

Tab 1

THE LAW SOCIETY OF UPPER CANADA

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON JUNE 29, 2017

MOVED BY:

SECONDED BY:

THAT Convocation approve the consent agenda set out at Tab 1 of the Convocation Materials.

DRAFT

MINUTES OF CONVOCATION

Thursday, 25th May, 2017
10:30 a.m.

PRESENT:

The Treasurer (Paul B. Schabas), Banack (by telephone), Beach, Bickford, Braithwaite, Bredt, Burd, Chrétien, Clément, Cooper, Corsetti, Criger, Donnelly, Earnshaw, Epstein, Evans, Falconer (by telephone), Furlong, Galati, Goldblatt (by telephone), Gottlieb, Groia, Haigh, Hartman (by telephone), Horvat, Krishna, Lawrie, Leiper, Lem (by telephone), Lerner, Lippa, MacLean (by telephone), Manes (by telephone), McDowell, McGrath, Merali, Mercer, Murchie, Murray, Nishikawa, Papageorgiou, Pawlitza, Potter (by telephone), Richardson, Richer, Rosenthal, Ruby, Sheff, Spurgeon, C. Strosberg, Swaye, Troister, Udell, Vespry, Walker, Wardle and Wright.

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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 those joining Convocation by webcast.

The Treasurer recognized that Convocation is meeting in Toronto, which is a Mohawk word that means "where there are trees standing in the water". The Treasurer also acknowledged that Convocation is meeting on the traditional territory of the Mississaugas of New Credit First Nation, and acknowledged the Haudenosaunee and recognized the long history of all the First Nations in Ontario and the Métis and Inuit peoples. The Treasurer thanked the First Nations people who lived and live in these lands for sharing them with us in peace.

The Treasurer addressed the protocol for members of the public attending Convocation in the Lamont Learning Centre.

The Treasurer advised on various outreach events he attended including the Federation of Ontario Law Associations meetings which began on May 11, 2017.

The Treasurer informed Convocation that he recently attended the Law Society of British Columbia Annual Planning Conference with Michelle Haigh, Sheena Weir and Malcolm Mercer, the theme of which was Alternative Legal Services.

The Treasurer advised that he will be attending the Law Society of Alberta benchers planning session with Chief Executive Officer, Robert Lapper, and will participate on a panel on Articling and Legal Education.

The Treasurer congratulated those who received Law Society Awards at the ceremony last evening.

The Treasurer noted the upcoming Pride celebration on June 1, 2017 and the Access Awareness Event on June 6, 2017 with a focus on disability rights initiatives in Canada.

The Treasurer informed Convocation of the special guests invited to lunch to celebrate the 10th anniversary of paralegal regulation by the Law Society:

- The Honourable Michael Bryant, former Attorney General of Ontario
- Malcolm Heins – former Chief Executive Officer of the Law Society of Upper Canada
- Professor Adam Dodek – former Director of Policy and Chief of Staff for the Attorney General of Ontario
- W. Paul Dray – former appointed lay bencher and elected paralegal bencher and past President of the Professional Paralegal Association
- Margaret Louter – former appointed paralegal bencher
- Stephen Parker – President of the Ontario Paralegal Association
- John Tzanis – first President of the Ontario Paralegal Association
- Cara O'Hagan – former staff person at the Law Society and former staff with the office of the Attorney General of Ontario

MOTION – CONSENT AGENDA – Tab 1

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

Carried

Tab 1.1 – DRAFT MINUTES OF CONVOCATION

The draft minutes of Convocation of April 27, 2017 were confirmed.

Tab 1.2 – MOTION – LAW SOCIETY TRIBUNAL APPOINTMENTS

THAT the following be re-appointed to the Hearing Division of the Law Society Tribunal for a two-year term ending May 23, 2019:

Raj Anand	Susan T. McGrath
Larry Banack	Isfahan Merali
Peter Beach	Malcolm M. Mercer
Fred J. W. Bickford	Barbara J. Murchie
Marion Boyd	Ross W. Murray
Jack Braithwaite	Sandra Y. Nishikawa
Christopher D. Bredt	Gina Papageorgiou
John E. Callaghan	Jan Richardson
Gisèle Chrétien	Susan Richer
Suzanne Clément	Heather Joy Ross
Paul M. Cooper	Linda R. Rothstein
Janis P. Criger	Clayton Ruby
Ross F. Earnshaw	Joanne St. Lewis
Seymour Epstein	Raj Sharda
Robert F. Evans	Baljit Sikand
Julian N. Falconer	Andrew Spurgeon
Patrick Garret Furlong	Catherine Strosberg
Rocco Galati	Harvey T. Strosberg
Avvy Yao-Yao Go	Gerald A. Swaye
Howard Goldblatt	Jerry B. Udell
Vern Krishna	M. Anne Vespry
Janet Leiper	Peter C. Wardle
Michael M. Lerner	Bradley H. Wright
M. Virginia MacLean	Roger D. Yachetti

THAT Raj Anand be reappointed Vice-Chair of the Hearing Division of the Law Society Tribunal for a two-year term ending May 23, 2019.

THAT the following be reappointed to the Appeal Division of the Law Society Tribunal for a two-year term ending May 23, 2019:

Raj Anand	Isfahan Merali
Marion Boyd	Malcolm M. Mercer
Christopher D. Bredt	Barbara J. Murchie
Janis P. Criger	Sandra Y. Nishikawa
Ross F. Earnshaw	Jan Richardson
Seymour Epstein	Linda R. Rothstein
Howard Goldblatt	Clayton Ruby
Janet A. Leiper	Joanne St. Lewis
Susan T. McGrath	Peter C. Wardle

THAT Christopher D. Bredt be reappointed Vice-Chair of the Appeal Division for a two-year term ending May 23, 2019.

Carried

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

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

REPORT OF THE CHIEF EXECUTIVE OFFICER

Mr. Lapper provided a report on matters relating to the Professional Regulation Division and the Law Society's Member Assistance Program (MAP).

PROFESSIONAL REGULATION COMMITTEE REPORT

Mr. McDowell presented the Report.

Re: Proposed Amendments to By-Law 11

It was moved by Mr. McDowell, seconded by Ms. Vespry, that Convocation make the amendments to By-Law 11 as set out in the motion at Tab 2.1.1 respecting the exercise of investigative powers under the *Law Society Act* and applications by licensees regarding the payment of orders for costs.

Carried

Re: Professional Regulation Division 2016 End-of-Year Report

Mr. McDowell presented the Report for information.

For Information

- Professional Regulation Division 2016 End-of-Year Report
- Analysis of Complaints Received in the Professional Regulation Division 2016
- Report on Law Society Compliance with National Discipline Standards

TRIBUNAL COMMITTEE REPORT

David Wright, Chair of the Law Society Tribunal, presented the Report.

Re: Tribunal Annual Report 2016

Mr. Wright presented the Report for information.

Mr. Wright thanked adjudicators, Tribunal staff and volunteers who contributed to adjudicator education programs and for their contributions to the success of the Tribunal.

EQUITY AND INDIGENOUS AFFAIRS COMMITTEE/COMITÉ SUR L'ÉQUITÉ ET LES AFFAIRES AUTOCHTONES REPORT

Ms. Donnelly presented the Report.

Re: Human Rights Monitoring Group Requests for Intervention

It was moved by Ms. Donnelly, seconded by Mr. Evans, that Convocation approve the letters and public statements in the following cases:

- a. Li Heping – China – letters of intervention and public statement presented at Tab 3.1.1;
- b. Prawet Prapanukul – Thailand – letters of intervention and public statement presented at Tab 3.1.2; and
- c. Xie Yang & Chen Jiangang – China – letters of intervention and public statement presented at Tab 3.1.3.

Ms. Donnelly and Mr. Evans advised that the following information is to be added as updates to the letters and statements as follows:

- a. at Tab 3.1.1, that Li Heping was released from detention on May 9; and
- b. at Tab 3.1.3, that Xie Yang was released on bail after his trial, but remains under tight surveillance by secret police, and that Chen Jiangang's eldest son has been prevented from enrolling in primary education – compulsory for all Chinese children – after the local police station put political pressure on the school.

The motion as amended carried.

For Information:

- Equity Legal Education and Rule of Law Series Calendar Spring/Summer 2017

GOVERNANCE TASK FORCE 2016 REPORT

Ms. Leiper presented the Report.

Re: Proposal for a Single Date for the Election of Benchers and Term Limit for Paralegal Benchers

It was moved by Ms. Leiper, seconded by Ms. Haigh, that Convocation approve that:

- a. with respect to the election of benchers,
 - i. the lawyer and paralegal bencher elections occur on a single date, starting on April 30, 2019, and
 - ii. the term of the current elected paralegal benchers be extended beyond 2018 to end at the same time as the current elected lawyer benchers term ends; and
- b. for the purpose of the 12 year paralegal bencher term limit, service by a licensed paralegal as an appointed or elected member of the Paralegal Standing Committee and as an appointed or elected bencher be included in calculating the 12 years.

Carried

Re: Five Year Review of the By-Law 3 Provisions for Emeritus Treasurers

Ms. Leiper presented the Report for information.

AUDIT AND FINANCE COMMITTEE REPORT

Mr. Bredt presented the Report.

Re: Law Society of Upper Canada Financial Statements for the Three Months ended March 31, 2017

Mr. Bredt presented the Report for information.

Re: Bencher Remuneration and Expense Reimbursement Working Group

Mr. Bredt presented the Report for information.

POINT OF PRIVILEGE

Mr. Lerner raised an issue respecting income tax proposals on work in progress, as a result of the recent federal budget.

Mr. McDowell addressed the question as Vice-Chair of the Government Relations and Public Affairs Committee.

POINT OF PRIVILEGE

Mr. Swaye raised an issue respecting the private member's bill for a 15% cap on contingency fees.

Mr. McDowell and the Treasurer advised that the Law Society is aware of the issue and is monitoring it.

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REPORTS FOR INFORMATION ONLY

TRIBUNAL COMMITTEE REPORT

- Law Society Tribunal 2016 Annual Report

AUDIT & FINANCE COMMITTEE REPORT

- Law Society of Upper Canada Financial Statements for the three months ended March 31, 2017
- In Camera Item
- Benchers Remuneration and Expense Reimbursement Working Group
- Investment Compliance Reporting for the period ending March 31, 2017
- Other Committee Work

TREASURER'S REPORT

- In Camera Item

REPORT FROM THE ACTION GROUP ON ACCESS TO JUSTICE (TAG)

CONVOCATION ROSE AT 12:50 P.M.

DRAFT

MINUTES OF CONVOCATION

Friday, 2nd June, 2017
9:00 a.m.

PRESENT:

The Treasurer (Paul B. Schabas), *Banack, *Bickford, *Braithwaite, *Chrétien, *Cooper, *Corsetti, *Criger, *Donnelly, *Earnshaw, *Epstein, *Evans, *Falconer, *Groia, *Krishna, Lawrie, *Lippa, *MacLean, McDowell, *Murchie, *Murray, *Nishikawa, *Rosenthal, *Sheff, *Sikand, *Spurgeon, *C. Strosberg, *H. Strosberg, *Troister, *Walker.

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* By Telephone

Secretary: James Varro

The Reporter was sworn.

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IN CAMERA MATERIAL*

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MOTION - APPOINTMENTS

It was moved by Mr. Lawrie, seconded by Mr. McDowell, that the following be appointed to the Proceedings Authorization Committee:

Jacqueline Horvat, Chair
Teresa Donnelly
Michelle Haigh
Jeffrey Lem
Jonathan Rosenthal
Gerald Sheff

Carried

CONVOCATION ROSE AT 9:10 A.M.

Tab 1.2

To the Benchers of the Law Society of Upper Canada Assembled in Convocation

The Executive Director of Professional Development and Competence reports as follows:

CALL TO THE BAR AND CERTIFICATE OF FITNESS

Licensing Process and Transfer from another Province – By-Law 4

Attached is a list of candidates who have successfully completed the Licensing Process and have met the requirements in accordance with section 9.

All candidates now apply to be called to the bar and to be granted a Certificate of Fitness on Thursday, June 29th 2017

ALL OF WHICH is respectfully submitted

DATED this 29th day of June, 2017

CANDIDATES FOR CALL TO THE BAR
June 29th 2017

Transfer from another province (Mobility)

Scott Alexander Bergen
Shaheer Bhimani
Michelle Mary Louise Biddulph
Shivani Chopra
Shamsher Singh Dhindsa
Samuel Yves LeBlanc
Aaron David Lemkow
Napinderpal Singh Masaun
Graham Michael Peter McGillivray
Radbert Hsinyeh Pe
Katherine Carole Pelletier
Robert Jacek Tomkowicz
Kathleen Elizabeth Turner

Licensing Candidates

James Alfred Clinton
Helen Habte-Selassie
Justin Paul Hiscock
Shalini Sangani
Chin Hei Jeremy Wu

Academic (Law School Deans/Professors)

Vincent Howe Chiao
Anthonius Ryley Justin Daimsis

L3

Pascal Gaétan Marie Chantal Youri Meilleur-Durand
Alexandra Marie Anne-Sophie Isabelle Roy

Transfer Candidates (from Québec)

Alexandra Emily Hobson

Tab 1.3

THE LAW SOCIETY OF UPPER CANADA

MOTION TO BE MOVED AT THE MEETING OF CONVOCATION ON JUNE 29, 2017

THAT Joanne St. Lewis be removed as a member of both the Hearing Division and the Appeal Division of the Law Society Tribunal as a result of her resignation as a bencher.