



The Law Society of
Upper Canada

Barreau
du Haut-Canada

The Professional Regulation Division

Quarterly Report
July – September 2015

The Quarterly Report

The Quarterly Report provides a summary of the Professional Regulation Division's complaints activity and achievements during the past quarter, July 1 to September 30, 2015. The purpose of the Quarterly Report is to provide information on the production and work of the Division during the quarter and to explain the factors that may have influenced the Division's performance.

The Professional Regulation Division

Professional Regulation is responsible for responding to complaints against licensees, including the resolution, investigation and prosecution of complaints which are within the jurisdiction provided under the *Law Society Act*. In addition the Professional Regulation provides trusteeship services for the practices of licensees who are incapacitated by legal or health reasons. Professional Regulation also includes the Compensation Fund which compensates clients for losses suffered as a result of the wrongful acts of licensees.

See Appendices for a case flow chart describing the complaints process as well as a chart of the Professional Regulation's departments.

INDEX

| | Page |
|--|-----------|
| SECTION 1 – DIVISIONAL PERFORMANCE DURING THE QUARTER | 5 |
| PERFORMANCE IN THE PROFESSIONAL REGULATION DIVISION | 6 |
| Graph 2A: Complaints Received in the Division | 6 |
| Graph 2B: Complaints Closed in the Division | 7 |
| Graph 2C: Total Inventory | 8 |
| Graph 2D: Median Age of Closed Complaints | 8 |
| SECTION 2 – DEPARTMENT PERFORMANCE DURING THE QUARTER | 9 |
| 2.1 – Intake | 10 |
| Graph 2.1A: Input | 10 |
| Graph 2.1B: Complaints Closed and Transferred Out | 11 |
| Graph 2.1C: Department Inventory | 12 |
| Graph 2.1D: Median Age of Active Complaints | 12 |
| Graph 2.1E: Median Age of Closed Complaints | 13 |
| 2.2 – Complaints Resolution | 14 |
| Graph 2.2A: Input | 14 |
| Graph 2.2B: Complaints Closed and Transferred Out | 15 |
| Graph 2.2C: Department Inventory | 16 |
| Graph 2.2D: Median Age of Active Complaints | 16 |
| Graph 2.2E: Aging of Active Complaints | 17 |
| Graph 2.2F: Median Age of Completed Complaints | 18 |
| 2.3 – Investigations | 19 |
| Graph 2.3A: Input | 19 |
| Graph 2.3B: Complaints Closed and Transferred Out | 20 |
| Graph 2.3C: Department Inventory | 21 |
| Graph 2.3D: Median Age of Complaints | 21 |
| Graph 2.3E: Aging of Active Complaints – Core Cases and Mortgage Fraud Cases | 22 |
| Graph 2.3F: Median Age of Completed Complaints | 24 |
| 2.4 – Unauthorized Practice (UAP) | 25 |
| Graph 2.4A: Unauthorized Practice Complaints in Intake | 25 |
| Graph 2.4B: Unauthorized Practice Investigations (in Complaints Resolution & Investigations) | 25 |
| Graph 2.4C: UAP Enforcement Actions | 25 |
| 2.5 – Complaints Review Commissioner | 26 |
| Graph 2.5A: Reviews Requested and Files Reviewed (by Quarter) | 26 |
| Graph 2.5B: Decisions Rendered, by Quarter | 26 |

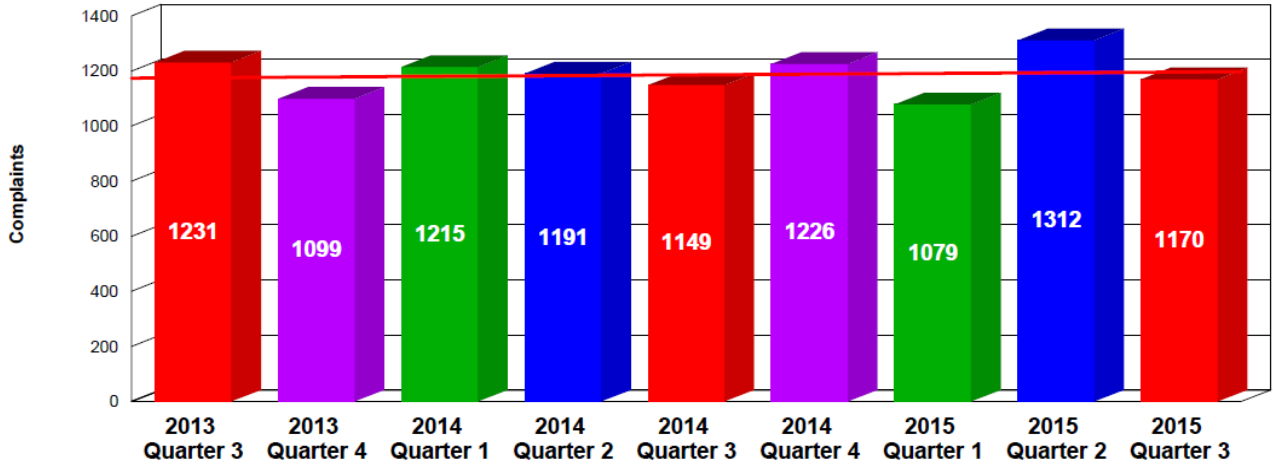
| | |
|--|-----------|
| 2.6 – Discipline | 27 |
| Graph 2.6A: Input | 27 |
| Graph 2.6B: Department Inventory | 28 |
| Graph 2.6C: Inventory of Discipline Matters | 28 |
| Graph 2.6D: Notices Issued in the Hearing Division | 29 |
| Graph 2.6E: Completed Matters in the Hearing Division | 30 |
| Graph 2.6F: Age of Completed Matters in the Hearing Division | 31 |
| Graph 2.6G: Appeals and Judicial Reviews | 32 |
| | |
| SECTION 3 – APPENDICES | 33 |
| The Professional Regulation Complaint Process | 34 |
| Professional Regulation Organization Chart | 35 |

SECTION 1

DIVISIONAL PERFORMANCE DURING THE QUARTER

PERFORMANCE IN THE PROFESSIONAL REGULATION DIVISION

Graph 2A: Complaints¹ Received in the Division



Detailed Analysis of Complaints Received in the Division

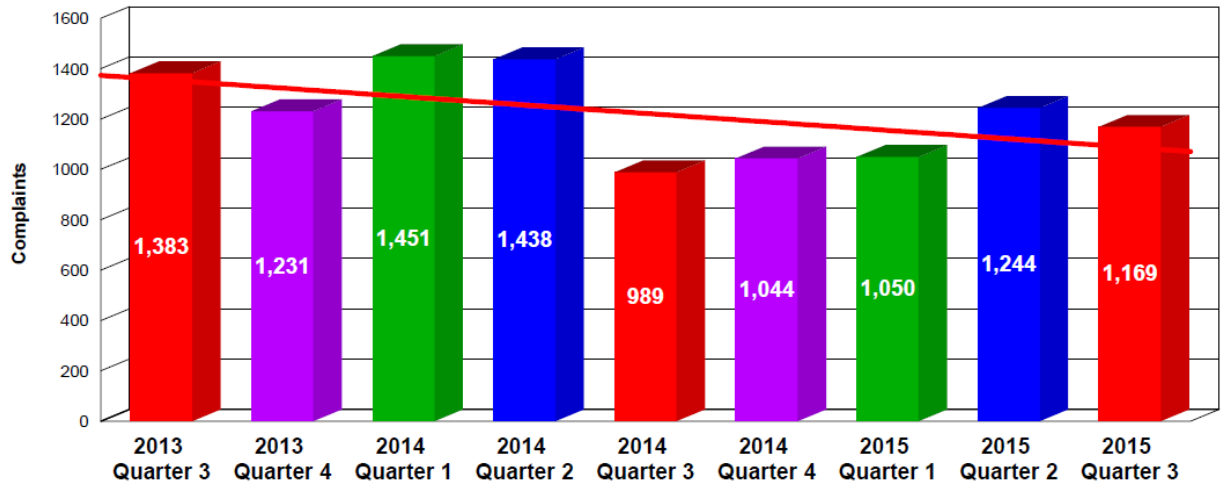
| | Q3 2014 | Q4 2014 | Q1 2015 | Q2 2015 | Q3 2015 |
|---|---------|---------|---------|---------|---------|
| Complaints against Lawyers | 936 | 1004 | 862 | 946 | 955 |
| Lawyer Applicant Cases ★ | 25 | 4 | 7 | 62 | 26 |
| Complaints against Licensed Paralegals | 117 | 150 | 134 | 158 | 116 |
| Paralegal Applicant Cases ★ | 20 | 20 | 33 | 96 | 28 |
| Complaints against Non-Licensees/Non-Applicants* | 51 | 48 | 43 | 50 | 45 |
| TOTAL | 1149 | 1226 | 1079 | 1312 | 1170 |

★ Applicant cases include good character cases and UAP complaints

* For a complete analysis of UAP complaints see section 3.4.

¹ Includes all complaints received in the Division from Complaints Services.

Graph 2B: Complaints Closed² in the Division (by Quarters)



Detailed Analysis of Complaints Closed in the Division

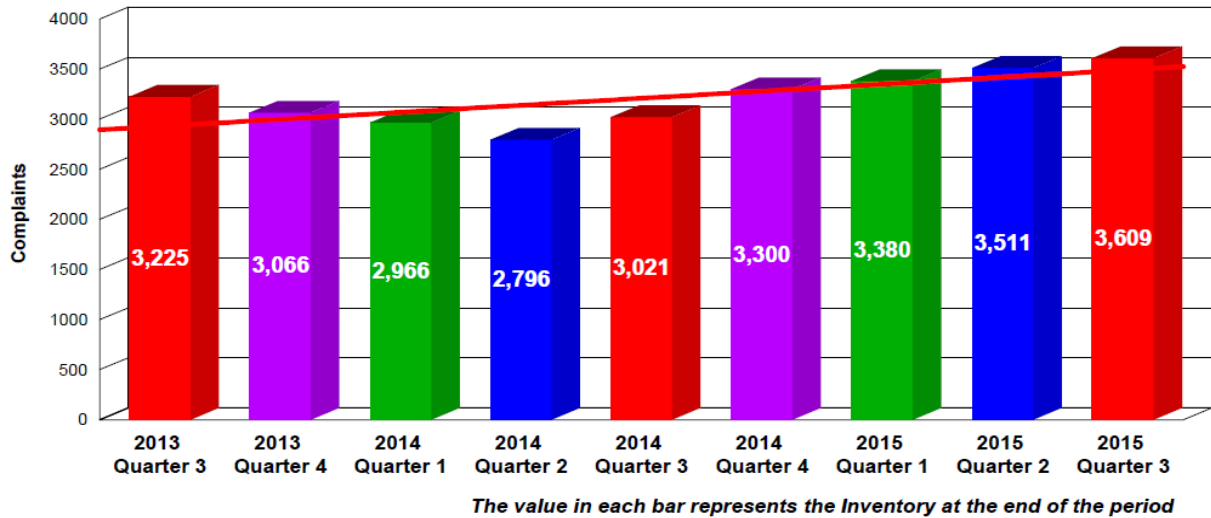
| | Q3 2014 | Q4 2014 | Q1 2015 | Q2 2015 | Q3 2015 |
|---|---------|---------|---------|---------|---------|
| Complaints against Lawyers | 780 | 826 | 832 | 937 | 952 |
| Lawyer Applicant Cases★ | 16 | 14 | 9 | 60 | 23 |
| Complaints against Licensed Paralegals | 133 | 122 | 125 | 122 | 122 |
| Paralegal Applicant Cases★ | 22 | 32 | 29 | 75 | 30 |
| Complaints against Non-Licensees/Non-Applicants* | 38 | 50 | 55 | 50 | 42 |
| TOTAL | 989 | 1044 | 1050 | 1244 | 1169 |

★ Applicant cases include good character cases and UAP complaints

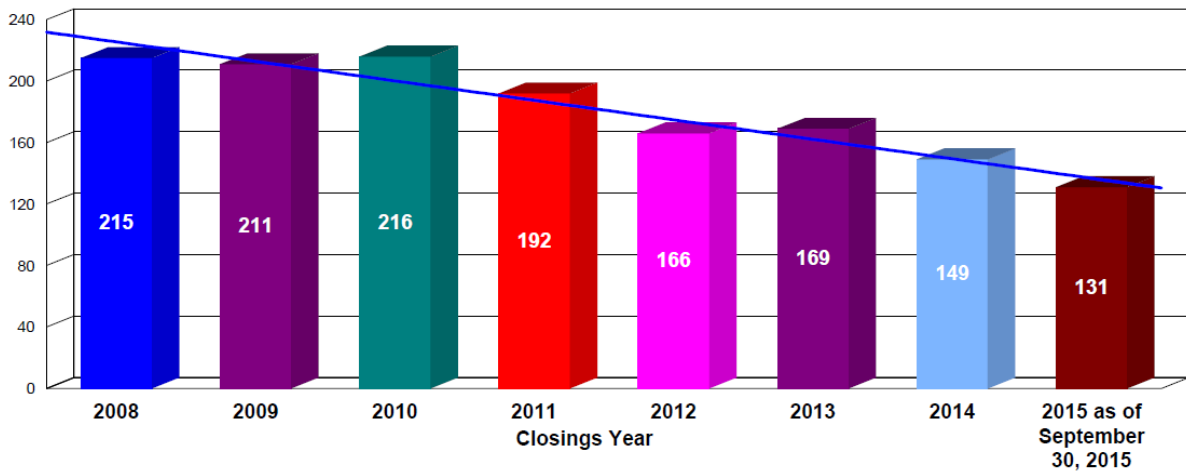
* For a complete analysis of UAP complaints see section 3.4.

² This graph includes all complaints closed in Intake, Complaints Resolution, Investigations and Discipline.

Graph 2C: Total Inventory³



Graph 2D: Median Age of Closed Complaints (days)³



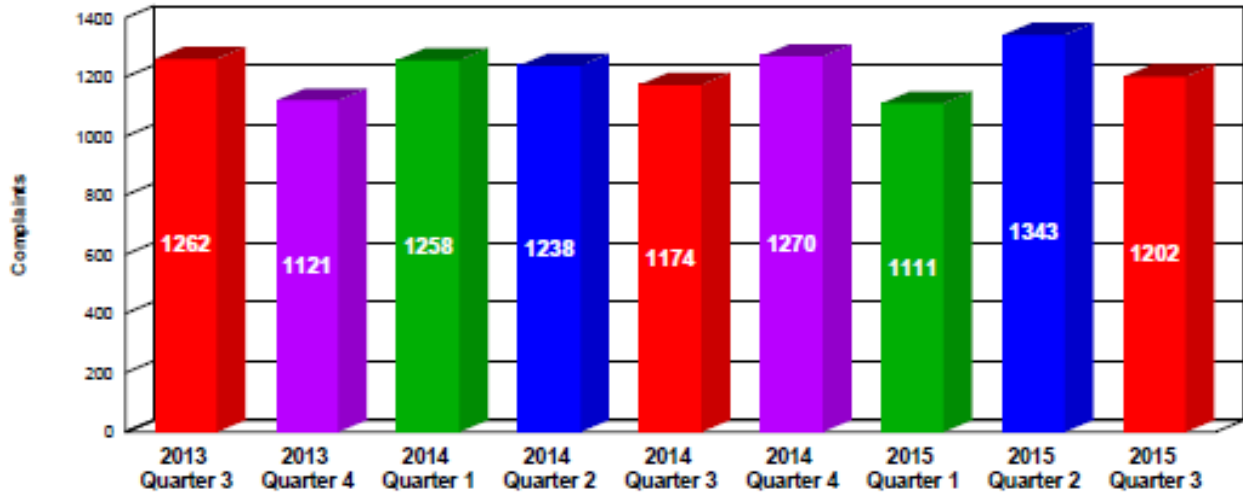
³ These graphs do not include active complaints (enforcement matters) in the Monitoring & Enforcement Department.

SECTION 2

DEPARTMENTAL PERFORMANCE DURING THE QUARTER

2.1 – Intake

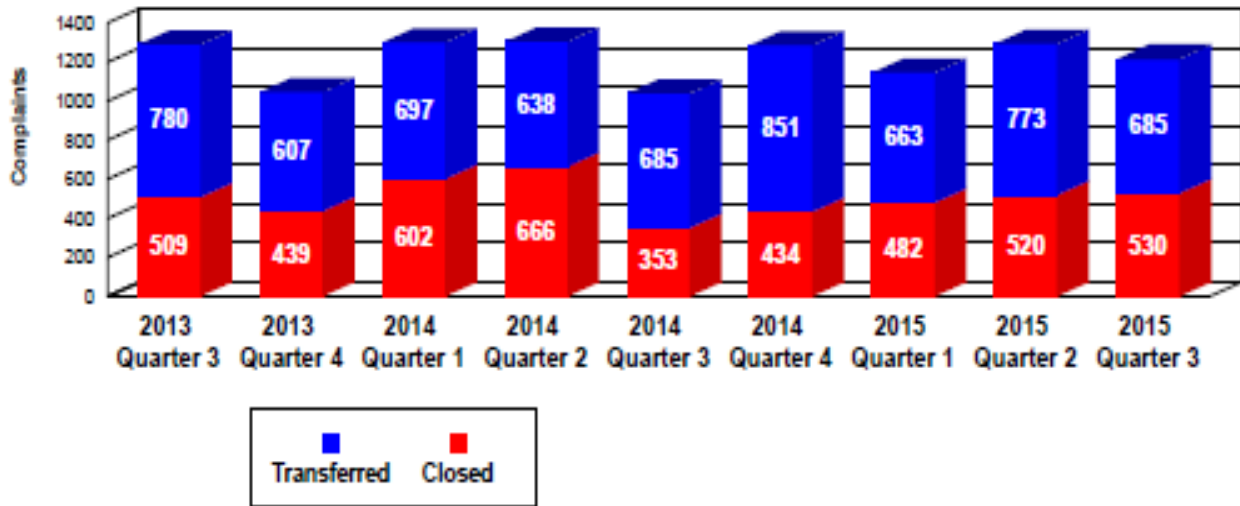
Graph 2.1A: Input⁴



⁴ Includes new complaints received and re-opened complaints

2.1 – Intake

Graph 2.1B: Complaints Closed and Transferred Out



Detailed Analysis of Complaints Closed and Transferred From Intake

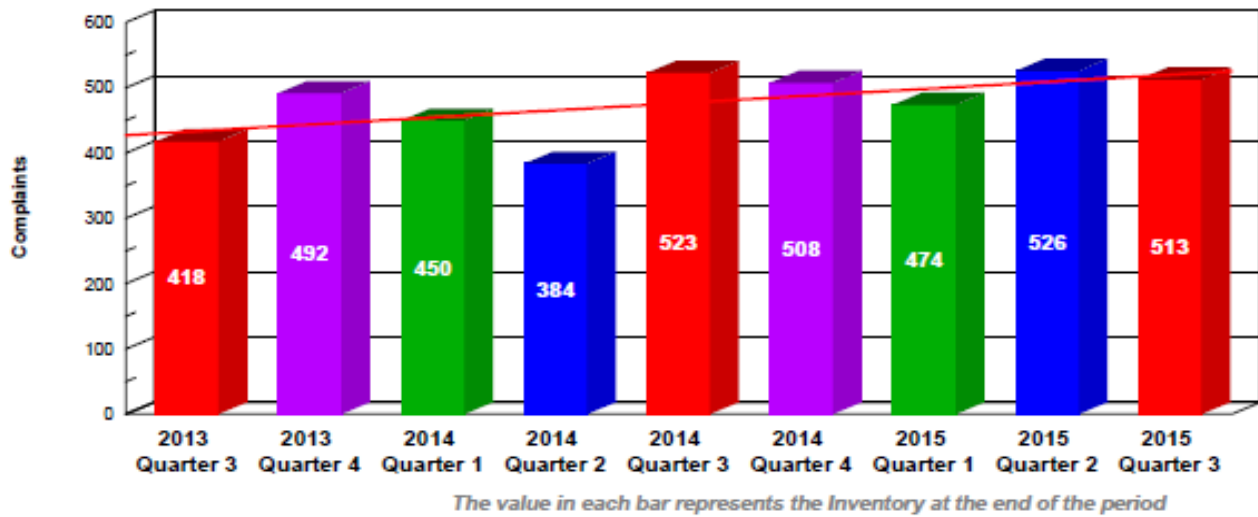
| | | Q3 2014 | Q4 2014 | Q1 2015 | Q2 2015 | Q3 2015 |
|---|-------------|---------|---------|---------|---------|---------|
| Complaints against Lawyers | Closed | 291 | 342 | 399 | 354 | 446 |
| | Transferred | 576 | 687 | 525 | 562 | 551 |
| Lawyer Applicant Cases ★ | Closed | 12 | 7 | 4 | 52 | 16 |
| | Transferred | 10 | 1 | 3 | 11 | 6 |
| Complaints against Licensed Paralegals | Closed | 32 | 41 | 35 | 34 | 35 |
| | Transferred | 74 | 116 | 97 | 127 | 92 |
| Paralegal Applicant Cases ★ | Closed | 7 | 21 | 21 | 65 | 17 |
| | Transferred | 6 | 11 | 10 | 32 | 8 |
| Complaints against Non-Licensees/Non-Applicants* | Closed | 11 | 23 | 23 | 15 | 16 |
| | Transferred | 19 | 36 | 28 | 41 | 28 |
| TOTAL | Closed | 353 | 434 | 482 | 520 | 530 |
| | Transferred | 685 | 851 | 663 | 773 | 685 |

★ Applicant cases include good character cases and UAP complaints

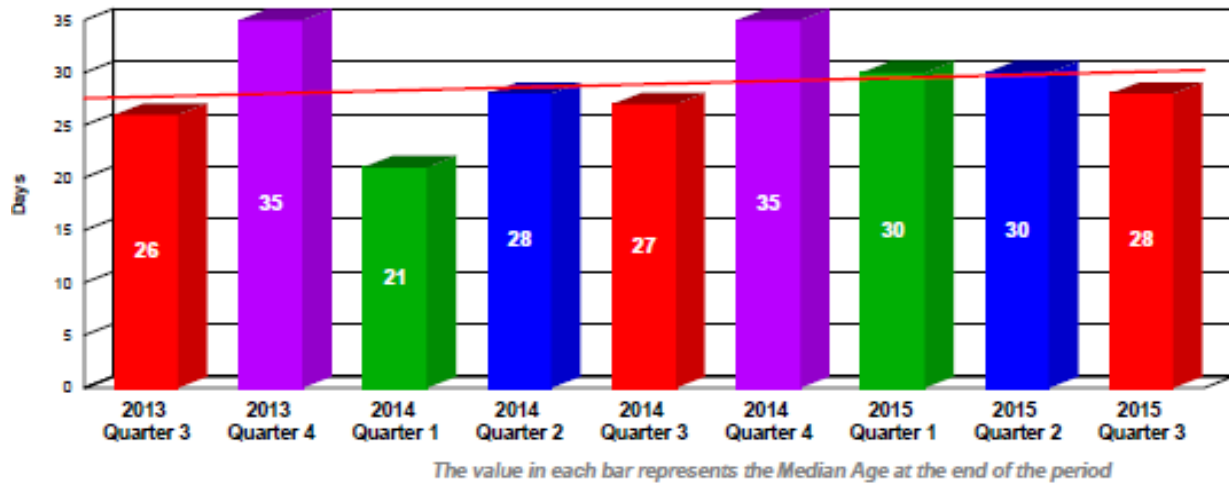
* For a complete analysis of UAP complaints see section 3.4.

2.1 – Intake

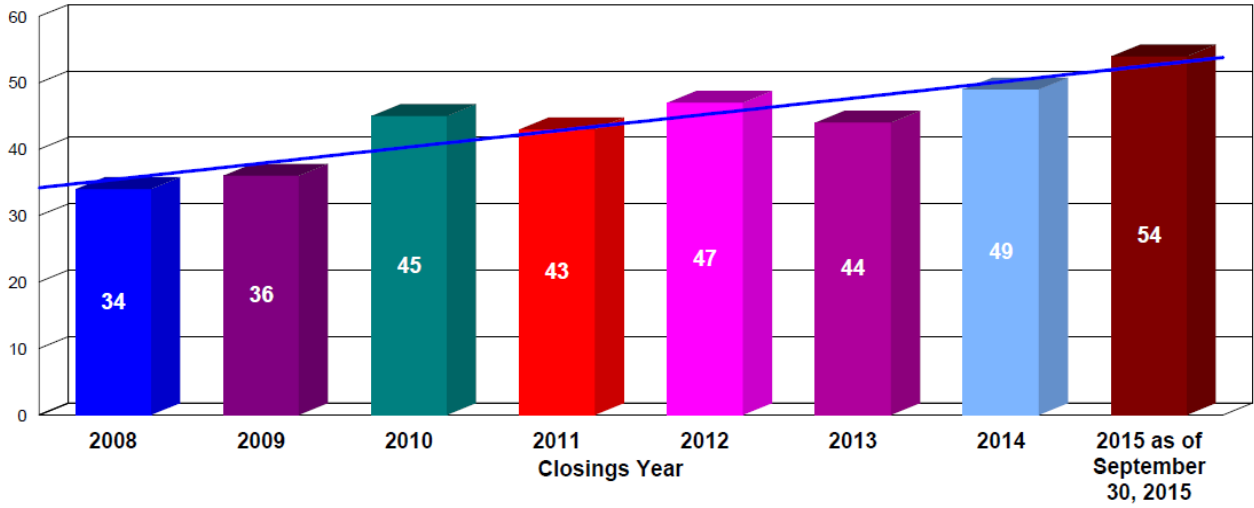
Graph 2.1 C: Department Inventory



Graph 2.1D: Median Age of Active Complaints

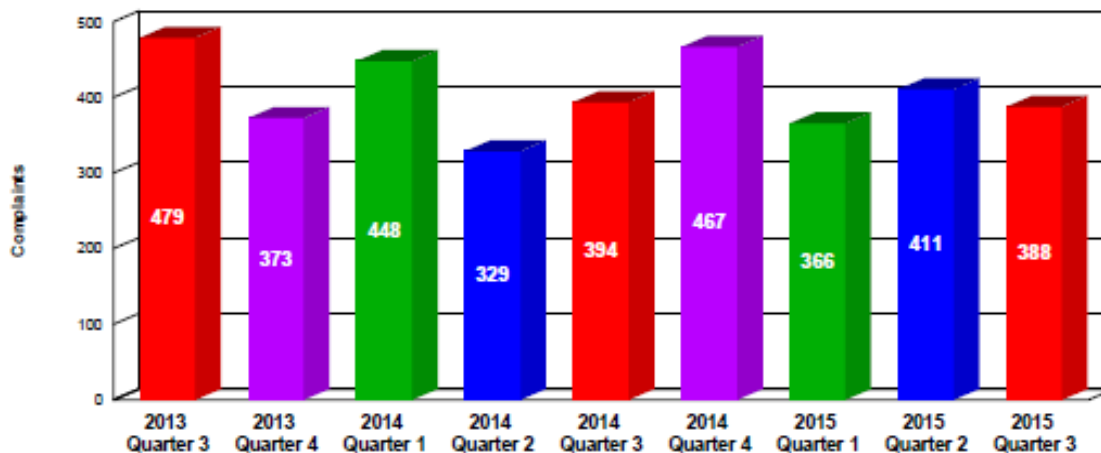


Graph 2.1E: Median Age of Closed Complaints (days)



2.2 – Complaints Resolution

Graph 2.2A: Input⁵



Detailed Analysis of New and Re-opened Complaints in Complaints Resolution

| | Q3 2014 | Q4 2014 | Q1 2015 | Q2 2015 | Q3 2015 |
|---|---------|---------|---------|---------|---------|
| Complaints against Lawyers | 346 | 410 | 324 | 352 | 353 |
| Lawyer Applicant Cases ★ | 0 | 0 | 0 | 0 | 0 |
| Complaints against Licensed Paralegals | 48 | 56 | 41 | 59 | 35 |
| Paralegal Applicant Cases ★ | 0 | 0 | 0 | 0 | 0 |
| Complaints against Non-Licensees/Non-Applicants* | 0 | 1 | 1 | 0 | 0 |
| TOTAL | 394 | 467 | 366 | 411 | 388 |

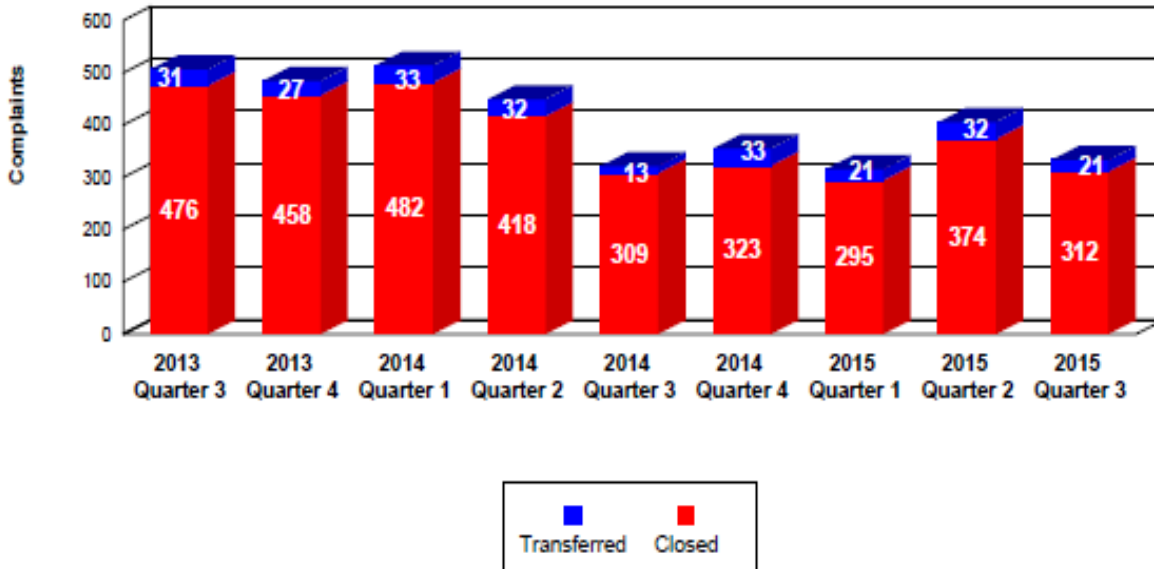
★ Applicant cases include good character cases and UAP complaints

* For a complete analysis of UAP complaints see section 3.4.

⁵ Includes new complaints received into the department as well as complaints re-opened during the Quarter.

2.2 – Complaints Resolution

Graph 2.2B: Complaints Closed and Transferred Out



Detailed Analysis of Complaints Closed and Transferred From Complaints Resolution

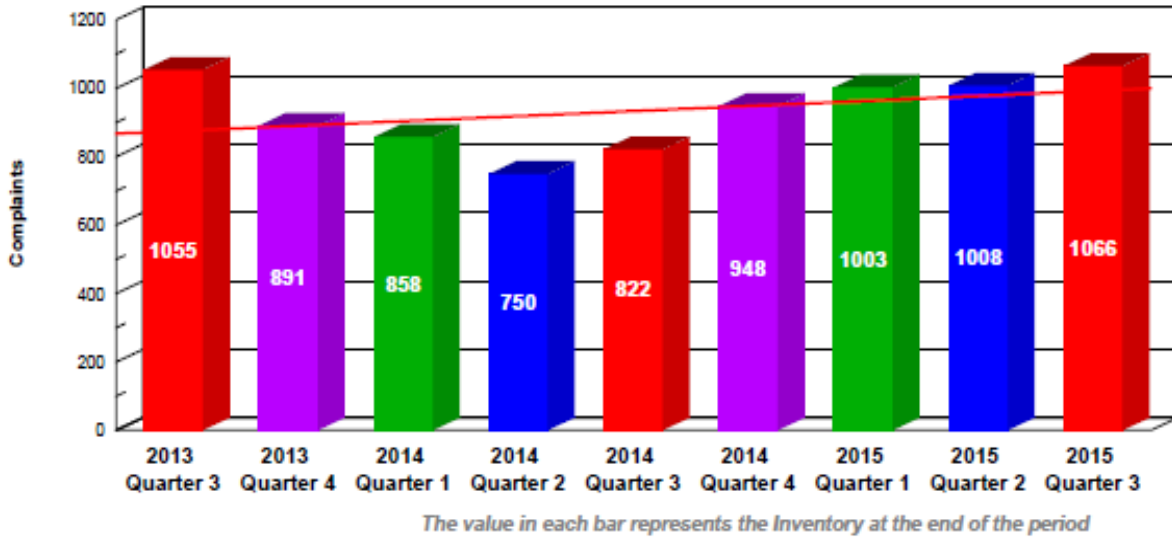
| | | Q3 2014 | Q4 2014 | Q1 2015 | Q2 2015 | Q3 2015 |
|---|-------------|---------|---------|---------|---------|---------|
| Complaints against Lawyers | Closed | 273 | 286 | 265 | 329 | 274 |
| | Transferred | 13 | 28 | 13 | 25 | 17 |
| Lawyer Applicant Cases★ | Closed | 0 | 0 | 0 | 0 | 0 |
| | Transferred | 0 | 0 | 0 | 0 | 0 |
| Complaints against Licensed Paralegals | Closed | 36 | 37 | 30 | 45 | 38 |
| | Transferred | 0 | 5 | 8 | 7 | 4 |
| Paralegal Applicant Cases★ | Closed | 0 | 0 | 0 | 0 | 0 |
| | Transferred | 0 | 0 | 0 | 0 | 0 |
| Complaints against Non-Licensees/Non-Applicants* | Closed | 0 | 0 | 0 | 0 | 0 |
| | Transferred | 0 | 0 | 0 | 0 | 0 |
| TOTAL | Closed | 309 | 323 | 295 | 374 | 312 |
| | Transferred | 13 | 33 | 21 | 32 | 21 |

★ Applicant cases include good character cases and UAP complaints

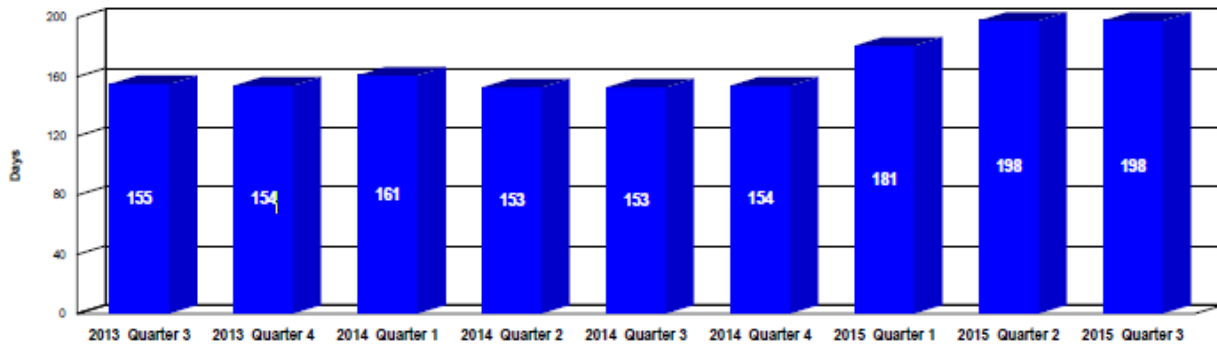
* For a complete analysis of UAP complaints see section 3.4.

2.2 – Complaints Resolution

Graph 2.2C: Department Inventory

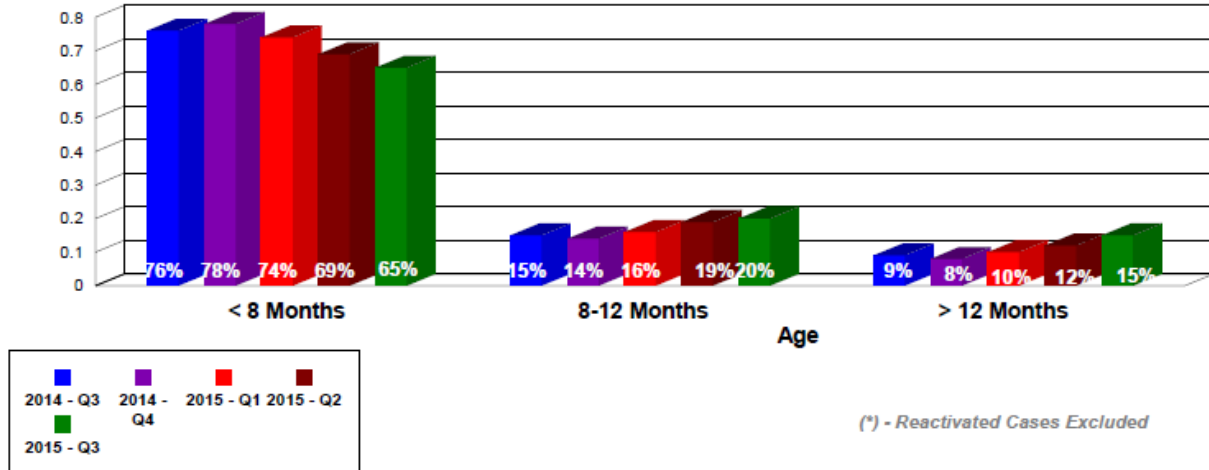


Graph 2.2D: Median Age of Active Complaints



2.2 – Complaints Resolution

Graph 2.2E: Aging of Active Complaints



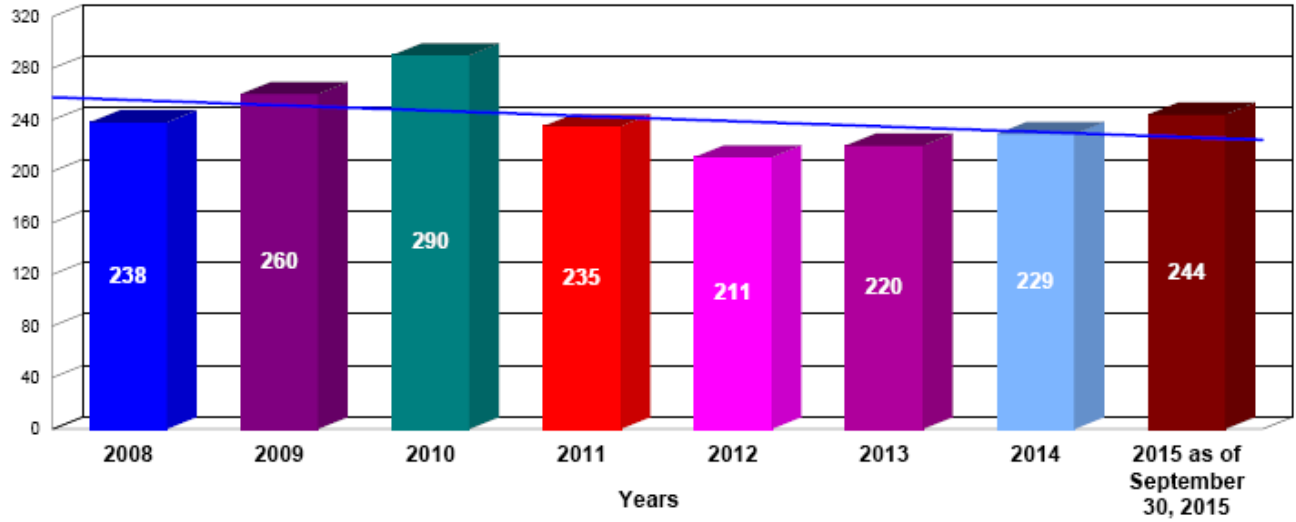
| | <8 months | 8 to 12 months | >12 months |
|----------------|----------------------------------|----------------------------------|----------------------------------|
| Q3 2014 | 574 cases involving 521 subjects | 114 cases involving 106 subjects | 67 cases involving 54 subjects |
| Q4 2014 | 673 cases involving 620 subjects | 120 cases involving 112 subjects | 73 cases involving 60 subjects |
| Q1 2015 | 679 cases involving 625 subjects | 147 cases involving 137 subjects | 94 cases involving 70 subjects |
| Q2 2015 | 627 cases involving 579 subjects | 177 cases involving 168 subjects | 107 cases involving 78 subjects |
| Q3 2015 | 638 cases involving 584 subjects | 201 cases involving 190 subjects | 144 cases involving 108 subjects |

Cases which have been in the process longer than 12 months are closely monitored. In almost all instances, the case is in this category due to reasons beyond the control of the Law Society. Cases are usually older than 12 months in Complaints Resolution for the following reasons:

- Newer complaints against the lawyer/paralegal are received. In some cases existing cases await the completion of younger cases relating to the same licensee;
- Delays on the part of licensees in providing representations and in responding to the investigators' requests. In a number of instances, the Summary Hearing process is required;
- Delays on the part of complainants in responding to licensee's representations and to investigators' requests for additional information; and
- New issues raised by the complainant requiring additional investigation.

2.2 – Complaints Resolution

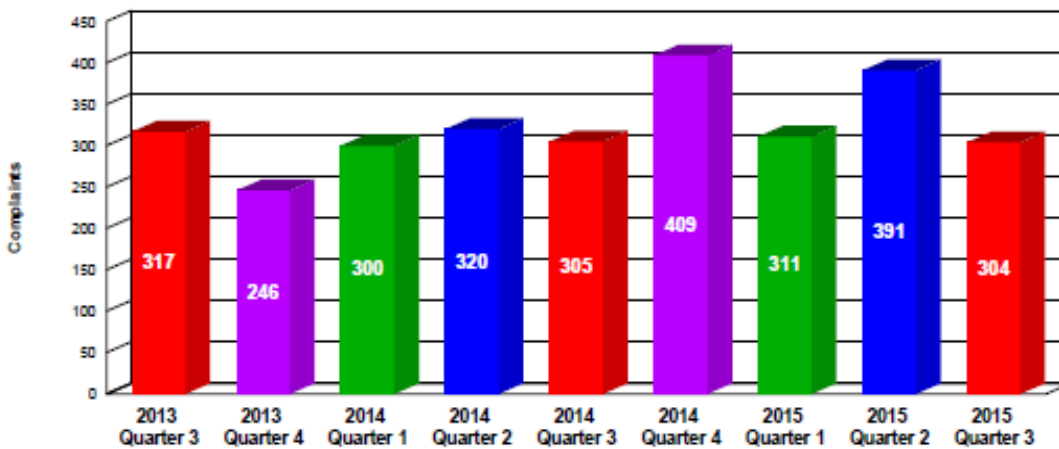
Graph 2.2F: Median Age of Completed⁶ Complaints



⁶ Included are complaints closed by Complaints Resolution or transferred by the department to Discipline.

2.3 –Investigations

Graph 2.3A: Input



Detailed Analysis of New and Re-opened Complaints Received in Investigations

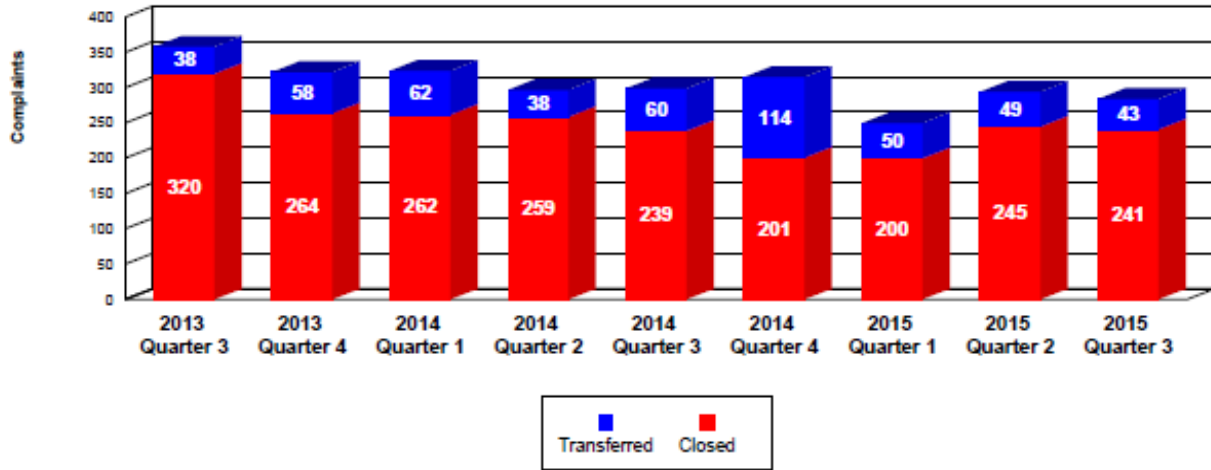
| | Q3 2014 | Q4 2014 | Q1 2015 | Q2 2015 | Q3 2015 |
|---|---------|---------|---------|---------|---------|
| Complaints against Lawyers | 240 | 296 | 210 | 238 | 207 |
| Lawyer Applicant Cases ★ | 10 | 2 | 3 | 11 | 6 |
| Complaints against Licensed Paralegals | 30 | 65 | 60 | 70 | 58 |
| Paralegal Applicant Cases ★ | 6 | 11 | 11 | 32 | 8 |
| Complaints against Non-Licensees/Non-Applicants* | 19 | 35 | 27 | 40 | 25 |
| TOTAL | 305 | 409 | 311 | 391 | 304 |

★ Applicant cases include good character cases and UAP complaints

* For a complete analysis of UAP complaints see section 3.4.

2.3 –Investigations

Graph 2.3B Complaints Closed and Transferred Out



Detailed Analysis of Complaints Closed and Transferred Out of Investigations

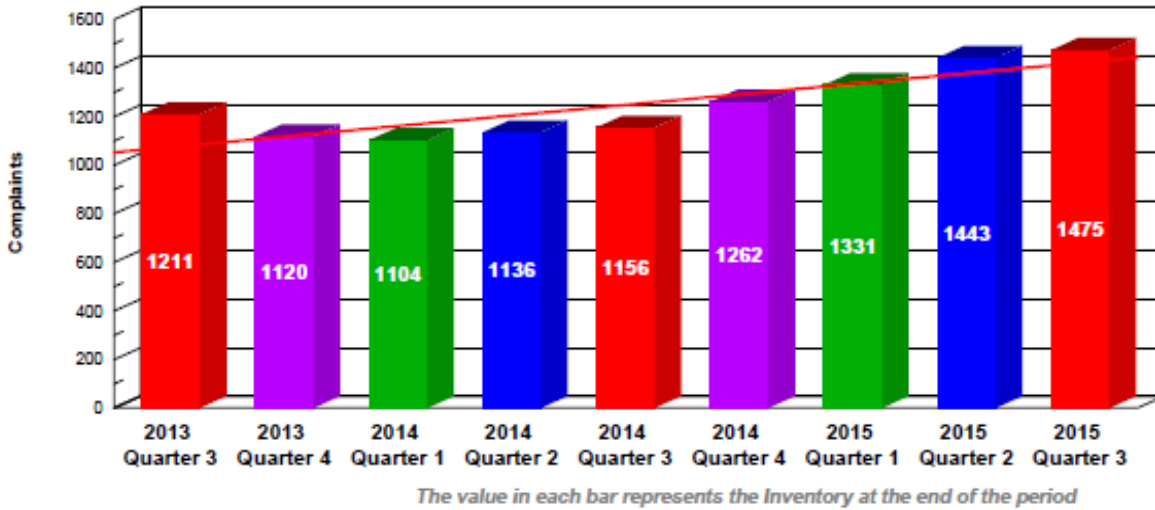
| | | Q3 2014 | Q4 2014 | Q1 2015 | Q2 2015 | Q3 2015 |
|---|-------------|---------|---------|---------|---------|---------|
| Complaints against Lawyers | Closed | 147 | 122 | 121 | 162 | 164 |
| | Transferred | 49 | 90 | 27 | 27 | 23 |
| Lawyer Applicant Cases ★ | Closed | 4 | 6 | 5 | 7 | 7 |
| | Transferred | 0 | 0 | 0 | 3 | 0 |
| Complaints against Licensed Paralegals | Closed | 51 | 37 | 48 | 38 | 34 |
| | Transferred | 11 | 20 | 17 | 17 | 20 |
| Paralegal Applicant Cases ★ | Closed | 10 | 11 | 5 | 10 | 10 |
| | Transferred | 0 | 4 | 4 | 1 | 0 |
| Complaints against Non-Licensees/Non-Applicants* | Closed | 27 | 25 | 21 | 28 | 26 |
| | Transferred | 0 | 0 | 2 | 1 | 0 |
| TOTAL | Closed | 239 | 201 | 200 | 245 | 241 |
| | Transferred | 60 | 114 | 50 | 49 | 43 |

★ Applicant cases include good character cases and UAP complaints

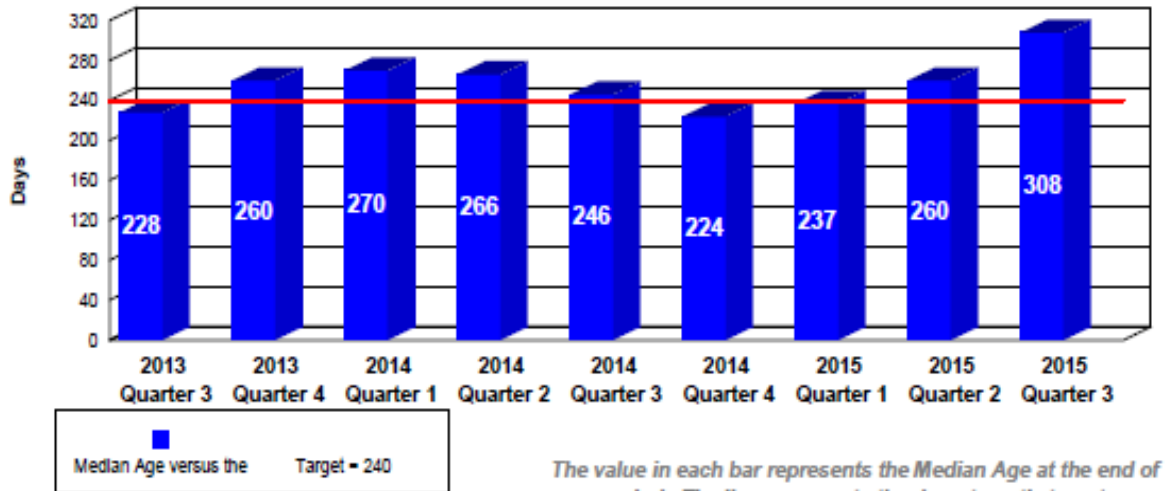
* For a complete analysis of UAP complaints see section 3.4.

2.3 – Investigations

Graph 2.3C: Department Inventory



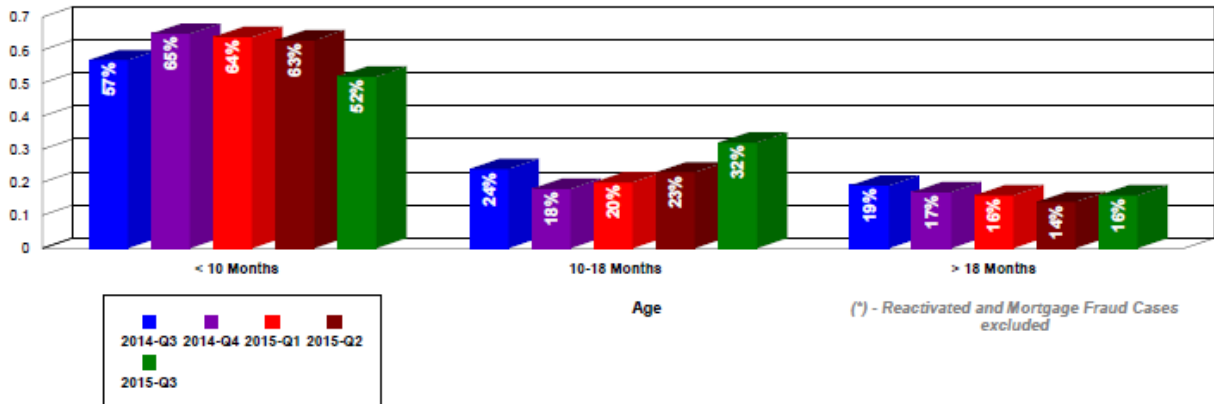
Graph 2.3D: Median Age of All Complaints



2.3 – Investigations

Graph 2.3E: Aging of Active Complaints

(a) Core Cases



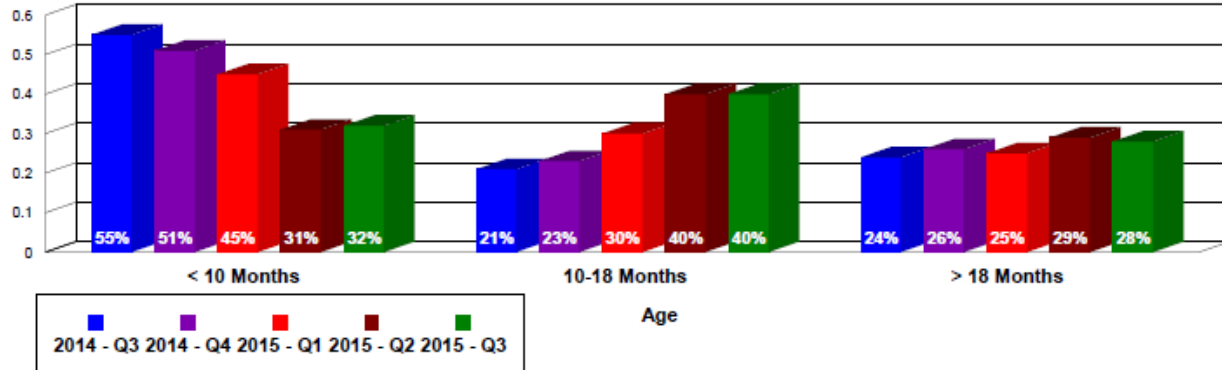
| | <10 months | 10 to 18 months | >18 months |
|----------------|----------------------------------|----------------------------------|----------------------------------|
| Q3 2014 | 540 cases involving 395 subjects | 223 cases involving 180 subjects | 180 cases involving 124 subjects |
| Q4 2014 | 693 cases involving 451 subjects | 193 cases involving 152 subjects | 181 cases involving 119 subjects |
| Q1 2015 | 740 cases involving 476 subjects | 226 cases involving 186 subjects | 185 cases involving 125 subjects |
| Q2 2015 | 787 cases involving 548 subjects | 284 cases involving 190 subjects | 183 cases involving 121 subjects |
| Q3 2015 | 676 cases involving 539 subjects | 408 cases involving 211 subjects | 205 cases involving 124 subjects |

While the department strives to reduce the proportion of cases in the older time frame and to increase the proportion of cases in the youngest time frame, it is recognized that there are cases that are older than 18 months in Investigations for the following reasons:

- The investigator has to wait for evidence from a third party (i.e. not the complainant or the licensee/subject), for example psychiatric evaluation, court transcripts, or a key witness;
- Newer complaints are received against the licensee/subject. In order to move forward together to the Proceedings Authorization Committee, the older cases await the completion of younger cases;
- A need to coordinate investigations between different licensees/subject where the issues arise out of the same set of circumstances (e.g. a complainant complains about 2 lawyers in relation to the same matter);
- Multiple cases involve one lawyer. These investigations are complex and time consuming;
- Where capacity issues are raised during a conduct investigation.

2.3 – Investigations

(b) Mortgage Fraud Cases



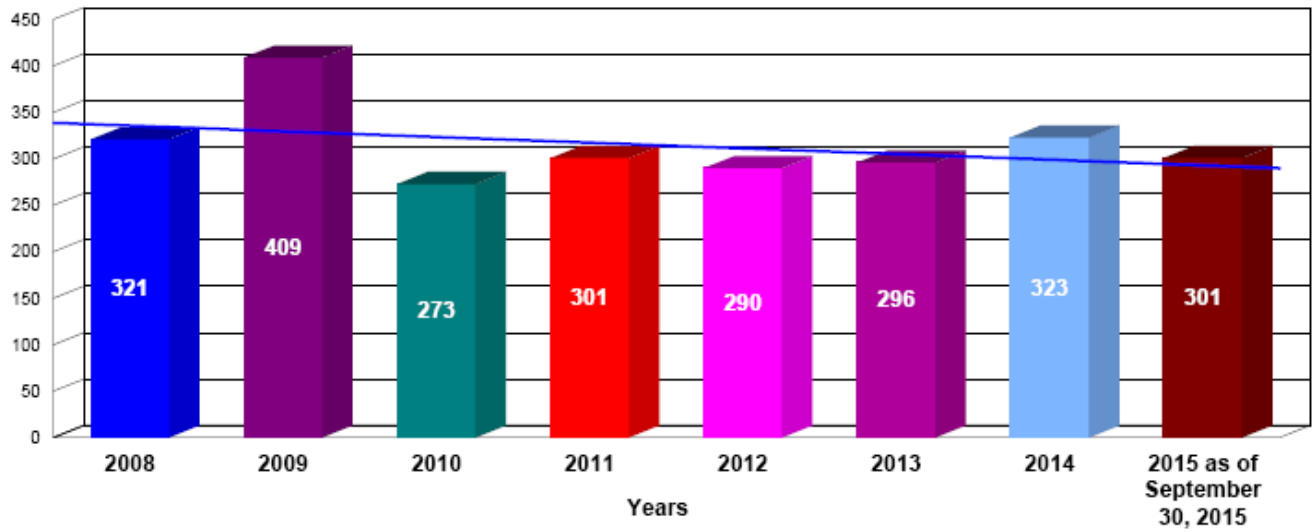
| | <10 months | 10 to 18 months | >18 months |
|----------------|--------------------------------|--------------------------------|--------------------------------|
| Q3 2014 | 61 cases involving 46 subjects | 23 cases involving 19 subjects | 26 cases involving 21 subjects |
| Q4 2014 | 57 cases involving 41 subjects | 26 cases involving 23 subjects | 29 cases involving 26 subjects |
| Q1 2015 | 46 cases involving 32 subjects | 31 cases involving 28 subjects | 26 cases involving 23 subjects |
| Q2 2015 | 30 cases involving 25 subjects | 39 cases involving 31 subjects | 28 cases involving 25 subjects |
| Q3 2015 | 29 cases involving 28 subjects | 36 cases involving 22 subjects | 26 cases involving 23 subjects |

As noted above, the department strives to reduce the proportion of mortgage fraud cases in the older time frame and to increase the proportion of cases in the youngest time frame. However, it is recognized that there will always be mortgage fraud cases that are older than 18 months in Investigations for the reasons cited above, particularly:

- When newer complaints against the licensee/subject are received, existing investigations may have to await their completion in order that all the cases can be taken to Proceedings Authorization Committee together.
- There is a need to coordinate investigations between different licensees/subject where the issues arise out of the same set of circumstances (e.g. a complainant complains about 2 lawyers in relation to the same matter).
- There are multiple cases involve one lawyer resulting in greater complexity.

2.3 – Investigations

Graph 2.3F: Median Age of Completed⁷ Complaints



⁷ Included are complaints closed by Investigations or transferred by the department to Discipline.

2.4 – Unauthorized Practice (UAP)

Graph 2.4A: Unauthorized Practice Complaints in Intake

| Quarter | New | Closed | Transferred for Investigation | Active at end of Quarter |
|-----------------------|------------|------------|-------------------------------|--------------------------|
| Q1 2013 | 71 | 29 | 59 | 11 |
| Q2 2013 | 60 | 26 | 51 | 5 |
| Q3 2013 | 69 | 27 | 46 | 9 |
| Q4 2013 | 60 | 20 | 41 | 11 |
| Total for 2013 | 260 | 102 | 197 | 11 |
| Q1 2014 | 64 | 26 | 51 | 6 |
| Q2 2014 | 52 | 15 | 38 | 7 |
| Q3 2014 | 44 | 13 | 21 | 20 |
| Q4 2014 | 63 | 23 | 44 | 21 |
| Total for 2014 | 223 | 77 | 154 | 21 |
| Q1 2015 | 45 | 22 | 37 | 11 |
| Q2 2015 | 60 | 16 | 47 | 8 |
| Q3 2015 | 48 | 13 | 36 | 11 |

Graph 2.4B: Unauthorized Practice Investigations

| | New Investigations | Closed ⁸ Investigations | Inventory at Quarter End |
|---------------------|--------------------|------------------------------------|--------------------------|
| Q1 2013 | 59 | 62 | 128 |
| Q2 2013 | 51 | 36 | 143 |
| Q3 2013 | 46 | 58 | 129 |
| Q4 2013 | 40 | 31 | 137 |
| Totals: 2013 | 197 | 187 | |
| Q1 2014 | 51 | 66 | 122 |
| Q2 2014 | 38 | 82 | 82 |
| Q3 2014 | 21 | 29 | 74 |
| Q4 2014 | 44 | 29 | 90 |
| Totals: 2014 | 154 | 206 | |
| Q1 2015 | 37 | 26 | 101 |
| Q2 2015 | 46 | 31 | 115 |
| Q3 2015 | 36 | 39 | 112 |

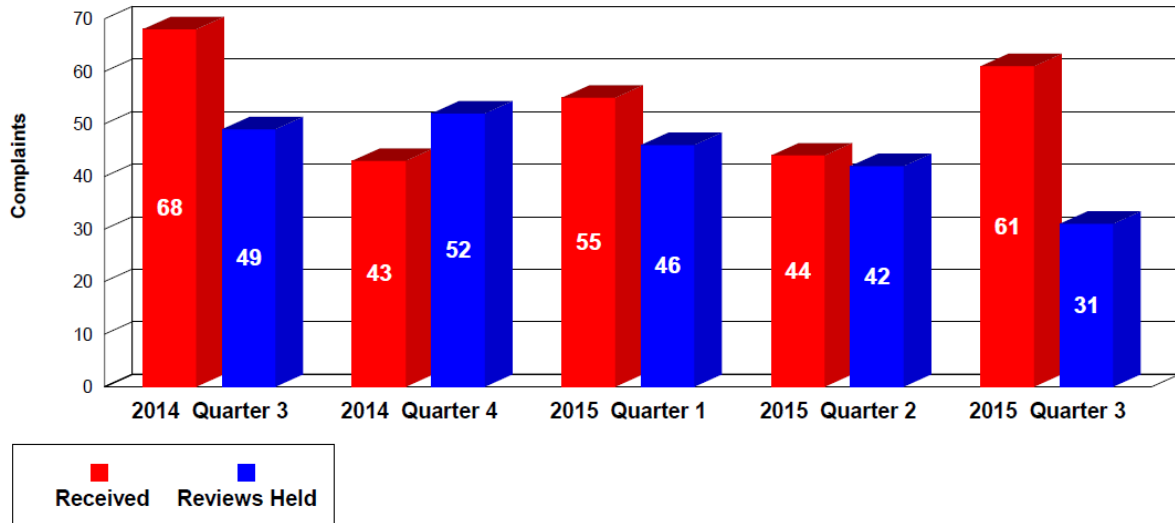
Graph 2.4C: UAP Enforcement Actions

There were 3 new UAP enforcement matters commenced in Q3 2015. As at September 30, 2015, there were 3 active UAP matters.

⁸ “Closed” refers to completed investigations and therefore consists of both those investigations that were closed by the Law Society and those that were referred for prosecution/injunctive relief.

2.5 – Complaints Resolution Commissioner

Graph 2.5A: Reviews Requested and Files Reviewed (by Quarter)



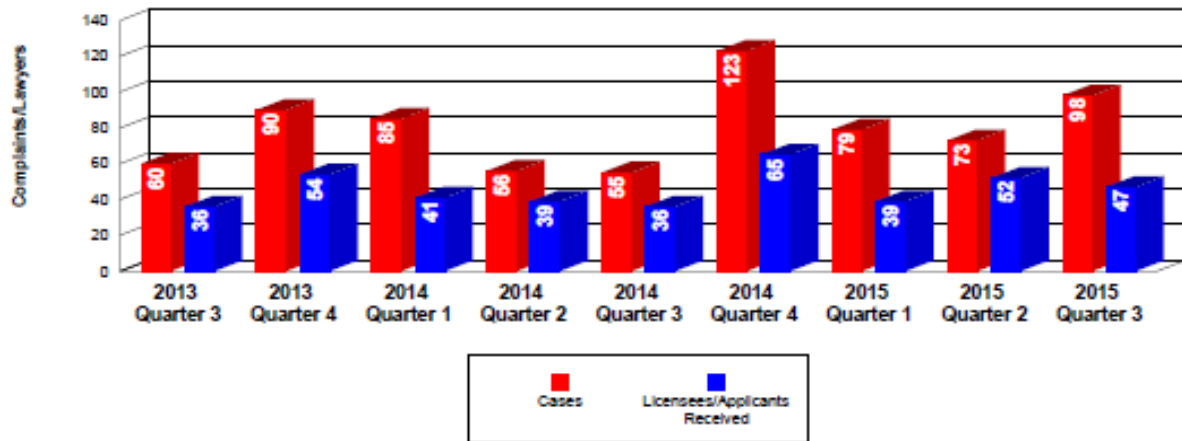
Graph 2.5B: Decisions Rendered, by Quarter

| Quarter | Decisions Rendered | Files to Remain Closed | Files Referred Back to PRD |
|-------------------|--------------------|------------------------|----------------------------|
| Q1 2013 | 40 | 38 (95 %) | 2 (5 %) |
| Q2 2013 | 55 | 49 (89%) | 6 (11%) |
| Q3 2013 | 43 | 40 (93%) | 3 (7%) |
| Q4 2013 | 67 | 65 (97%) | 2 (3%) |
| Total 2013 | 205 | 192 (94%) | 13 (6%) |
| Q1 2014 | 51 | 50(98%) | 1(2%) |
| Q2 2014 | 36 | 33(92%) | 3(8%) |
| Q3 2014 | 30 | 29(97%) | 1(3%) |
| Q4 2014 | 50 | 48 (98%) | 2 (2%) |
| Total 2014 | 167 | 160(96%) | 7(4%) |
| Q1 2015 | 39 | 37 (95%) | 2 (5%) |
| Q2 2015 | 40 | 39 (98%) | 1 (2%) |
| Q3 2015 | 31 | 27 (87%) | 4 (13%) |

Of the 31 decisions rendered in Q3 2015, the Commissioner referred 4 files back to Professional Regulation with a recommendation for further investigation. To date, the Executive Director has accepted one of the recommendations. Decisions are outstanding on the remaining three files.

2.6 – Discipline

Graph 2.6A: Input⁹



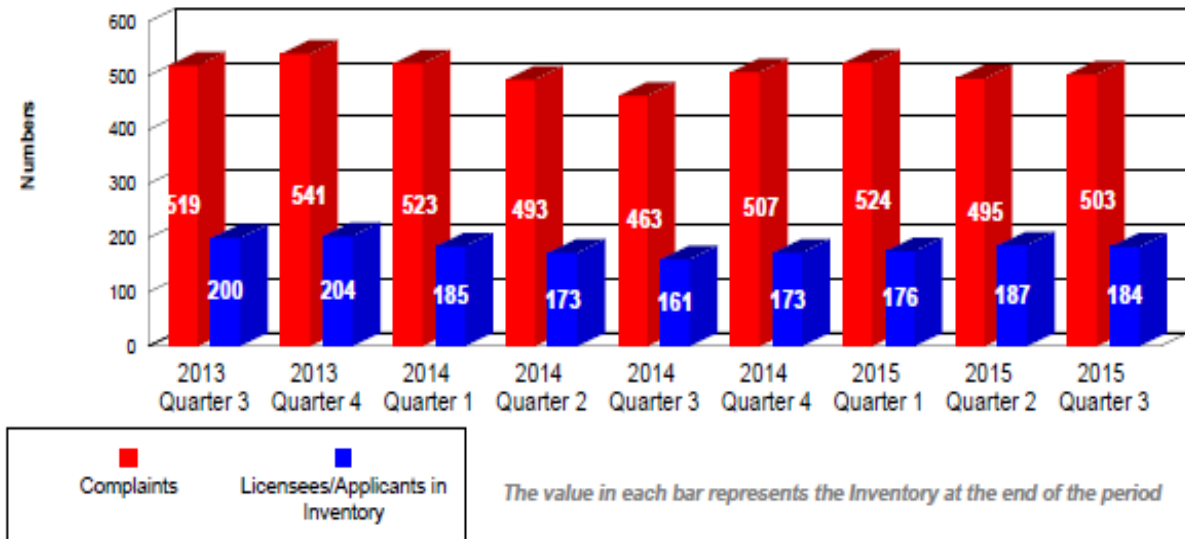
Detailed Analysis of New Cases Received in Discipline

| | | Q2 2014 | Q3 2014 | Q4 2014 | Q1 2015 | Q2 2015 | Q3 2015 |
|-----------------------------|------------------------|---------|---------|---------|---------|---------|---------|
| Lawyers | Cases | 46 | 49 | 100 | 49 | 45 | 67 |
| | Lawyers | 33 | 33 | 52 | 26 | 32 | 33 |
| Lawyer Applicants | Cases | 1 | 0 | 0 | 0 | 3 | 0 |
| | Lawyer Applicants | 1 | 0 | 0 | 0 | 3 | 0 |
| Licensed Paralegals | Cases | 8 | 6 | 20 | 29 | 20 | 27 |
| | Licensed Paralegals | 4 | 3 | 10 | 12 | 13 | 13 |
| Paralegal Applicants | Cases | 1 | 0 | 3 | 1 | 5 | 4 |
| | Paralegal Applicants | 1 | 0 | 3 | 1 | 4 | 1 |
| TOTAL | Cases | 56 | 55 | 123 | 79 | 73 | 98 |
| | Licensees & Applicants | 39 | 36 | 65 | 39 | 52 | 47 |

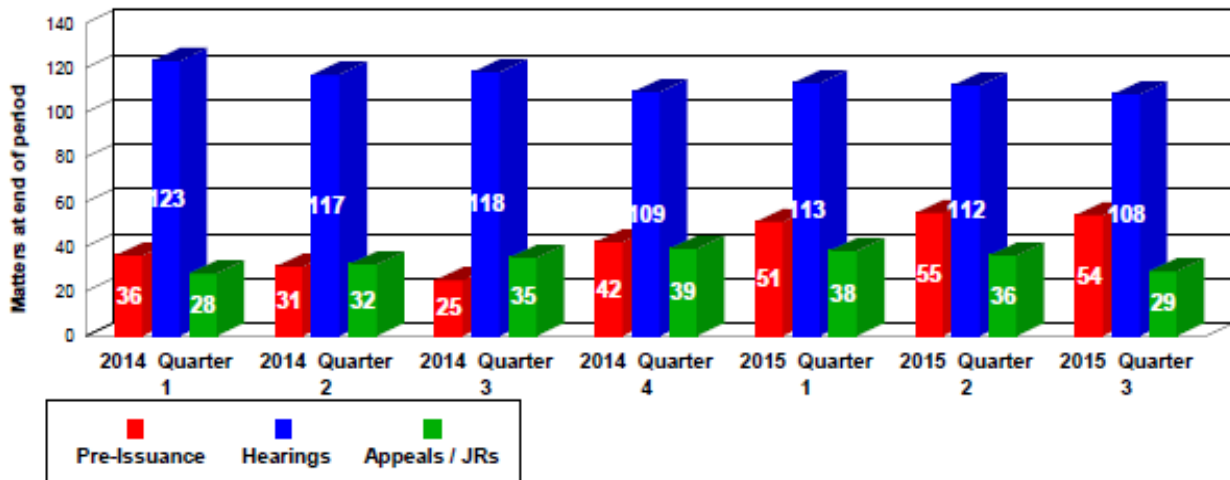
⁹ “Input” refers to complaints that were transferred into Discipline from various other departments during the specific quarter. Includes new complaints/cases received in Discipline and the lawyers/applicants to which the new complaints relate.

2.6 – Discipline

Graph 2.6B: Department Inventory¹⁰



Graph 2.6C: Inventory of Discipline Matters¹¹

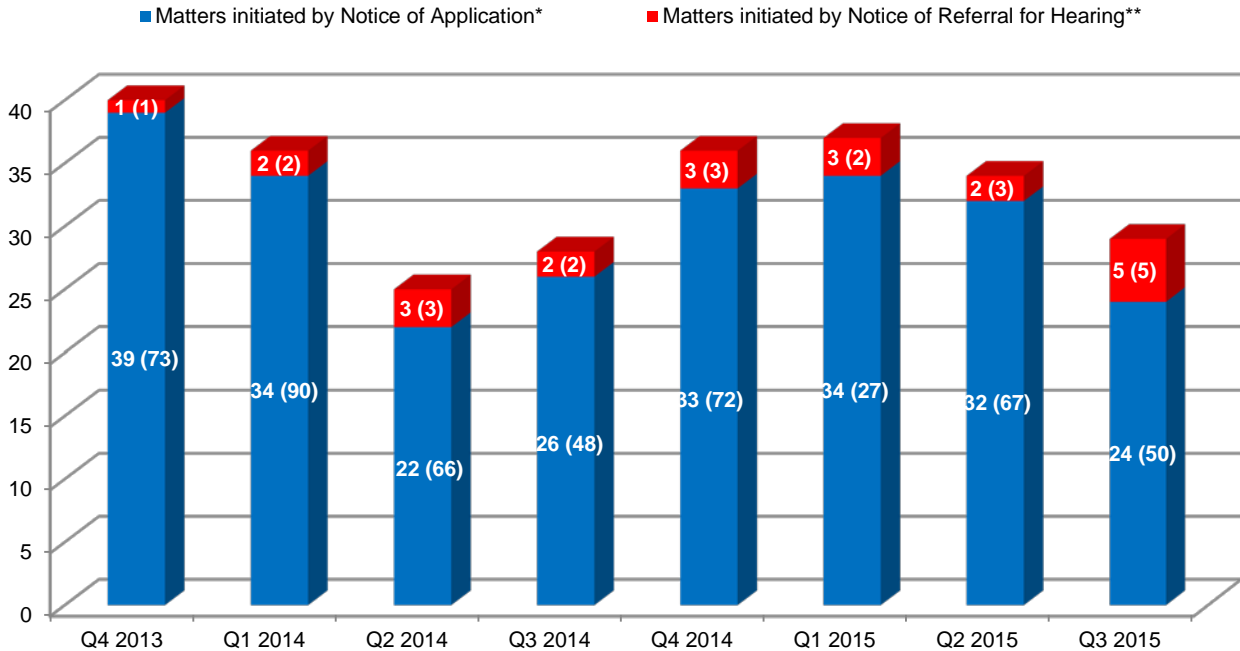


¹⁰ Consists primarily of complaints and lawyers/applicants that are in scheduling and are with the Hearing Division or on appeal. Note that a lawyer/applicant who has more than one matter will only be counted once.

¹¹ A licensee may have more than one matter ongoing at a time (e.g. a licensee may have an ongoing hearing before the Hearing Division and a judicial review in Divisional Court).

2.6 – Discipline

Graph 2.6D: Notices Issued in the Hearing Division



* Matters which are initiated by Notice of Application include conduct, capacity, non-compliance and competency matters. Also included in this category are interlocutory suspension/restriction motions.

** Matters which are initiated by Notice of Referral for Hearing include licensing (including re-licensing matters), reinstatement and restoration matters.

The numbers in each bar indicate the number of notices issued and, in brackets, the number of cases relating to those notices. One notice may relate to more than one case. For example, in Q3 2015, 24 Notices of Application were issued (relating to 50 cases) and 5 Notices of Referral for Hearing were issued (relating to 5 cases).

With respect to the 24 Notices of Application¹²/Notices of Motion for Interim Suspension Order and 4 Notice of Referral for Hearing (licensing matters) which were issued in Q3 2015¹³:

- 82% were issued within 60 days of PAC Authorization;
- 96% were issued within 90 days of PAC Authorization.

¹² Notices of Application are issued with respect to conduct, competency, capacity and non-compliance matters and require authorization by the Proceedings Authorization Committee (PAC).

¹³ The other Notice of Referral for Hearing was issued in relation to a reinstatement matter which does not require PAC authorization.

2.6 – Discipline

Graph 2.6E: Completed Matters in the Hearing Division

| | | Q2 2014 | Q3 2014 | Q4 2014 | Q1 2015 | Q2 2015 | Q3 2015 |
|--|----------------------|------------|------------|------------|------------|------------|------------|
| Conduct Hearings | Lawyers | 21* | 23 | 30 | 14 | 19 | 20 |
| | Paralegal Licensees | 6 | 4 | 3 | 6 | 2 | 8 |
| Interlocutory Suspension Hearings/ Orders | Lawyers | 3 | 2 | 4 | 2 | 4 | - |
| | Paralegal Licensees | - | - | 3 | 1 | - | 2 |
| Capacity Hearings | Lawyers | - | - | 1 | 2 | 3 | - |
| | Paralegal Licensees | - | - | - | - | - | - |
| Competency Hearings | Lawyers | - | - | - | - | - | - |
| | Paralegal Licensees | - | - | - | - | - | - |
| Non-Compliance Hearings | Lawyers | 1* | - | - | - | 1 | - |
| | Paralegal Licensees | - | - | - | - | - | - |
| Reinstatement / Terms Dispute | Lawyers | - | 1 | 1 | - | 2 | - |
| | Paralegal Licensees | - | 1 | - | 1 | - | - |
| Restoration | Lawyers | - | - | - | - | - | - |
| | Paralegal Licensees | - | - | - | - | - | - |
| Licensing Hearings** | Lawyer Applicants | 1 | - | 1 | 2 | - | - |
| | Paralegal Applicants | 2 | 1 | - | 3 | 1 | 2 |
| TOTAL NUMBER OF HEARINGS | Lawyers* | 25 | 26 | 37 | 20 | 29 | 20 |
| | Paralegals* | 8 | 6 | 6 | 11 | 3 | 12 |
| | TOTAL | 33 | 32 | 43 | 31 | 32 | 32 |

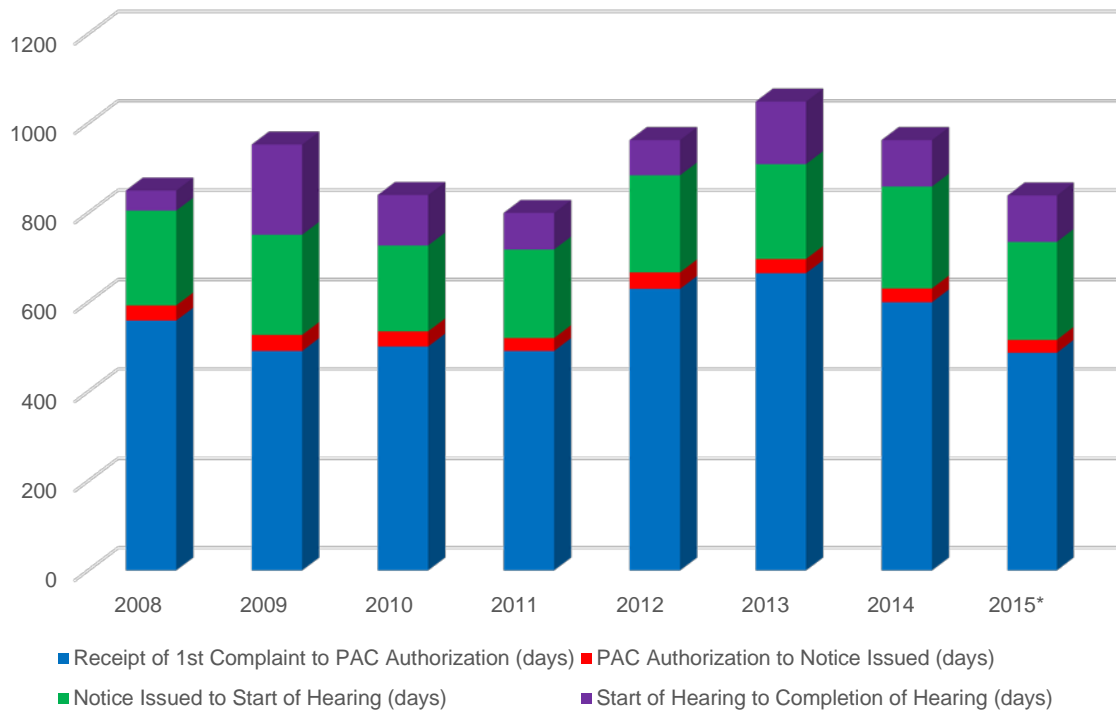
* In Q2 2014, a conduct application and a non-compliance application were heard together in one hearing. Both are included in the totals for lawyer conduct and lawyer non-compliance categories. However, the hearing is only counted once in the total numbers for the quarter.

** including Readmission

2.6 – Discipline

Graph 2.6F: Age of Completed Matters in the Hearing Division

| | Total Completed Hearings | Date 1 st Complaint Received to Date Hearing Completed | Total Completed Hearings less Completed Mortgage Fraud Hearings | Date 1 st Complaint Received to Date Hearing Completed |
|--------------|--------------------------|---|---|---|
| 2008 | 108 | 847 days | 100 | 770 days |
| 2009 | 102 | 841 days | 98 | 813 days |
| 2010 | 131 | 833 days | 117 | 727 days |
| 2011 | 114 | 770 days | 102 | 652 days |
| 2012 | 110 | 940 days | 92 | 693 days |
| 2013 | 123 | 1031 days | 103 | 805 days |
| 2014 | 135 | 896 days | 126 | 797 days |
| 2015* | 95 | 780 days | 86 | 680 days |



| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015* |
|---|------|------|------|------|------|------|------|-------|
| Receipt of 1st Complaint to PAC Authorization (days) | 559 | 491 | 501 | 491 | 630 | 665 | 600 | 487 |
| PAC Authorization to Notice Issued (days) | 34 | 36 | 34 | 29 | 37 | 32 | 31 | 29 |
| Notice Issued to Start of Hearing (days) | 212 | 224 | 192 | 198 | 217 | 212 | 228 | 219 |
| Start of Hearing to Completion of Hearing (days) | 45 | 202 | 113 | 82 | 79 | 140 | 104 | 104 |

* to September 30, 2015

2.6 – Discipline

Graph 2.6G: Appeals and Judicial Reviews

The following chart sets out the number of appeals filed with the Appeal Division, the Divisional Court or the Court of Appeal in the calendar years 2010 to 2014 and the first three quarters of 2015.

| Quarter/Year | Appeal Division | Divisional Court | Court of Appeal |
|------------------------------|-----------------|--------------------------------|-------------------------------|
| 2010 | 27 | 3 appeals; 2 judicial reviews | 4 motions for leave |
| 2011 | 18 | 6 appeals; 2 judicial reviews | 2 motions for leave |
| 2012 | 23 | 4 appeals; 5 judicial reviews | 2 motions for leave |
| 2013 | 20 | 3 appeals; 3 judicial reviews | |
| 2014 | 23 | 14 appeals; 5 judicial reviews | 4 motions for leave |
| 2015 1 st Quarter | 6 | 2 appeals; 0 judicial review | 3 motions for leave |
| 2 nd Quarter | 1 | 2 appeals; 0 judicial reviews | 0 motions for leave; 1 appeal |
| 3 rd Quarter | 2 | 1 appeal; 0 judicial reviews | 1 motion for leave |
| Total | 9 | 5 appeals; 0 judicial review | 4 motions for leave; 1 appeal |

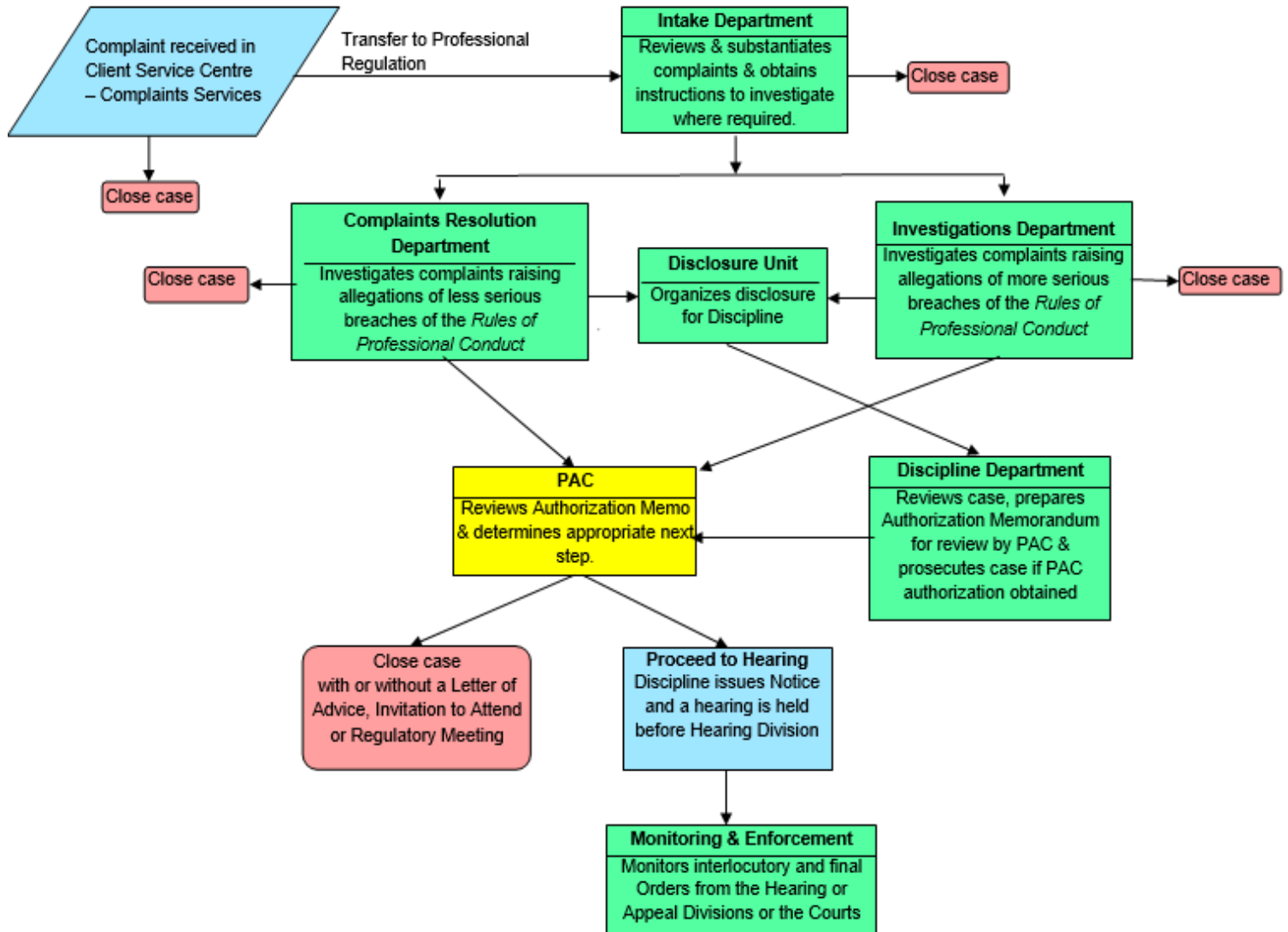
As of September 30, 2015, there are 9 appeals pending before the Appeal Division, 1 appeal in which the Appeal Division has reserved on judgment, 2 appeals that have been adjourned sine die and 3 appeals in which costs or penalty decisions remained outstanding.

With respect to matters before the Divisional Court, there are 10 appeals, and 3 judicial review matters pending. There are 2 motions for leave to appeal and 1 appeal pending in the Court of Appeal.

SECTION 3

APPENDICES

The Professional Regulation Complaint Process



PROFESSIONAL REGULATION ORGANIZATIONAL CHART

