

MINUTES OF SPECIAL CONVOCATION

Ottawa – Wednesday, 14th July, 2004
9:30 a.m.

The Treasurer, benchers and their guests proceeded to Southam Hall in the National Arts Centre for the Call to the Bar ceremonies of the 189 graduates of the Bar Admission Course and three transfer candidates.

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CONVOCATION WAS CALLED TO ORDER AT 9:30 A.M.

A quorum of Convocation was present.

The body of the auditorium was occupied by the candidates and their guests.

The Treasurer asked all present to stand for the National Anthem sung by Martine Richard.

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CONFERRING OF AN HONORARY DEGREE

Mr. William Simpson, Vice-Chair of the Professional Development, Competence & Admissions Committee introduced the Doctoral candidate, The Honourable James B. Chadwick, B.A., LL.B., Q.C. and read the following citation:

“Treasurer, may I present to you and this Convocation The Honourable James B. Chadwick, Q.C. and request that you confer upon him the degree of Doctor of Laws *honoris causa*.

Throughout his career, James B. Chadwick has been recognized as a highly respected and dedicated leader within the legal profession. His tireless enthusiasm and devotion to the rule of law have served as inspiration to all who know him. As a lawyer, his sharp mind and exceptional advocacy skills established him as one of the premiere civil and criminal litigators in Eastern Ontario.

As a Bencher of The Law Society of Upper Canada he served his profession admirably from 1975 to 1988, chairing a number of committees including Discipline and Legal Aid. His pragmatic and common sense approach facilitated the resolution of many of the issues facing Convocation during his tenure.

As a judge, James B. Chadwick pioneered the pilot project of mandatory mediation and the case management system. That system has now been codified in the Rules of Civil Procedure and has been implemented province wide.

The Honourable James B. Chadwick, Q.C. is deserving of the highest honour this Society can give and I request you, Sir, to confer upon him the degree of Doctor of Laws, *honoris causa*.”

The Treasurer admitted Justice Chadwick to the degree of Doctor of Laws, *honoris causa*.

Justice Chadwick then addressed the candidates and their guests.

“Treasurer, Benchers of the Law Society of Upper Canada, candidates for the call to the bar, their family and friends.

I'd like to thank the Treasurer and the Benchers of the Law Society of Upper Canada for this great honour that you've bestowed upon me this morning by granting me an honorary Doctor of Laws degree.

I'd like to also thank Bill Simpson for the citation that he read. I think he ad-libbed and put in a few extra words in there. I hardly recognize the person he was describing but that's Bill for you. Thank you very much, Bill, for the tremendous citation.

To each and every one of you, this is a tremendous occasion, just as it is for me and my family. It's tremendous that you're being called to the bar. Pretty soon you're going to take the oath of allegiance and swear the other oath. You're going to receive your Bachelor of Laws degree and receive the call to the bar of Ontario.

One of the things that of course it indicates to you is that you've finished your formal part of your education and you're now proceeding to become involved in the practice of law.

As you start your career, I'm winding up my career. I was called to the bar 40 years ago, and in considering my remarks this morning, I reflected upon my call, and I came to the conclusion that I couldn't remember who spoke at Convocation, let alone what was said. It's not because of my memory that this has happened; it just happens that when you're being called to the bar, this is one of the biggest days in your life, and you're focused on your own call and not what someone else has to tell you. I kept that in mind when I put together some remarks for this morning so that they'll be fairly brief. I know that you're all anxious to receive your call and to celebrate your success with your family and friends.

Numerous changes have taken place in the law over the past 40 years. One thing has remained the same, and that is the need for lawyers to provide free legal services and pro bono assistance to those individuals in the community who cannot afford to retain lawyers. The need for pro bono services has always been there. The nature and demand has varied from time to time, depending upon circumstances and depending upon government and their intervention in providing services.

It's interesting to note that some of the larger firms have already set up in-house pro bono schemes to assist people that can't afford to retain counsel.

You may have read that in May of this year, the Law Society of Upper Canada, the Law Foundation of Ontario, the Legal Aid Ontario and the Ontario Bar Association held a convention in Toronto to consider how the legal profession could best provide pro bono services to the people of Ontario. The Attorney General of the province has set up a task force to look into how the government lawyers can help the people of Ontario by providing some pro bono services.

You as new candidates to the profession may say to yourself, well, my practice is going to be so specialized that I have no room for pro bono services; no one needs pro bono services in intellectual property or some other specialized area. But I can assure you that pro bono is not all about criminal law; pro bono is about many areas of the law outside of the criminal law concept. And if you look around your community, you will find that there are all sorts of areas where you can assist, even if it's landlord and tenant, debt counseling, they all need lawyers to help people and guide them through some of the legislation which affects their day-to-day life.

And all of you have so much to offer. You have varied interests. Your undergraduate degrees probably cover a range of subjects. And one of the most important things is most of you, anyways, are young and energetic. And I appreciate that starting a practice is time-consuming and it's a lot of pressure on you, and I also appreciate that you have your own personal commitments, but I can assure you that you will receive tremendous personal satisfaction by helping people in the community who are unable to help themselves.

When I was called to the bar in 1964, there was no formal Legal Aid program. As a result, all the lawyers were expected to take on their share of free Legal Aid services. After my call to the bar, I received a call from David Scott, who had graduated from University of Ottawa a couple of years ahead of me, who was running the voluntary Legal Aid program in Ottawa. I thought he was calling me to ask me to defend someone in a criminal case, but he

was calling me to tell me that I was the new voluntary director of the Legal Aid program and that he had just resigned.

Having accepted this unsolicited appointment and non-paying appointment, I thought I'd be able to handle it quite well until the first Monday morning when I received a call around nine o'clock in the morning telling me that there was an accused ready for trial at ten, judge and jury, get someone down there, and of course the someone was me. I arrived down there, found a gown that fit, found the accused – he was in custody, so it wasn't too far out to look for him – selected a jury, found out what the charges were, and we started the trial at ten o'clock.

During my first year of practice, I did fifteen criminal jury trials, all pro bono, and I can assure you, it was very, very difficult, because that was the way we were called upon, but you have to remember, in those days, we used to be able to do a murder trial in three to four days as opposed to three or four months.

I was very fortunate, because I had some very supportive and understanding partners. Most of the people I defended in my first year of practice have since been released from Kingston Penitentiary by now.

And I still get cards from them from time to time.

One thing that always struck me about doing pro bono work was that people thought that you were a welfare lawyer, and I recall one accused who was actually fortunate enough to be acquitted, and the judge ordered him discharged, and he jumped out of the prisoner's box, and on the way by, he said to me, "You know, you wouldn't be a bad lawyer if you weren't a welfare lawyer." So there is a stigma so attached to it, but I think as you get involved in pro bono services, you'll find that the people really appreciate what you're doing for them.

There's a need in every community for people with your talent and your qualifications. There are numerous non-profit agencies, numerous non-profit areas that you can assist in, even if you don't do criminal law or you don't do family law. You can sit on the boards of these agencies and give them guidance and direction. And if you look around at the heads of most of the boards in these agencies, you'll see lawyers there all the time who are donating their time and their effort to the community. They make a tremendous contribution to the community and get very little recognition. So in providing pro bono services, you do serve your community, you gain a knowledge of areas of the law that you may not know much about when you start, and you get a tremendous understanding of people along with the personal satisfaction that I've already referred to.

In closing, there's one other matter I'd like to just touch upon, and that is becoming involved in supporting your law society and various bar organizations. If you articulated in Ottawa, you may have noticed that the Ottawa bar is very supportive of the Carleton Law Association. The reason for this is that everyone takes great pride in the Association here in Ottawa, and if you look at their educational programs which they put on throughout the year, you will see that they are one of the finest educational programs held anywhere in Canada. The reason they're so successful is because the lawyers in Eastern Ontario donate their time, take pride in what they're doing, and are able to present a program that is second to none.

But in order for these associations to continue and in order for them to prosper, they require the input from younger people as well, so I really encourage you to take part in your associations and your law societies, take an interest in them, become involved, and I think you'll find some great rewards from doing that.

In conclusion, let me congratulate each and every one of you on your call today. I hope that you receive as much joy and satisfaction from the practice of law that I did over the 40 years, and I wish you all the very best."

PRESENTATION OF PRIZES

Mr. Terry McCarthy, Head, Program Development (Ottawa) introduced the prizewinners to the Treasurer.

The Treasurer presented the following prizes to the respective recipients.

Awarded The Treasurer's Medal; The Ronald O. Daly Scholarship; The Edwin George Long, K.C. Memorial Scholarship (highest grade); The Osgoode Society for Canadian Legal History Prize; a share of The Stuart Thom Prize; The Robert J. Cudney Prize; a share of The McCarthy Tétrault Business Law Prize (Toronto); a share of The Vera L. Parsons Prize; a share of The Joseph Sedgwick, Q.C. Prize; and The Harcourts Advocacy Award

Joshua McBride Hunter

Awarded The Osgoode Society for Canadian Legal History Prize; The Gowling Lafleur Henderson LLP Prize; a share of The Vera L. Parsons Prize; and a share of The Joseph Sedgwick, Q.C. Prize

Pierre-Hugues Joseph Robert Verdier

Awarded The Osgoode Society for Canadian Legal History Prize; The Elisabeth Slasor Prize; and a share of The S. J. Birnbaum Q.C. Scholarship Third Prize

Ryan Edwin Flewelling

Awarded The Osgoode Society for Canadian Legal History Prize, and a share of The William Belmont Common, Q.C. Prize

Marla Joyce Dow

Awarded The Herbert Egerton Harris Advocacy Scholarship (highest grade), and The International Academy of Trial Lawyers Plaque

Jodie Claire Reynolds Roy

Awarded a share of The Vera L. Parsons Prize, and a share of The Joseph Sedgwick, Q.C. Prize

Steven Wayne Dunn
Amanda Courtney Holmes

Awarded a share of The William Belmont Common, Q.C. Prize

Howard Roland Fohr
Sandra Josephine Gallagher
Mary Elizabeth Grindley
Shauna Erin Labman
Jesstina Faith McFadden
Marcia Adele Frederica Pritzker
Jason Peter Thomas Rosychuk
Shane Lorien Sawyer
Christopher Glenn Veeman
Jacqueline Marie Yost

CALL TO THE BAR

Mr. Abraham Feinstein, Mr. Gary Gottlieb, Dr. Richard Filion and Mr. Bradley Wright presented to the Treasurer the 192 candidates for the Call to the Bar as follows:

BAR ADMISSION COURSE

192 CANDIDATES FOR CALL TO THE BAR

(Enclosed in Convocation file is a list of the candidates for Call to the Bar)

The Treasurer conferred upon the candidates the degree of Barrister-at-law and called them to the Bar of Ontario.

CONVOCATION ADJOURNED

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Following Convocation a Special Sitting of the Court of Appeal for Ontario and the Superior Court of Justice convened with The Honourable Justice Monique Métivier, Regional Senior Judge, East Region, Superior Court of Justice, presiding.

The candidates were presented to Justice Métivier before whom they took the Oath of Allegiance, the Barristers Oath and the Solicitors Oath and acknowledged their signatures on the Rolls in the presence of the Court.

Justice Métivier then addressed the new Barristers and Solicitors.

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At the conclusion of the formal proceedings the new Barristers and their guests were entertained by the Treasurer and benchers at a reception in the Southam Hall Lobby.

Confirmed in Convocation this 23rd day of September, 2004

Treasurer