

11th September, 1997

MINUTES OF CONVOCATION

Thursday, 11th September, 1997  
9:00 a.m.

PRESENT:

The Treasurer (Harvey T. Strosberg, Q.C.), Aaron, Adams, Angeles, Armstrong, Backhouse, Banack, Carpenter-Gunn, R. Cass, Chahbar, Cole, Cronk, Crowe, Curtis, DelZotto, Eberts, Feinstein, Finkelstein, Krishna, Lamek, Lamont, Lawrence, MacKenzie, Marrocco, Millar, Murphy, O'Brien, Puccini, Ross, Sealy, Stomp, Swaye, Topp, Wilson and Wright.

.....

The reporter was sworn.

.....

IN CAMERA

.....

IN CAMERA Content Has Been Removed

.....

IN PUBLIC

.....

The Treasurer paid tribute to Mr. Barry Pepper, a Bencher who died on September 3rd and Dr. Ronald Ianni, Dean of the Windsor Law School who died on September 6th, 1997.

Convocation stood for a moment's silence in memory of Mr. Pepper and Dr. Ianni.

TREASURER'S REPORT

The Treasurer presented his Report which included Committee assignments and special appointments for adoption by Convocation.

Treasurer's Report to Convocation  
September 11, 1997

---

Purpose of Report: Decision-Making and Information

11th September, 1997

A. ISSUES FOR DECISION BY CONVOCATION

Appointments

1. Convocation is asked to ratify the following appointments to the current standing committees, and the LPIC Board of Directors.

Admissions and Equity	Finance and Audit	Professional Development & Competence	Professional Regulation	Lawyers' Fund for Client Compensation
Epstein (c) Backhouse (v-c) Carter (v-c) Angeles Bobesich Carey Curtis Lamek Lamont Lawrence Sachs Dean Pilkington Dean Rodgers	Krishna (c) DelZotto (v-c) Chahbar Cole Furlong Lamont Murphy Ruby Scace Stomp Swaye Wardlaw Wilson Wright Yachetti	Eberts (c) Banack (v-c) Wilson (v-c) Aaron Adams Arnup Carpenter-Gunn Cass Elliott Lamont Manes O'Brien Puccini Ross Scott Yachetti	Cronk (c) Mackenzie (v-c) Ortved (v-c) Sachs (v-c) Topp (v-c) Copeland Crowe Gottlieb Lamek Legge Lerner Murray O'Connor Sealy Thom	Ruby (c) Aaron (v-c) Backhouse Cass Cole Copeland Crowe Farquharson Gottlieb Lerner Sachs Sealy Thom Topp

Discipline Authorization	LPIC Board of Directors	Clinic Funding
Cronk (c) Ortved (v-c) Sachs (v-c) Topp (v-c)	Murray (c) Croft (non-bencher) (v-c) Carpenter-Gunn Crowe Marrocco Sachs Sealy	Millar (c) Stomp (v-c) Sachs

Size and Membership of Legal Aid Committee

2. Rule 39(2) stipulates that the Legal Aid Committee shall be composed of eight members, a majority of whom shall be benchers. Convocation is requested to approve an amendment to rule 39(2) to provide that the Legal Aid Committee be composed of no fewer than eight benchers.
3. The attached Notice of Motion, returnable on September 26, 1997 sets out the proposed rule amendment in detail.

11th September, 1997

4. Convocation is asked to ratify the following appointments to the Legal Aid Committee.

Armstrong (c)	Harvey
Finkelstein (v-c)	Lawrence
Ross (v-c)	Marrocco
Carey	Millar
Crowe	Sealy
Curtis	Stomp
DelZotto	Swaye
Feinstein	Wilson

Government Relations Committee

5. With the adoption of the Policy Governance Model, Convocation has acknowledged its duty to foster relationships with external constituencies so as to bring an outward focus and perspective to the work of the Law Society. The provincial and federal governments are two very important external constituencies.
6. Accordingly, Convocation is asked to approve the establishment of a Standing Committee on Government Relations, the mandate of which will be as follows.

To develop and maintain an effective working relationship with the Government of Ontario, the Attorney General of Ontario, the Ontario Public Service and all elected officials of the Ontario Legislature for the purpose of ensuring the Law Society's policies and positions on matters affecting the interests of the public and the profession are understood before decisions affecting those matters are made.

To ensure that the Society's legislative agenda is effectively presented to the Government of Ontario for its consideration and approval.

To develop and maintain an effective working relationship with the Government of Canada and the Attorney General of Canada with respect to federal initiatives affecting matters within the Society's jurisdiction.

7. To establish this committee, Convocation must amend rule 27 and make a new rule 41. The attached Notice of Motion, returnable on September 26, 1997 sets out the proposed rule amendment in detail.
8. In addition, Governance Policy II.H. must be amended to include the Government Relations Committee and its mandate.
9. Convocation is asked to ratify the following appointments to the Government Relations Committee.

Marrocco (c)	Sachs
Harvey (v-c)	Scott
Chahbar	Wilson
Lawrence	

11th September, 1997

#### Litigation Committee

10. Convocation is asked to approve the establishment of a standing committee known as the Litigation Committee. The specific mandate of the committee will be presented to Convocation on September 26, 1997. Generally, it will be to develop for Convocation's approval, policies that address issues surrounding litigation between the Law Society and third parties.
11. To establish this committee, Convocation must amend rule 27 and make a new rule 42. See the attached Notice of Motion, returnable on September 26, 1997.
12. In addition, Governance Policy II.H. must be amended to include the Litigation Committee and its mandate.
13. Convocation is asked to ratify the following appointments to the Litigation Committee.

Scott (c)	Lamek
Carter (v-c)	Manes
Backhouse	Ortved
Carpenter-Gunn	

#### Task Force on Performance of Aboriginal and Visible Minority Students on Bar Admission Course Examinations

14. On average, aboriginal students and students of some visible minority groups do not perform as well as the general student population on Bar Admission Course examinations. With the unanimous adoption of the *Bicentennial Equity Report* in May 1997, it is critical that this issue be investigated forthwith.
15. Convocation is asked to establish a task force with the following terms of reference:
  - 1) to investigate the performance of aboriginal students and students of visible minority groups in the Bar Admission Course; and
  - 2) to report to Convocation on November 28, 1997 on the results of its investigation, and if warranted, options on how best to address the issue.

#### Appointment to Rules Committees

16. Convocation is asked to approve the appointments of Ronald Slaght, Q.C. and Don Jack to the Civil Rules Committee.
17. Convocation is asked to approve the appointment of Marie Henein to the Criminal Rules Committee.

11th September, 1997

B. INFORMATION

Treasurer's Equity Advisory Group

18. The following people have been appointed as members of the Treasurer's Equity Advisory Group.

Nora Angeles	Larry Banack	Avvy Go
Paul Milbourn	Marie Moliner	Harriet Sachs
Sandra Thomas	Mary Eberts	Helene Puccini
Andre Chamberlain	Nancy Backhouse	Juanita Westmoreland-
R. Douglas Elliott	Neena Gupta	Traore
Robert Fenton	Audrea Golding	Judith Keene
		Mr. Justice Harry
		LaForme

Governance Restructuring Implementation Task Force

19. The following benchers have been appointed to the Governance Restructuring Implementation Task Force:

Feinstein (c)	Murray
Manes (v-c)	Wilson
Epstein	

End of MOU Transition Planning Task Force

20. The following benchers have been appointed to the End of the MOU Transition Planning Task Force:

Armstrong (c)	Lawrence
Finkelstein (v-c)	Marrocco
Crowe	Millar
DelZotto	Ross
Eberts	Stomp
	Curtis

Other Appointments

21. In accordance with Convocation's direction and authority given on June 27, 1997, the following appointments have been made:

Brian H. Greenspan - Provincial Judicial Appointments Advisory Committee.  
Abraham Feinstein, Q.C. - Board of Directors of the Federation of Law Societies of Canada.

Request for Rescheduling of October Convocation

22. Gary Gottlieb has requested that Special and Regular Convocation in October, currently scheduled for October 23 and 24, 1997, be adjourned for the observance of Jewish holy days.
23. To assist Convocation in deciding this issue on September 26, 1997, Philip Epstein has been requested to establish a small group to consider the matter and prepare a report for Convocation.

11th September, 1997

It was moved by Mr. Feinstein, seconded by Mr. Krishna that the Report be adopted.

Carried

THE REPORT WAS ADOPTED

.....

THE LAW SOCIETY OF UPPER CANADA

NOTICE OF MOTION

Pursuant to subrule 1(1) of the Rules made under subsection 62(1) of the *Law Society Act*.

TO BE MOVED IN CONVOCATION ON SEPTEMBER 26, 1997

AMENDMENT OF RULES

MADE UNDER SUBSECTION 62(1) OF THE *LAW SOCIETY ACT*

1. IT WILL BE MOVED:

THAT CONVOCATION AMEND RULE 39(2) OF THE RULES MADE UNDER SUBSECTION 62(1) OF THE *LAW SOCIETY ACT*, RESPECTING THE LEGAL AID COMMITTEE, TO READ AS FOLLOWS:

The committee shall be composed of not fewer than eight members, a majority of whom shall be benchers, appointed by Convocation.

2. IT WILL BE MOVED:

THAT CONVOCATION AMEND RULE 27 OF THE RULES MADE UNDER SUBSECTION 62(1) OF THE *LAW SOCIETY ACT* AS FOLLOWS:

To the end of the list of standing committees, add the following:

8. Government Relations Committee.
9. Litigation Committee.

3. IT WILL BE MOVED:

THAT CONVOCATION MAKE RULE 40 OF THE RULES MADE UNDER SUBSECTION 62(1) OF THE *LAW SOCIETY ACT* TO READ AS FOLLOWS:

The mandate of the Government Relations Committee is:

1. To develop and maintain an effective working relationship with the Government of Ontario, the Attorney General of Ontario, the Ontario Public Service and all elected officials of the Ontario Legislature for the purpose of ensuring the Law Society's policies and positions on matters affecting the interests of the public and the profession are understood before decisions affecting those matters are made.
2. To ensure that the Society's legislative agenda is effectively presented to the Government of Ontario for its consideration and approval.

11th September, 1997

3. To develop and maintain an effective working relationship with the Government of Canada and the Attorney General of Canada with respect to federal initiatives affecting matters within the Society's jurisdiction.

4. IT WILL BE MOVED:

THAT CONVOCATION MAKE RULE 41 OF THE RULES MADE UNDER SUBSECTION 62(1) OF THE *LAW SOCIETY ACT* TO SET OUT THE MANDATE OF THE LITIGATION COMMITTEE.

CONVOCATION ADJOURNED AT 9:15 A.M.

CONVOCATION RECONVENED AT 12 NOON

PRESENT:

The Treasurer, Aaron, Adams, Angeles, Armstrong, Backhouse, Banack, Bobesich, Carey, Carpenter-Gunn, R. Cass, Chahbar, Cole, Cronk, Crowe, Curtis, DelZotto, Eberts, Feinstein, Furlong, Gottlieb, Krishna, Lamek, Lamont, Lawrence, MacKenzie, Marrocco, Millar, Murphy, Puccini, Ross, Sachs, Sealy, Stomp, Swaye, Topp, Wilson and Wright.

.....

.....

IN CAMERA

.....

IN CAMERA Content Has Been Removed

CONVOCATION ROSE AT 12:30 P.M.

Confirmed in Convocation this 27 day of October, 1997

Treasurer

Harvey T. Stroskey