



Notice

MOTION

On March 23, 2017 the Secretary received the following motion to be made at the Annual General Meeting on May 10, 2017.

WHEREAS, the Law Society of Upper Canada regulates the provision of legal services in Ontario in the public interest; and

WHEREAS, legal services may be performed by lawyers and as permitted by the Law Society's By-Laws, paralegals; and

WHEREAS, a review is currently underway to consider expanding the scope of practice of paralegals (and other non-lawyers) into Family Law; and

WHEREAS, to date, the Law Society of Upper Canada has imposed strenuous educational requirements upon existing Family Law practitioners (i.e. lawyers), including graduation from an accredited law school, in most cases, on top of an undergraduate degree; and

WHEREAS, it is believed that that the strenuous educational requirements currently in place, at an accompanying opportunity cost of several hundred thousand dollars, are necessary to allow existing Family Law practitioners (i.e. lawyers) to develop the professional competence required to deal with the sensitive and important issues arising within the family law context; and

WHEREAS, it strains credulity to believe that a one year College level program can do a more effective job of instilling professional competence than the current general seven year licensing regime; and

WHEREAS, the potential consequences of incompetent representation in the Family Law regime are significant and many of those consequences (such as custody, access, visitation, and residency/travel restrictions) cannot be properly alleviated or compensated for by the payment of pecuniary damages in solicitor's or paralegal's negligence; and

WHEREAS, these concerns would be alleviated to large extent were paralegals required to obtain an undergraduate degree along with training equivalent to that provided by law schools in family law, tax and evidence classes prior to the scope of paralegal practice being so expanded.

THEREFORE BE IT RESOLVED:

1. Prior to expanding the scope of paralegal practice, LSUC shall release to its lawyer members the findings and any reports relating to the review of paralegal practice and the potential suitability of paralegals to provide representation with respect to Family Law issues, including any restrictions on such practice that are being considered, and shall provide the lawyer members with an opportunity to comment on the findings and recommendations from that review; and
2. Prior to expanding the scope of paralegal practice, LSUC shall revise their paralegal licensing guidelines, to require future licensing candidates to obtain an undergraduate degree along with training equivalent to that provided by law schools in family law, tax and evidence.

Maurice Benzaquen

Anar Dewshi

Jeffrey Goldberg

Gordon W. Harris

Michael Lesage

Larry J. Levine, Q.C.

J. Randal Montgomery

Desislava Nikolova

Peter Pietraszek

Michael Rubin

Lianne Sharvit

Darryl Singer

Sunish R. Uppal

Notice

ANNUAL GENERAL MEETING

Notice is hereby given that the Annual General Meeting of The Law Society of Upper Canada will be held at Osgoode Hall, 130 Queen Street West, Toronto, on Wednesday, May 10, 2017 beginning at 5:15 in the afternoon. All members of the Society are invited to attend.

Motions

Any motion to be made at the Annual General Meeting must be in writing and signed by at least ten lawyers or paralegals whose licences are not suspended at the time of signature. The motion must be delivered to the Secretary at Osgoode Hall, 130 Queen Street West, Toronto M5H 2N6 no later than 5:00 p.m. on Friday, March 31, 2017.

Osgoode Hall
February 24, 2017

James Varro
Secretary