

MINUTES OF CONVOCATION

Wednesday, 24th September, 2014
9:00 a.m.

PRESENT:

The Treasurer (Janet E. Minor), Anand, Armstrong, Backhouse, Banack, Boyd, Braithwaite, Bredt, Burd, Callaghan (by telephone), Champion, Copeland (by telephone), Corsetti, Dickson, Doyle, Earnshaw, Elliott, Epstein, Eustace (by telephone), Evans, Falconer, Ferrier, Furlong, Go, Goldblatt, Haigh, Hare, Hartman, Horvat, Krishna, Lawrie, Leiper, Lem, Lerner, Lippa, MacLean, Manes (by telephone), Marmur, McDowell, McGrath, Mercer, Murchie (by telephone), Murray, Pawlitza, Porter, Potter, Pustina (by telephone), Rabinovitch, Richardson (by telephone), Richer, Ruby (by telephone), Sandler (by telephone), Scarfone, Schabas, Sheff, Sikand, Silverstein (by telephone), C. Strosberg, H. Strosberg (by telephone), Sullivan, Swaye, Symes, Wardle and Yachetti (by telephone).

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Secretary: James Varro

The Reporter was sworn.

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TREASURER'S REMARKS

The Treasurer thanked elder Waasaanese, Alex Jacobs, and his assistant, Natasha Naveau, who performed a smudging ceremony and pipe ceremony with benchers prior to Convocation.

The Treasurer recounted to Convocation the sunrise ceremony which took place at 6:30 a.m. today.

The Treasurer acknowledged the importance of the eagle feathers which are placed on the Convocation table, and invited bencher Susan Hare to address Convocation on the ceremonies and teaching on the eagle feathers.

Susan Hare addressed Convocation.

The Treasurer advised Convocation of a number of her activities since June 2014.

The Treasurer expressed condolences to the family of former bencher The Honourable John T. Clement, Q.C. who passed away June 24, 2014.

The Treasurer expressed condolences to the family of Purdy Crawford, a lawyer and leading member of the business community, who passed away on August 12, 2014.

The Treasurer expressed condolences to the family, friends and colleagues of Errol Sue, a paralegal member of the Law Society Tribunal, who passed away on September 23, 2014.

The Treasurer congratulated former Chief Justice William Parker on his 100th birthday on August 25, 2014 and his 75th year as a member of the Law Society.

The Treasurer congratulated Kim Pate on receiving an honorary LL.D. at the call to the bar ceremony on September 19, 2014.

The Treasurer updated Convocation on the work of the Real Estate Liaison Group.

The Treasurer announced the appointment of five lay adjudicators to the Law Society Tribunal for a two year term:

Eva Krangle, Toronto
Sabita Maraj, Mississauga
John Spekkens, Toronto
Marilyn Thain, London
Eric Whist, Toronto

The Treasurer updated Convocation on the activities of The Action Group (TAG) on Access to Justice.

With respect to the structure of TAG and Convocation, the Treasurer advised that Howard Goldblatt will be attending the TAG meetings as the Treasurer's designate.

The Treasurer acknowledged Susan Hare's leadership in the work related to updating the Law Society's 2009 Aboriginal Strategy.

The Treasurer was pleased to announce that CEO Robert Lapper was requested to participate in the Aboriginal Justice Advisory Group announced by the Attorney General.

The Treasurer reported on her attendance at the Osgoode Society dinner September 23, 2014 and encouraged benchers to join the Society.

The Treasurer advised that the Attorney General of Ontario, The Honourable Madeleine Meilleur, MPP will be a lunch guest today.

MOTION – CONSENT AGENDA

It was moved by Mr. Earnshaw, seconded by Ms. Strosberg, that Convocation approve the consent agenda set out at Tab 1 of the Convocation Materials.

Carried

DRAFT MINUTES OF CONVOCATION – Tab 1.1

The draft minutes of Convocation of June 26, 2014 and August 13, 2014 were confirmed.

MOTION – APPOINTMENTS – Tab 1.2

THAT Convocation approve the appointments listed in the motion at Tab 1.2.

Carried

REPORT OF THE DIRECTOR OF PROFESSIONAL DEVELOPMENT AND COMPETENCE – Tab 1.3

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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LAWPRO REPORT

Ms. McGrath presented the Report.

It was moved by Ms. McGrath, seconded by Mr. Evans, that Convocation approve the program of insurance offered by LAWPRO for 2015 as set out in the Report at Tab 2.

Carried

TRIBUNAL COMMITTEE REPORT

Mr. Anand and Mr. David Wright presented the Report.

Re: Amendment to Rule 22 of the Rules of Practice and Procedure

It was moved by Mr. Anand, seconded by Ms. Leiper, that Convocation approve the amendment to Rule 22 of the Hearing Division Rules of Practice and Procedure as set out in the motion at Tab 3.1.1 of the Report.

Carried

Re: Adjudicator Performance Development Process

It was moved by Mr. Anand, seconded by Ms. Leiper, that Convocation approve the Tribunal Chair's proposal for the adjudicator performance development process, as set out at Tab 3.2.1 of the Report.

Carried

For Information

- Tribunal Quarterly Statistics – First and Second Quarters 2014
- Publication of Notices on the Tribunal Website

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 Mr. Falconer, that Convocation approve the letters and public statements in the following cases:

- a. lawyer Intigam Aliyev – Azerbaijan Republic – letter of intervention and public statement presented at Tab 4.1.1 of the Report; and

- b. lawyer Waleed Abu al-Khair – Saudi Arabia - letter of intervention and public statement presented at Tab 4.1.2 of the Report.

Carried

Mr. Lerner abstained.

Mr. Falconer spoke to the public education equality and rule of law series calendar at Tab 4.2.4 of the Report for information.

For Information

- Discrimination and Harassment Counsel Semi-Annual Report
- Equity Director's Report
- Human Rights Monitoring Group – Information about Interventions
- Public Education Equality and Rule of Law Series Calendar 2014 - 2015

BENCHER ELECTION WORKING GROUP REPORT

Ms. Leiper presented the Report.

Re: Amendments to By-Law 3 Respecting the Bencher Election Process

It was moved by Ms. Leiper, seconded by Mr. Scarfone, that Convocation make the amendments to By-Law 3 [Benchers, Convocation and Committees] as set out in the motion at Tab 5.1 of the Report to implement its decision on June 26, 2014 respecting voting procedures for the lawyer bencher election and to make related clarifying amendments.

Carried

Ms. Leiper invited benchers to advise the Elections Officer for the 2015 bencher election if they wish to join a roster that potential candidates may access as an informal resource for information about running for bencher.

PROFESSIONAL DEVELOPMENT AND COMPETENCE COMMITTEE REPORT

Mr. Goldblatt presented the Report.

Re: Deferral of Application of National Requirement to Joint and Dual Degrees

Mr. Goldblatt introduced the Report.

Ms. Pawlitza presented the Report.

It was moved by Mr. Goldblatt, seconded by Mr. Burd, that Convocation approve deferral of the application of the Federation of Law Societies of Canada National Requirement to joint and dual degree programs until January 2017.

Carried

FEDERATION OF LAW SOCIETIES OF CANADA UPDATE

Ms. Pawlitz provided Convocation with an update on the Federation of Law Societies of Canada's activities.

PRIORITY PLANNING COMMITTEE REPORT

The Treasurer presented the Report.

Re: Priority Planning Committee's Strategic Planning Steering Group

The Treasurer presented the Report for information, noting the membership of the Strategic Planning Steering Group.

PROFESSIONAL REGULATION COMMITTEE REPORT

Mr. Mercer presented the Report.

Re: Entity and Compliance-Based Regulation

Mr. Mercer presented the Report for information.

Re: Alternative Business Structures Working Group

Mr. Mercer spoke to the Working Group's Discussion Paper for information and its proposed publication and distribution for discussion.

AUDIT & FINANCE COMMITTEE REPORT

Mr. Bredt presented the Report.

Re: Law Society Financial Statements for the Six Months ended June 30, 2014

Mr. Bredt spoke to the financial statements for information.

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REPORTS FOR INFORMATION

PROFESSIONAL REGULATION COMMITTEE REPORT

- Alternative Business Structures Working Group Discussion Paper
- Entity and Compliance-Based Regulation
- 2014 Lawyer Annual Report
- Professional Regulation Division Quarterly Report

PRIORITY PLANNING COMMITTEE REPORT

- Strategic Planning Steering Group

AUDIT AND FINANCE COMMITTEE REPORT

- LAWPRO Financial Statements for the Six Months ended June 30, 2014
- Law Society of Upper Canada Financial Statements for the Six Months ended June 30, 2014
- LibraryCo Inc. Financial Statements for the Six Months ended June 30, 2014

FEDERATION OF LAW SOCIETIES OF CANADA UPDATE

PARALEGAL STANDING COMMITTEE REPORT

- 2014 Paralegal Annual Report

HERITAGE COMMITTEE REPORT

- Heritage Committee Project Proposal 2015
- Report on the History of the Ontario Legal Profession - Expanding the Scope of Law Society Information Project

CONVOCATION ROSE AT 12:10 P.M.