

MINUTES OF CONVOCATION

Thursday, 24th September, 2015
9:00 a.m.

PRESENT:

The Treasurer (Janet E. Minor), Anand, Armstrong (by telephone), Banack (by telephone), Beach, Bickford, Boyd, Braithwaite, Bredt, Callaghan, Chrétien (by telephone), Clément, Conway, Cooper, Corbiere, Corsetti, Criger, Donnelly (by telephone), Earnshaw, Epstein, Evans (by telephone), Falconer, Finkelstein (by telephone), Furlong, Galati, Go (by telephone), Goldblatt, Gottlieb, Groia, Haigh, Hartman (by telephone), Horvat, Krishna, Lawrie, Leiper, Lerner, Lippa, MacLean, McDowell, McGrath, Merali, Mercer, Millar, Murchie, Murray, Nishikawa, Papageorgiou, Pawlitza, Potter (by telephone), Richardson (by telephone), Richer, Rosenthal, Ross, Ruby (by telephone), Schabas, Spence, Spurgeon, St. Lewis, C. Strosberg, H. Strosberg, Swaye (by telephone), Troister, Udell, Vespry, Wardle and Wright.

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Secretary: James Varro

The Reporter was sworn.

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TREASURER'S REMARKS

The Treasurer welcomed those joining Convocation by public webcast.

The Treasurer thanked Elder Cat Criger for performing the smudging ceremony to open Convocation this morning.

The Treasurer informed benchers of the event focussing on the Truth and Reconciliation Commission of Canada report on September 10, 2015.

The Treasurer welcomed The Honourable James Spence, former Treasurer, back to Convocation.

The Treasurer welcomed Gisèle Chrétien, a newly appointed lay bencher, to Convocation. Ms. Hartman also extended a welcome.

The Treasurer welcomed to Convocation former Treasurer Thomas Conway in his capacity as Federation of Law Societies of Canada President.

The Treasurer welcomed Ian Hull, Chair of the Law Society Foundation, for his address today to Convocation about the Lawyers Feed the Hungry Program.

The Treasurer welcomed LAWPRO guests Kathleen Waters and Duncan Gosnell.

The Treasurer announced the appointment of Lesley Cameron as new Acting Executive Director, Professional Regulation Division.

The Treasurer, on behalf of Convocation, expressed deepest condolences to the family of The Honourable Marc Rosenberg who passed away on August 27, 2015.

The Treasurer reminded benchers of the call to the bar September 25, 2015 at which The Honourable Russell G. Juriansz will receive an honorary LL.D.

The Treasurer informed Convocation of her attendance at the swearing in of former Treasurer, The Honourable E. Susan Elliott in Ottawa, as a judge of the Federal Court.

The Treasurer informed Convocation of the Law Society of Upper Canada's booth at the Canadian National Exhibition, as part of the Law Society's access to justice and outreach initiative.

The Treasurer informed Convocation of a number of events and activities she attended, and upcoming public events for the information of benchers.

The Treasurer reminded benchers of the opening of the courts today, and noted special guests for lunch including members of the judiciary, the Lieutenant Governor and Attorney General.

The Treasurer announced that Jerry Udell and Sidney Troister have been appointed by her to the Real Estate Issues Working Group.

MOTION – CONSENT AGENDA

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

Carried

DRAFT MINUTES OF CONVOCATION – Tab 1.1

Re: Tab 1.1.1:

The draft minutes of Convocation of June 25, 2015 were confirmed.

Re: Tab 1.1.2:

The draft minutes of Convocation of September 10, 2015 were confirmed.

MOTIONS – Tab 1.2

Re: Tab 1.2.1

THAT Convocation approve the following appointments:

THAT the following be appointed to the Alternative Business Structures Working Group:

Susan McGrath (Co-Chair)
Malcolm Mercer (Co-Chair)
Marion Boyd
Janis Criger
Carol Hartman
Jacqueline Horvat
Brian Lawrie
Jeffrey Lem
Jan Richardson
Joanne St. Lewis

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 22, 2015.

THAT Gisèle Chrétien be appointed to the LibraryCo Inc. Board of Directors to replace E. Susan Elliot who has resigned.

THAT Joanne St. Lewis be removed from the Mentoring and Advisory Services Proposal Task Force at her own request.

THAT Michael Lerner and Andrew Spurgeon be appointed to the Real Estate Issues Working Group.

THAT Robert Burd be appointed to the Task Force on Compliance-Based Entity Regulation.

Carried

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

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

Carried

LAWYERS FEED THE HUNGRY PROGRAM

Mr. Lerner introduced Ian Hull, Chair of the Law Society Foundation Board of Trustees.

Mr. Hull addressed Convocation on the Lawyers Feed the Hungry Program.

The Treasurer thanked Mr. Hull for his dedication to this initiative.

PROFESSIONAL REGULATION COMMITTEE REPORT

Mr. Mercer presented the Report.

Re: Proposed Amendments to the *Rules of Professional Conduct* on Language Rights

It was moved by Mr. Mercer, seconded by Ms. Richer, that Convocation approve the amendments to the *Rules of Professional Conduct* as set out in Tab 2.1.1.

An amendment was accepted to move the comma in the second line of rule 3.2–2B to after the word “choice”.

The motion as amended carried.

Re: New Process for Administrative Surrender of Licence

It was moved by Mr. Mercer, seconded by Ms. Richer, that Convocation approve in principle a new process which would permit a licensee to surrender their licence in the face of a Law Society investigation or discipline proceeding.

Carried

Re: 2015 Lawyer Annual Report

Mr. Mercer presented the report for information.

Re: Professional Regulation Division Quarterly Report

Mr. Mercer presented the report for information.

Re: Alternative Business Structures Working Group Report

Mr. Mercer presented the report for information.

For Information:

- 2015 Lawyer Annual Report
- Professional Regulation Division Quarterly Report
- Report of the Alternative Business Structures Working Group

AUDIT & FINANCE COMMITTEE REPORT

Mr. Bredt presented the Report.

Re: Law Society of Upper Canada Financial Statements for the Six Months Ended June 30, 2015

Mr. Bredt presented the report for information.

LAWPRO REPORT

Ms. McGrath presented the Report.

It was moved by Ms. McGrath, seconded by Ms. Murchie, that Convocation approve the program of insurance offered by LAWPRO for 2016 as set out in the Report at Tab 4.

Carried

PARALEGAL STANDING COMMITTEE REPORT

Ms. McGrath presented the Report.

Re: Amendments to *Paralegal Rules of Conduct*: Transferring Paralegals

It was moved by Ms. McGrath, seconded by Ms. Corsetti, that Convocation approve the amendments to the Paralegal Rules regarding Transferring Paralegals shown at Tab 3.2.1, to be consistent with the rule changes for lawyers approved by Convocation in June 2015.

Carried

For Information:

- Amendments to the Paralegal *Guidelines* - Limited Scope Retainers
- 2015 Paralegal Annual Report
- Other Committee Work

REPORT FROM THE FEDERATION OF LAW SOCIETIES OF CANADA

Thomas Conway, President of the Federation of Law Societies of Canada, addressed Convocation with a report on the Federation.

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

Ms. Leiper presented the Report.

Re: Report of the Activities of the Discrimination and Harassment Counsel January 1 – June 30, 2015

Ms. Leiper presented the report for information.

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REPORTS FOR INFORMATION ONLY

AUDIT AND FINANCE COMMITTEE REPORT

- Law Society of Upper Canada Financial Statements for the Six Months ended June 30, 2015
- LibraryCo Inc. Financial Statements for the Six Months ended June 30, 2015
- LAWPRO Financial Statements for the Six Months ended June 30, 2015
- In Camera Item
- Performance of Investment Manager
- Investment Compliance Reports
- Other Committee Work

TRIBUNAL COMMITTEE REPORT

- Tribunal 2015 First and Second Quarter Statistics

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

- Discrimination and Harassment Counsel Semi-Annual Report
- Appointments to the Equity Advisory Group
- Public Education Equality and Rule of Law Series Calendar 2015 – 2016

REPORT FROM THE ACTION GROUP ON ACCESS TO JUSTICE

CONVOCATION ROSE AT 12:35 P.M.