

MINUTES OF CONVOCATION

Thursday, 28th May, 2015
9:00 a.m.

PRESENT:

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

MOTION – ELECTION OF BENCHER

It was moved by Ms. Horvat, seconded by Ms. Corsetti, that, –

WHEREAS Janet E. Minor was elected as a bencher from the Province of Ontario “A” Electoral Region (City of Toronto) on the basis of the votes cast by electors residing in that electoral region.

WHEREAS upon being elected Treasurer on June 26, 2014, Janet E. 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 office of bencher elected from the Province of Ontario “A” Electoral Region (City of Toronto) on the basis of the votes cast by electors residing in that electoral region.

THAT under the authority contained in By-Law 3, Janet Leiper, having satisfied the requirements contained in subsections 42 (2) 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 office of bencher elected from the Province of Ontario "A" Electoral Region (City of Toronto) on the basis of votes cast by electors residing in that electoral region.

AND WHEREAS Janet Leiper's election to fill a vacancy in the office of benchers elected from the Province of Ontario "A" Electoral Region (City of Toronto) on the basis of votes cast by electors residing in that electoral region has created a vacancy in the number of benchers elected from the Province of Ontario "A" Electoral Region (City of Toronto) on the basis of votes cast by all electors;

THAT under the authority contained in By-Law 3, Isfahan Merali, 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 votes cast by all electors.

Carried

TREASURER'S REMARKS

The Treasurer welcomed all newly elected benchers to Convocation and congratulated incumbents who were re-elected.

The Treasurer also advised of the appointment of two new lay benchers, Suzanne Clément and Gisèle Chrétien, and congratulated them on their appointments.

The Treasurer acknowledged the work of the following former bencher colleagues:

Constance Backhouse
John A. Campion
Mary Louise Dickson
Lawrence Alexander Eustace
Peter Festeryga
Alan D. Gold
Jennifer A. Halajian
Susan M. Hare
Nicholas John Pustina
Linda Rothstein
Mark Sandler
James A. Scarfone
Alan G. Silverstein
Joseph J. Sullivan
Beth Symes

The Treasurer explained the purpose of the eagle feathers on the Convocation table.

The Treasurer announced the six recipients of the honorary LL.D. at calls to the bar in June:

- Janet E. Stewart, Q. C. – June 18 London
- The Honourable Peter A. S. Milliken – June 22 Ottawa
- Julian Porter Q.C. – June 23
- Sheila Block – June 24
- Jean Teillet – June 26 in the morning
- James Stewart – June 26 in the afternoon

The Treasurer advised Convocation that an LL.D. degree was conferred on The Honourable Marc Rosenberg on May 22, 2015 in a special ceremony due to health issues. The Treasurer advised that Priscilla Platt, Justice Rosenberg's partner, and his children, Daniel and Debra, were joining by telephone today, as the Treasurer requested that Mark Sandler, who read the citation at the ceremony, read the citation. Mr. Sandler read the citation.

The Treasurer congratulated Mr. Sandler on being awarded the G. Arthur Martin Criminal Justice Medal to be bestowed by the Criminal Lawyers' Association in October.

The Treasurer advised that issues arising from the bencher election process will be reviewed by the Governance Issues Working Group of the Priority Planning Committee which will bring forward appropriate proposals.

The Treasurer expressed condolences to the family of The Honourable W. Dan Chilcott, Q.C., former Treasurer of the Law Society, who passed away on April 28, 2015.

The Treasurer expressed condolences to the family of Alan Borovoy, who was a champion of civil liberties in Canada, who passed away on May 11, 2015.

The Treasurer congratulated the recipients of the Law Society Awards who received their awards at a ceremony on May 27, 2015:

Law Society Medalists:

Craig Carter
Professor Adam Dodek
Susan Eng
Faisal Joseph
John B. Laskin
H. J. Stewart Lavigueur
S. Patrick Shea
Chantal Tie

W. Paul Dray - William J. Simpson Distinguished Paralegal Award
Paul Le Vay – The Lincoln Alexander Award
Kim Murray – The Laura Legge Award

The Treasurer thanked former bencher William J. Simpson for bestowing the Paralegal Award.

The Treasurer advised that she was honoured to give greetings on behalf of the Law Society at the swearing in ceremony for new Chief Justice of the Ontario Court of Justice, The Honourable Lise Maisonneuve, and congratulated her on her appointment.

The Treasurer advised that in her absence for the swearing in, Robert Lapper extended Law Society greetings to the County & District Law Presidents' Association plenary in Thunder Bay.

The Treasurer advised of her attendance at the mental health event on May 6, 2015, "Fostering Wellness: A Discussion of Mental Health and the Legal Profession", and that she expects to announce a Law Society task force on a mental health strategy at the June Convocation.

The Treasurer noted the Targeted Legal Services event through The Action Group on Access to Justice on May 12, 2015.

The Treasurer reported on her meeting, together with Julian Falconer, and staff Marisha Roman and Grant Wedge, with Chief Ava Hill and the Justice Committee at the Six Nations of the Grand River as part of the Law Society Aboriginal outreach strategy.

The Treasurer noted the upcoming public events sponsored by the Equity Initiatives department and encouraged benchers to attend.

The Treasurer advised that the luncheon guests for today are:

- The Honourable Heather J. Forster Smith, Chief Justice of the Superior Court of Justice
- The Honourable Frank N. Marrocco, Associate Chief Justice of the Superior Court of Justice
- The Honourable Faith M. Finnestad, Associate Chief Justice of the Ontario Court of Justice

MOTION – CONSENT AGENDA

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

Carried

DRAFT MINUTES OF CONVOCATION – Tab 2.1

The draft minutes of Convocation of April 23 and May 19, 2015 were confirmed.

MOTION – Tab 2.2

Motion – Appointments

THAT Joseph Groia be appointed to the Compensation Fund Committee.

THAT Jeffrey Lem be appointed a Vice-Chair of the Professional Development and Competence Committee.

THAT the following be appointed to the Proceedings Authorization Committee:

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

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

AUDIT & FINANCE COMMITTEE REPORT – Tab 2.4

Re: Errors & Omissions Insurance Fund Banking Resolution

THAT Convocation approve a new banking resolution in respect of the bank account for the Law Society's Errors and Omissions Insurance Fund, approving Lisa Weinstein, Vice President, TitlePLUS as an additional signatory.

Carried

MOTION – APPOINTMENTS TO THE LAW SOCIETY TRIBUNAL

Mr. Anand presented the Report.

It was moved by Ms. Horvat, seconded by Ms. Corsetti, that Convocation approve the appointments to the Law Society Tribunal as set out in the motion at Tab 3.4 of the Convocation Materials.

Carried

PROFESSIONAL DEVELOPMENT AND COMPETENCE COMMITTEE REPORT

Mr. Goldblatt presented the Report.

Re: Competence Enhancement – Law Student Experiential Learning

It was moved by Mr. Goldblatt, seconded by Ms. Haigh, that Convocation approve the amendment of relevant Law Society By-Laws to ensure they enable law student experiential learning, provided law students are adequately supervised, and that by-law amendments be provided for Convocation's consideration in June 2015.

Carried

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 following cases:

- a. Lawyer Intigam Aliyev – Azerbaijan – letters of intervention presented at Tab 5.1.1;
- b. Lawyers Azza Soliman – Egypt– letters of intervention and public statement presented at Tab 5.1.2;
- c. Lawyer Samiullah Afridi – Pakistan – letters of intervention and public statement presented at Tab 5.1.3.

Carried

Mr. Falconer and Ms. Leiper spoke to the Report of the Director, Equity on Equity Initiatives at the Law Society for information, the information report on the reappointment of Equity Advisory Group members and the Equity Legal Education and Rule of Law Series Calendar 2015.

For Information

- Report of the Director, Equity
- Reappointment of Equity Advisory Group Members
- Equity Legal Education and Rule of Law Series Calendar 2015

TRIBUNAL COMMITTEE REPORT

Mr. Anand presented the Report.

Re: Practice Direction – Tribunal Book of Authorities

It was moved by Mr. Anand, seconded by Ms. Leiper, 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 September 4, 2015.

Carried

PARALEGAL STANDING COMMITTEE REPORT

Ms. Haigh presented the Report.

Re: William J. Simpson Award Selection Committee

It was moved by Ms. Haigh, seconded by Ms. McGrath, that the Selection Committee for the William J. Simpson Paralegal Award be expanded to include two additional members: one justice, or retired justice, of the Ontario Court of Justice and one Justice of the Peace or member of a judicial tribunal.

Carried

Ms. Haigh spoke to the information report on the update on competence initiatives.

For Information

- Update on Competence Initiatives
- Update on Law Society Referral Service

AUDIT AND FINANCE COMMITTEE REPORT

Mr. Bredt presented the Report.

Re: Law Society First Quarter Financial Statements

Mr. Bredt presented the report for information.

PROFESSIONAL REGULATION COMMITTEE REPORT

Mr. Mercer presented the Report.

Re: Professional Regulation Division Quarterly Report

Mr. Mercer spoke to the report for information.

DOORS OPEN 2015

The Treasurer paid tribute to Elise Brunet, the Law Society's curator, and her staff for their work in making Doors Open 2015 a great success.

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IN PUBLIC
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REPORTS FOR INFORMATION ONLY

AUDIT & FINANCE COMMITTEE REPORT

- Law Society of Upper Canada Financial Statements for the three months ended March 31, 2015
- Investment Compliance Reports

PROFESSIONAL REGULATION COMMITTEE REPORT

- Professional Regulation Division Quarterly Report

REPORT FROM THE ACTION GROUP ON ACCESS TO JUSTICE

CONVOCATION ROSE AT 12:16 P.M.