

MINUTES OF SPECIAL CONVOCATION

Toronto – Thursday, 21st February 2002
2:45 p.m.

Prior to Convocation, the Treasurer and Benchers held a reception and luncheon at Osgoode Hall. The guests were Chief Justice R. Roy McMurtry, Justice John Evans, Caroline Evans, Patricia Evans, Claudio Duran, Marcela Duran, Andr  Duran, William Kaplan, Susan Krever, Graham Rawlinson, Paul Feldman, Huguette Thomson, James F. O'Brien, James R. Howie, Dean Peter W. Hogg and Dean Bruce Elman.

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Following the luncheon, the Treasurer, Benchers and their guests proceeded to Roy Thomson Hall for the Call to the Bar ceremonies of the 257 graduates of the Bar Admission Course and 3 transfer candidates.

CONVOCATION WAS CALLED TO ORDER AT 2:45 P.M.

The Treasurer asked all present to stand for the National Anthem sung by Tamara Hummel.

PRESENT: (Platform)

The Treasurer (Prof. Vern Krishna, Q.C., FCGA), Larry Banack, Leonard Braithwaite, John Campion, Earl Cherniak, Andrew Coffey, Gillian Diamond, Edward Ducharme, Gary Gottlieb, Donald Lamont, Barbara Laskin, Ronald Manes, Janet Minor, Niels Ortved, Marilyn Pilkington, Judith Potter, Helene Puccini, Heather Ross, Joanne St. Lewis, William Simpson and Robert Topp.

and

Chief Justice R. Roy McMurtry, Justice John Evans, William Kaplan, Huguette Thomson, James F. O'Brien, James R. Howie, Dean Peter W. Hogg, Dean Bruce Elman, Bonnie Goldberg, Malcolm Heins, Ian Lebane, Cindy Pinkus, Roman Woloszczuk and Susan Lieberman.

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

CONFERRING OF AN HONORARY DEGREE

Mr. Edward Ducharme, Chair of the Admissions Committee introduced the Doctoral candidate, Mr. William Kaplan and read the following citation:

“Treasurer, it is my pleasant duty to present to you William Kaplan and request that you confer upon him the degree of Doctor of Laws, *honoris causa*.

An admiration of law and history has shaped the extensive and diverse career of William Kaplan. Known as one of this country’s finest legal historians, he has also served the law as a respected writer, educator and arbitrator.

Born in Toronto, William Kaplan received a Master of Arts from the University of Toronto before embarking on a legal education, which culminated in a J.S.D. from Stanford Law School. Having completed his formal education, he began a private practice in arbitration and mediation while continuing to develop his skill as a writer in the field of legal history.

Eventually his career took yet another direction when he accepted a teaching position at the University of Ottawa where he attained a full professorship.

Today his life is a balance of each one of these careers. As a writer he continues to publish works in the fields of legal history and arbitration. As an educator he continues to share his knowledge with the youth of this profession. As a lawyer he has become widely known for his work as an arbitrator and mediator.

In 1999, William Kaplan was the recipient of a Law Society Medal, an award given to show the profession's respect and admiration for those they feel have given outstanding professional service.

He is deserving of the highest honour this Society can give and I request you, Sir, to confer upon William Kaplan the degree of Doctor of Laws, *honoris causa*."

The Treasurer admitted Mr. William Kaplan to the degree of Doctor of Laws, *honoris causa*.

Mr. Kaplan then addressed the candidates and their guests:

"Chief Justice: other distinguished members of the Ontario courts; Mr. Treasurer; Benchers and, last, but certainly not least: new lawyers:

It is a privilege to be here with you today, and its an even greater privilege to be among the first to be able to address you that way: new 'lawyers'. Because from today, you are no longer students at law; no longer Bar Admission students; no longer law students – but, lawyers. On behalf of everyone here, congratulations.

The very idea of being called a "lawyer" conjures up a variety of images.

If you watch television, you know lawyers are those people who take on impossible cases, master them in about 18 minutes, usually win against impossible odds, and always, always - manage to do all that while dressing provocatively and flirting with everyone they meet along the way.

But what do I mean when I call you" lawyers"? Let me try to answer this question in a very personal way: with examples of lawyers who by their daily work make the law the profession which I have come to greatly admire and respect. And truly, I say this because frankly, I am in awe of so many members of our Ontario family of lawyers, and am so proud to be part of that family.

When I think of what a lawyer is, I first think of the thousands of lawyers in Ontario who act without fee for clients who desperately need our help. People who are disadvantaged, people who are vulnerable, people facing great tragedies, great crises, in their lives, who without a lawyer, would be in terrible trouble. Lawyers take on these cases, take on these crises, not for headlines, not for gain, but because they believe it is just to do so, and because they know that for many clients, lawyers are the only ones who can help. These are lawyers to me.

I also think of the sole practitioners who work all around the province, in big cities and smaller ones too, who assume an incredible variety of legal tasks. How great their responsibilities, how isolated they must often feel, what a struggle they daily face. Theirs is a job just as challenging, perhaps even more so, as any in our profession.

There are the lawyers who represent the most unpopular in our province - people accused of crimes, those with unusual and different and, frankly, difficult ideas, those against whom the vast resources of the state and the tides of public opinion are lined up. As a society, we all agree that these people need to have their basic rights protected.

But lawyers, with the skills to do the job, are the ones who step up to the bar, and in doing so prove that indeed we do have a society governed by the rule of law.

I think next of the lawyers who are trusted counsel to the women and men who are the business leaders of this country. With daring, enthusiasm and creativity, and old-fashioned hard work, they help fuel the economic progress that makes our province prosperous, while remaining true to the oaths of professional responsibility and integrity that you will swear today. Our clients clearly want results, and it is our job to get them consistent with our obligations to justice.

When I think of lawyers I think of those who volunteer for causes which lie close to their heart. Whether to defend civil liberties, represent the wrongfully imprisoned, lobby on behalf of the homeless or refugee claimants—or dozens and dozens of other great and noble causes - Lawyers all around us give their own time and their own skill to causes that are important. They inspire us all, and make us proud to be lawyers.

I think of the justices of the courts of Ontario, some of whom are with us today. I think of how so many in this society take their role for granted, assuming that hearing an ever-increasing load of cases, and making reasoned and just decisions is an easy job. Ladies and gentlemen, it is not. The judges that I know work very hard. They approach their task with much gravity and humility. They are faithful to the law and to the basic values of our country. They often face uninformed and intemperate public criticism for decisions which have not been fully appreciated or understood. They are, in their own way, models for us all.

One also thinks of crown attorneys, who with ever-dwindling resources, protect the social fabric of our society and help create the law and order that each of us takes for granted. Criminal justice is not a remote, law school exam answer for them—it is their duty each and every day. How fortunate we are to have these lawyers.

I also think about the lawyers I know best, the extremely talented members of the labour bar. Whether representing management or unions, these lawyers learned long ago that our job is to solve problems, not to create or extend them. We deal, day in and day out, with parties who are in a continuing relationship – like it or not – with each other and we work hard at helping them to get along. ADR may be a buzzword for some, but for the labour bar, it is a fact of our professional life and has been for years. I am convinced that labour lawyers add great value to the legal process because of their commitment to professionalism, to solving problems in a real and meaningful way.

Consider too the lawyers who, over the course of our history, have pushed our laws forward, broke down the barriers, literally changed our world. Legal history is filled with stories of triumph and progress, but the history books often leave out the setbacks, the hard work, the personal risks, the sheer force of will and tremendous personal courage that has been required to make our society more equal, more just.

Ladies and gentlemen, lawyers have been at the vanguard of those changes, and as a society, we are all better for it.

All of these people – through deeds, not words – show us what it means to be a lawyer. For me, as I'm sure for you, these are shining examples, but also, they are examples of people who have set the bar very high indeed.

As a law teacher, I have seen some of this generation of new lawyers, and I know you are equal to the challenge. Many of you have had to overcome very trying family circumstances to make it here today. Some of you are the first in your families to be admitted to university, and the first to attend law school. Some are here launching a second career, having decided later in life to become lawyers. Many of you have faced great personal and economic obstacles in your lives – and it is a testament to all of you, no matter what your background, no matter what the challenges, that you have persevered, that you have demonstrated that you possess the attributes that I have just been describing.

Without a doubt, every one of you will fit into my definition of lawyers, earning the respect and admiration, which so many lawyers deserve. There are more new women lawyers today than men. The face of the legal profession is changing, and has changed, for the better. You are the most diverse, best educated, most highly skilled, most technologically adept group of men and women ever to be called to the Ontario Bar.

The profession, and our nation, will be stronger because of you. And in everything you do, you will give new meaning to the word lawyer.

This is not just another ceremony. This is your entry to our profession and your commitment, from this day on, to taking responsibility for the affairs of others. Identify the real issues and help solve the real problems. Connect to your clients, to their immediate concerns and to their immediate needs. But take the long view too – it is a marathon not a dash. Find out what it is about the law that you like, and practice that part of the law that you are good at, and then stick to it.

I am confident that all of you will make a difference, that all of you in your own way will help remind our society about what lawyers can do—and actually do.

As I look out at you, therefore, at this, the next generation of lawyers, the men and women who will define our profession in this new century, I know we are lucky to have you—to have you join us today as lawyers.

Congratulations.”

PRESENTATION OF PRIZES

Mr. Ian Lebane, Director, Bar Admission presented 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 grades); The Osgoode Society for Canadian Legal History Prize; and The Samuel Lerner, Q.C. Prize

Timothy Mark Banks

Awarded The Osgoode Society for Canadian Legal History Prize, and a share of The Margaret P. Hyndman, O.C., Q.C., D.C.L. Prize

Jillian Mae Shapiro

Awarded The Osgoode Society for Canadian Legal History Prize

*Robert Jean Claude Champagne
Anna Katarzyna Markiewicz*

Awarded a share of The Stuart Thom Prize, and a share of The McCarthy T9trault Business Law Prize – Toronto

Walter Ho Hyon Cho

Awarded a share of The Isadore Levinter Prize

*Lynda Margaret Collins
Farida Merali
Dominic Charles William Mochrie*

Awarded a share of The Margaret P. Hyndman, O.C., Q.C., D.C.L. Prize

*Colin Sean Grierson
Emma Jane Ritchie*

CALL TO THE BAR

Mr. Gary Gottlieb, Mr. Niels Ortved, Ms. Heather Ross and Ms. Marilyn Pilkington, representatives of the Admissions Committee presented to the Treasurer 260 candidates for the Call to the Bar as follows:

BAR ADMISSION COURSE 2001 – 2002

260 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 R. Roy McMurtry, Chief Justice of Ontario presiding.

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

Chief Justice McMurtry then addressed the new Barristers and Solicitors.

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At the conclusion of the formal proceedings the Treasurer, Benchers and their guests returned to Osgoode Hall.

Confirmed in Convocation this 25th day of April, 2002

Treasurer