C. at the London Call on June 16, The Honourable Stephen T. Goudge of the Court Of Appeal for Ontario at the Toronto Call on June 19, Professor Martin Friedland at the Toronto Call on June 20, Laurie H. Pawlitza at the Toronto Call on June 20 and John H. Sims, Q.C. at the Ottawa Call on June 23.

The Treasurer was pleased to acknowledge the proposal in today's agenda to rename the Law Society Distinguished Paralegal Award as the William J. Simpson Distinguished Paralegal Award.

The Treasurer announced that Adam Foley and Minh Luu will be guests today at Convocation lunch.

SECRETARY'S ANNOUNCEMENT

The Secretary announced the following nominees for the office of the Treasurer:

Raj Anand – nominated by Jennifer Halajian and Dow Marmur
Christopher Bredt – nominated by Carol Hartman and William C. McDowell
Janet Minor – nominated by Howard Goldblatt and Susan Richer.

MOTION – CONSENT AGENDA

The Treasurer advised that the items at Tab 1.1 and Tab 1.3 will be removed from the Consent Agenda and dealt with separately.

DRAFT MINUTES OF CONVOCATION – Tab 1.1

The draft minutes of Convocation of April 24, 2014, amended on the advice of the Treasurer to reflect the “yes” vote of Mr. Strosberg to the question on the Trinity Western University (TWU) matter, were confirmed.

MOTION – RENAMING OF THE LAW SOCIETY DISTINGUISHED PARALEGAL AWARD – Tab 1.3

It was moved by Mr. Falconer, seconded by Ms. Hartman, that the Law Society Distinguished Paralegal Award be renamed the William J. Simpson Distinguished Paralegal Award, in honour of Mr. Simpson's outstanding contribution to the implementation of paralegal regulation by the Law Society of Upper Canada.

An amendment to the motion, moved by Mr. Lawrie and seconded by Ms. Corsetti, was accepted to add the words “and that the renaming be retroactive to the creation of the Award by Convocation on September 22, 2011. “

The motion as amended carried unanimously.

It was moved by Mr. Falconer, seconded by Ms. Hartman, that Convocation approve the remaining items under the Consent Agenda set out under Tab 1 of the Convocation Materials.

Carried

MOTION – APPOINTMENTS – Tab 1.2

THAT Robert P. Armstrong and Lee K. Ferrier be appointed to the Appeal and Hearing Divisions of the Law Society Tribunal for a term ending May 28, 2015.

THAT Marian Lipka be appointed to the Hearing Division of the Law Society Tribunal for a term of two years.

THAT the term of appointment of John E. Callaghan to the Hearing Division of the Law Society Tribunal made by Convocation on April 24, 2014 for two years be amended to a term ending on May 28, 2015.

Carried

REPORT OF THE DIRECTOR OF PROFESSIONAL DEVELOPMENT AND COMPETENCE – Tab 1.4

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

Carried

TRIBUNAL COMMITTEE REPORT – Tab 1.5

Re: Housekeeping Amendments to Implement Tribunal Related Provisions of the *Modernizing Regulation of the Legal Profession Act, 2013* (Bill 111)

THAT Convocation approve housekeeping amendments to the Hearing Division Rules of Practice and Procedure and Forms and the Appeal Divisions Rules and Forms, as set out in the motion at Tab 1.5.1.

Carried

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

Mr. Goldblatt presented the Report.

Re: Proposed By-Law on Law Society Services in French and English

- It was moved by Mr. Goldblatt, seconded by Ms. Backhouse, that Convocation
- a. amend By-Law 2 [Corporate Provisions] as set out in the motion at Tab 2.1.1., to establish the right of a person to receive services from the Law Society of Upper Canada in French and English; and
 - b. revoke the French Language Services Policy set out at Tab 2.1.2., approved by Convocation on June 23, 1989.

Carried

Re: Human Rights Monitoring Group Requests for Intervention

It was moved by Mr. Goldblatt, seconded by Mr. Falconer, that Convocation approve the letters and public statements in the cases as set out at paragraph 27 of the Report.

Carried

Mr. Lerner abstained

For information

- Public Education Equality and Rule of Law Series Calendar 2014

AUDIT & FINANCE COMMITTEE REPORT

Ms. Hartman presented the Report.

Re: Updated Investment Policy

It was moved by Ms. Hartman, seconded by Mr. Bredt, that Convocation approve the updated Investment Policy as set out in the Report.

Carried

Re: Retention of Investment Manager and Custodian

It was moved by Ms. Hartman, seconded by Mr. Bredt, that Convocation approve the continued retention of the Investment Manager, Foyston and Payne and the Custodian, CIBC Mellon Global Securities Services Company.

Carried

.....
IN PUBLIC

.....

REPORT FOR INFORMATION ONLY

Tribunal Committee Report

- Tribunals Office Quarterly Statistics for the Fourth Quarter 2013

CONVOCATION ROSE AT 1:19 P.M.