

THE LAW SOCIETY OF UPPER CANADA

2011

Bencher Election

Voting Guide

Have your say in shaping our future

www.investorvote.com/lsuc

Voting closes at 5:00 p.m. Eastern Daylight Time (EDT) on April 29, 2011



Prononcez-vous sur notre avenir

www.voteendirect.com/lsuc

Le vote se termine à 17 h heure avancée de l'Est (HAE) le 29 avril 2011

Guide électoral

BARREAU DU HAUT-CANADA

2011

**Élection des membres
du Conseil**

2011 Bencher Election

Voting Guide

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The Law Society of
Upper Canada

Barreau
du Haut-Canada



BARREAU DU HAUT-CANADA

2011 Élection des membres du Conseil

Guide électoral

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Conduct of Election

The 2011 Bencher Election will be conducted in accordance with the *Law Society Act* and By-Law 3 made pursuant to the *Law Society Act*. The election will be conducted in both French and English.

The Law Society has hired Computershare, a third party company, to conduct the election.

Voter Anonymity

Computershare will randomly assign a control number, which is a personal voter identification number, to every eligible voter. Only Computershare knows the numbers assigned to eligible voters.

Eligible Voters

People who, on March 25, 2011, are lawyer licensees whose licences have not been suspended are eligible to vote in the bencher election.

Candidate Information

The Law Society of Upper Canada has published this Voting Guide to provide voters with information about the candidates running in the bencher election. The candidates provide their biographies and election statements, which reflect their views only.

The Guide is divided into two sections. The first section contains information about candidates from outside Toronto. The second section contains information about candidates from inside Toronto.

Regional Election Scheme

Forty benchers will be elected - 20 from inside Toronto and 20 from outside Toronto. Of the 40 benchers, eight will be elected as regional benchers. The regional bencher is the candidate within each region who receives the most votes from voters in that region. The business address of the regional bencher must be within that electoral region at the time of the election.

For the purposes of the election, the province is divided into eight electoral regions. The eight electoral regions are as follows:

- **City of Toronto Electoral Region**
- **Northwest Electoral Region (NW)** - composed of the territorial districts of Kenora, Rainy River, and Thunder Bay.
- **Northeast Electoral Region (NE)** - composed of the territorial districts of Algoma, Cochrane, Manitoulin, Nipissing, Parry Sound, Sudbury, and Timiskaming.
- **East Electoral Region (E)** - composed of the counties of Frontenac, Hastings, Lanark, Lennox and Addington, Prince Edward and Renfrew, the united counties of Leeds and Grenville, Prescott and Russell, Stormont, Dundas and Glengarry, and the Regional Municipality of Ottawa-Carleton.
- **Central East Electoral Region (CE)** - composed of the District Municipality of Muskoka, the counties of Haliburton, Northumberland, Peterborough, Simcoe, Victoria, and the regional municipalities of Durham, and York.
- **Central West Electoral Region (CW)** - composed of the counties of Bruce, Dufferin, Grey, Wellington, and the regional municipalities of Halton and Peel.
- **Central South Electoral Region (CS)** - composed of the county of Brant, and the regional municipalities of Haldimand-Norfolk, Hamilton-Wentworth, Niagara, and Waterloo.
- **Southwest Electoral Region (SW)** - composed of the counties of Elgin, Essex, Huron, Kent, Lambton, Middlesex, Oxford, and Perth.

The candidates from each region who receive the most votes from voters in that region will be declared regional benchers. The remaining 32 benchers will be the 13 candidates from outside Toronto who receive the most votes from all voters and the 19 candidates from inside Toronto who receive the most votes from all voters.

For outside Toronto, the candidate's region is identified on the ballot by a notation after the candidate's name. A list of the candidates from each region is on page 115 of the Voting Guide.

Casting and Counting Votes

Voters can cast 40 votes in total – 20 votes for candidates inside Toronto and 20 votes for candidates outside Toronto. The ballot is separated into two sections. One section lists candidates from inside Toronto. The other section lists candidates from outside Toronto. Voters need not cast all 40 votes, but cannot exceed 20 votes in each section. Voting for more than 20 candidates in either section will invalidate that section of the ballot. Voters may only vote for a candidate once.



The email communication from Computershare sent to all eligible voters includes a link to the online internet voting website and a personalized control number, which is an identification number for each voter. This control number is required to access the online internet voting system on the voting website. The internet voting system provides voters with the online Voting Guide, ballot and voting instructions, which will provide detailed information on how to vote online.

Voters who do not have an email address on file with the Law Society will receive a voting package by mail. The paper package will be mailed on the day the election opens online. The package includes the Voting Guide, the ballot and detailed instructions on how to vote by mail. Other eligible voters may contact Computershare and request that a package be mailed to them.

Voters can vote on the internet or, if in receipt of a paper package, by mail. A voter who has an e-mail address and requests a paper package can vote either on the internet or by mail, but may only cast one ballot. If a voter casts more than one ballot, the first ballot recorded, whether received on the internet or by mail, will be used for the official vote tabulation.

Voting by Internet

To vote by internet, voters must go to the election website through the link provided by Computershare, where they will be prompted to enter their control number. Once they are logged into the system, the list of candidates will be displayed. Voters select candidates by clicking the boxes next to the candidates' names. The system will not permit voters to vote for more than 20 candidates from outside Toronto or more than 20 candidates from inside Toronto. It is possible to submit a ballot with no candidates selected. Once voters have finished selecting both the outside and inside Toronto candidates, voters click the "Submit" button. Voters will then be prompted to review their selections and make any changes they want prior to final submission of their votes.

Internet voting closes at 5:00 p.m. Eastern Daylight Time (EDT) on April 29, 2011.

Voting by Mail

To vote by mail, voters will mark the ballot, which is attached to the voting instruction form, by placing an X in the boxes next to the names of the candidates of their choice. Voters are to detach the ballot from the form along the perforated line and return the ballot in the prepaid postage envelope to Computershare. The return envelopes have prepaid postage if mailed in Canada. Voters may also deliver the ballot to Computershare at 100 University Avenue, 9th Floor, Toronto, Ontario, M5J 2Y1.

Computershare must receive the ballot by 5:00 p.m. EDT on April 29, 2011. Ballots received after 5:00 p.m. EDT on April 29, 2011 will not be counted.

Ballots will NOT be accepted at the Law Society of Upper Canada's office at Osgoode Hall.

Voting Assistance

If you require assistance with voting or accessing the voting site, call Computershare's toll-free help line at 1-888-344-2805 within Canada and the USA. Voters outside Canada and the USA can call 514-982-2391. The help line is available Monday to Friday, from 8:30 a.m. to 8:00 p.m. EDT. It closes at 5:00 p.m. on April 29, 2011.

Voting Deadlines

The deadline for voting is April 29, 2011 at 5:00 p.m. EDT. The internet voting system will shut down at precisely 5:00 p.m. EDT on April 29, 2011. Computershare must receive paper ballots by 5:00 p.m. EDT on April 29, 2011. Ballots received after 5:00 p.m. EDT on April 29, 2011 will not be counted.

Announcement of Results

Tabulation of votes will begin after 5:00 p.m. EDT on April 29, 2011. The election results will be announced by press release and on the Law Society's website at www.lsuc.on.ca once votes have been tabulated.

Contact Us

For more information, please contact the Law Society at 416-947-3315, 1-800-668-7380 ext. 3315 or by e-mail at bencherelection@lsuc.on.ca



Déroulement de l'élection

L'élection de 2011 des membres du Conseil se déroule conformément à *la Loi sur le Barreau* et au Règlement administratif n° 3 pris en application de *la Loi sur le Barreau*. L'élection est tenue en français et en anglais.

Le Barreau a retenu les services de Computershare, une société indépendante, pour mener l'élection.

Anonymat des électeurs et électrices

Computershare assignera au hasard un numéro de contrôle en guise de numéro d'identification personnelle à chaque électeur ou électrice admissible. Seul Computershare connaît les numéros assignés aux électeurs et électrices admissibles.

Électeurs et électrices admissibles

Les personnes qui, au 25 mars 2011, sont des avocats et avocates dont le permis n'a pas été suspendu, peuvent voter aux élections des conseillers et conseillères.

Renseignements sur les candidats et candidates

Un guide électoral, publié et distribué par le Barreau du Haut-Canada, informe les membres sur les candidats et candidates qui se présentent à l'élection du Conseil. Les biographies et les déclarations électorales ont été rédigées par les personnes concernées et n'expriment que leur opinion.

Le guide comporte deux sections. La première contient des renseignements sur les candidates et les candidats de l'extérieur de Toronto. La deuxième contient des renseignements sur les candidates et les candidats de Toronto.

Procédé pour les élections régionales

Quarante conseillers et conseillères seront élus – 20 de Toronto et 20 de l'extérieur de Toronto. Sur les 40, huit seront élus comme conseillères et conseillers régionaux. Un conseiller régional est le candidat qui a reçu le plus de votes dans sa région. L'adresse professionnelle des conseillères et conseillers régionaux doit se trouver dans les régions électorales où elles et ils sont élus.

Aux fins de l'élection, la province est divisée en huit régions électorales. Les huit régions électorales sont :

- **Toronto**
- **Région électorale du Nord-Ouest (NO)** – formée des districts territoriaux de Kenora, Rainy River et Thunder Bay.
- **Région électorale du Nord-Est (NE)** – formée des districts territoriaux d'Algoma, Cochrane, Manitoulin, Nipissing, Parry Sound, Sudbury et Timiskaming.
- **Région électorale de l'Est (E)** – formée des comtés de Frontenac, Hastings, Lanark, Lennox et Addington, Prince Edward et Renfrew, les comtés unis de Leeds et Grenville, Prescott-Russell, Stormont, Dundas et Glengarry et la municipalité régionale d'Ottawa-Carleton.
- **Région électorale du Centre-Est (CE)** – formée de la municipalité de district de Muskoka, des comtés de Haliburton, Northumberland, Peterborough, Simcoe, Victoria et des municipalités régionales de Durham et de York. Région électorale du Centre-Ouest (CO) – formée des comtés de Bruce, Dufferin, Grey, Wellington et des municipalités régionales de Halton et Peel.
- **Région électorale du Centre-Sud (CS)** – formée du comté de Brant et des municipalités régionales de Haldimand-Norfolk, Hamilton-Wentworth, Niagara et Waterloo.
- **Région électorale du Sud-Ouest (SO)** – formée des comtés de Elgin, Essex, Huron, Kent, Lambton, Middlesex, Oxford et Perth.

Dans chaque région, le candidat ou la candidate ayant recueilli le plus grand nombre de voix de l'électorat de sa région sera déclaré conseiller régional. Les 32 conseillères et conseillers restants – 13 à l'extérieur de Toronto et 19 à Toronto – seront choisis parmi les candidates et candidats qui auront recueilli le nombre le plus élevé de voix de l'ensemble de la profession.

Pour les candidats et candidates de l'extérieur de Toronto, la région est indiquée sur le bulletin de vote par un code à côté des noms. La liste des candidats et candidates de chaque région figure sur la page 115 du guide électoral.

Vote et dépouillement du scrutin

Les électeurs et électrices disposent d'un total de 40 voix, soit 20 voix pour les candidates et candidats de Toronto et 20 voix pour ceux et celles à l'extérieur de Toronto. Le bulletin de vote contient deux sections : la liste des candidats et candidates de Toronto dans l'une et ceux et celles de l'extérieur de Toronto dans l'autre. Il n'est pas obligatoire de voter pour 40 candidats et candidates, mais on ne peut en aucun cas voter pour plus de 20 membres par section : cela annulerait les voix exprimées pour cette section. On ne peut pas voter pour la même personne plusieurs fois.



Le courriel envoyé par Computershare à tous les membres pouvant voter comprend un lien à un site web de scrutin en ligne et un numéro de contrôle personnalisé, qui est un numéro d'identification personnelle. Ce numéro de contrôle est requis pour avoir accès au réseau de scrutin en ligne sur le site web de l'élection. Le système de scrutin par Internet donne accès au guide électoral en ligne, au bulletin de vote et aux consignes, qui expliqueront en détail le processus de scrutin en ligne.

Les électeurs et électrices qui, à la connaissance du Barreau, n'ont pas d'adresse courriel recevront une trousse par la poste. Cette trousse sera envoyée par la poste le jour d'ouverture du scrutin en ligne. Elle contiendra le guide électoral, le bulletin de vote et des consignes pour voter par la poste. Les autres électeurs admissibles peuvent contacter Computershare et demander qu'une trousse leur soit envoyée.

Les électeurs et électrices peuvent voter par Internet ou par la poste, s'ils ont reçu une trousse. Un électeur ou une électrice qui a une adresse courriel et demande une trousse papier peut voter soit par Internet soit par la poste, mais ne peut envoyer qu'un bulletin de vote. Si un électeur ou une électrice vote plus d'une fois, seul le premier bulletin enregistré, qu'il soit reçu par l'Internet ou par la poste, servira à la compilation officielle des votes.

Voter par Internet

Pour voter par Internet, les électeurs et électrices se rendront sur le site web des élections, en suivant le lien fourni par Computershare, où on leur demandera d'inscrire leur numéro de contrôle. Une fois qu'ils et elles seront dans le système, la liste des candidats et candidates s'affichera. Les électeurs et électrices choisiront les candidats et candidates en cliquant sur la boîte à côté de leur nom. Le système ne permettra pas de voter pour plus de 20 candidats et candidates de l'extérieur de Toronto ou plus de 20 candidats et candidates de Toronto. Il est possible de soumettre un bulletin sans avoir choisi de candidat. Une fois que les électeurs et électrices auront fini de choisir pour l'extérieur de Toronto et pour Toronto, ils et elles cliqueront sur le bouton « Soumettre ». On demandera alors aux électeurs et électrices de vérifier leurs choix et de faire les changements désirés avant l'envoi final de leur vote.

Le vote par Internet se termine à 17 h heure avancée de l'Est (HAE) le 29 avril 2011.

Vote par la poste

Le bulletin de vote est joint au formulaire de consignes de vote. Pour voter par la poste, les électeurs et électrices mettront un X sur le bulletin à côté du nom de la candidate ou du candidat choisi. Les électeurs et électrices détacheront ensuite le bulletin du formulaire le long de la ligne perforée et renverront le bulletin dans l'enveloppe déjà affranchie à Computershare. Les enveloppes de retour sont déjà affranchies pour les envois au Canada. N'utilisez pas cette enveloppe à d'autres fins. Les électeurs et électrices peuvent aussi livrer eux-mêmes le bulletin à Computershare au 100, avenue University, 9^e étage, Tour Nord, Toronto, Ontario M5J 2Y1.

Computershare doit recevoir l'enveloppe au plus tard à 17 h HAE le 29 avril 2011. Les bulletins reçus après 17 h HAE le 29 avril 2011 seront rejetés.

Les bulletins ne seront pas acceptés au Barreau du Haut-Canada à Osgoode Hall.

Aide au scrutin

Si vous avez besoin d'aide pour voter ou pour avoir accès au site, appelez le numéro d'aide sans frais de Computershare au 1-888-344-2805 au Canada et aux É-U. Les électeurs à l'extérieur du Canada et des É-U peuvent appeler le 514-982-2391. La ligne d'aide est ouverte du lundi au vendredi, de 8 h 30 à 20 h HAE. Elle ferme à 17 h le 29 avril 2011.

Dates limites pour voter

La date limite pour voter est le 29 avril 2011 à 17 h HAE. Les systèmes de vote par Internet fermeront à exactement 17 h HAE le 29 avril 2011. Computershare doit recevoir les bulletins au plus tard à 17 h HAE le 29 avril 2011. Les bulletins reçus après 17 h HAE le 29 avril 2011 seront nuls.

Annonce des résultats

Le dépouillement du scrutin commencera le 29 avril 2011 dès 17 h HAE. Les résultats seront révélés par communiqué et sur le site Internet du Barreau à www.lsuc.on.ca une fois le scrutin dépouillé.

Pour communiquer avec nous

Pour plus de renseignements, veuillez appeler le Barreau au 416-947-3315, 1-800-668-7380, poste 3315 ou communiquer par courriel à bencherelection@lsuc.on.ca.

Candidates from
Outside Toronto



Candidat(e)s de
l'extérieur de Toronto



My professional experience has run the gamut from international diplomacy to courtroom advocacy. I have represented Canada abroad as a diplomat, responsible for political, security, and consular relations. I have advised the Government of Canada on issues of international and constitutional law, co-authored Canada's brief in the infamous Sidney Jaffe international kidnapping case, instructed Canada's delegation to NATO, and drafted both new federal legislation and international treaties. As a Federal Crown Attorney, I conducted criminal prosecutions in Toronto's busiest courtrooms. As a Professor of Law and Journalism, I taught such subjects as defamation, copyright, and criminal procedure. As an award-winning public interest author and journalist, I have written extensively on international relations, public policy, and law reform.

The face the Law Society projects to its members is one of unaccountable and undemocratic governance -- the face of an organization that is too often impenetrable, heavy-handed, bureaucratic, curt (rather than courteous), and coldly unreceptive to input by its members. The Society ought to reinvent itself to present a more humane, collegial face. To start, the Society should request the provincial government to amend the Society's mandate. In addition to protecting the public interest, the revised mandate should *also* direct the Society to protect the interests of both the legal profession and Law Society members. A paramouncy clause would stipulate that in the event of a conflict between those objectives, protection of the public interest would *always* take priority. The Society's charter should also explicitly state that a key function of all benchers is to serve as elected representatives of the Society's members, accountable to them (perhaps through some kind of forced recall provision) and readily accessible to their concerns. At present, Society members are without any meaningful input into their own governance. Provision *used* to exist for any member to easily petition Convocation on issues of concern to that member. However, it appears that said "Petition to Convocation" procedure was quietly discontinued years ago, leaving members without *any* mechanism for getting a complaint, concern, request, or proposal before the body empowered to govern them. How is it compatible with democratic governance to leave members utterly bereft of any way to put a matter before their own governing body? Every member should have an absolute right to communicate any matter directly to Convocation, to thereby have Convocation seized of said matter, and to promptly have said matter deliberated upon and decided by Convocation. The Society should *welcome* any and all measures to increase its transparency and accountability. For that reason, the Law Society should voluntarily submit itself, on a permanent basis, to the jurisdiction of both the Ontario Ombudsman and the Ontario Privacy Commissioner; and, its accession to the jurisdiction of those agencies should be entrenched in the Society's charter. The Society should *also* create an *internal* Ombudsman to act as an advocate for members in their dealings with the Society. The Society should discontinue its practice of recording the names of members *as they appear at christening* and instead rely on members to provide, in good faith, the form of their names by which they are actually known. (A member's common-use name, combined with their date and place of birth and unique membership number is enough to distinguish one member from another.) The cost of Society membership fees and malpractice insurance is excessive. Every function of the Society ought to be carefully scrutinized in an effort to reduce the size and cost of the Society's bureaucracy. (For example, maybe the Society could utilize a collegial management model and do *without* a CEO and Treasurer.) At present, practices governing fees and malpractice insurance do not favor a member working part-time. Those practices should be amended to make it easy and affordable for members to work part-time. In an effort to get more members involved in their own governance, a new term limit should restrict any member from serving as a bencher for more than two terms over the course of their career. The Society should undertake an intensive examination of its practices, with a view to developing "best practices" for the operation of the Society. That means ensuring that members are *never* treated as 'guilty until proven innocent' by the Society; according members and the public the most open and accommodating access to due process that human ingenuity can devise; and ensuring strict confidentiality (so a member can write *in confidence* to a Society staffer or officer and have that confidence respected). The Society should avoid adopting compulsory "one size fits all" practices when it is possible instead to give members the freedom to choose the approach that suits them best -- a case in point being the unnecessary imposition of mandatory "e-filing," without regard to the well-founded qualms some members may have about the reliability and privacy of *anything* done online.



**Constance Backhouse, LSM,
C.M., O. Ont., F.R.S.C.**

<http://constancebackhouse.ca>

- Law Professor, uOttawa
2000-11, UWO 1979-2000
- Elected Bencher 2003-11
- LL.B. Osgoode Hall, '75; LL.M.
Harvard '79; Called to Bar '78
- Hon. Doctorate LSUC '02
- Order of Canada '08;
Order of Ontario '10
- Law Society Medal '98
- Bora Laskin Fellowship '99;
Trudeau Fellowship '06
- Women's Law Association of
Ontario President's Award '01
- John Ramon Hnatyshyn
Award from CBA '06
- teaches criminal law, human
rights, legal history, labour law
- Member Ontario Bar
Association Council
- Author of *The Heiress v.
The Establishment and Petticoats
& Prejudice: Women & Law
in 19th-Century Canada* and
*Colour-Coded: A Legal History of
Racism in Canada, 1900-1950*

Constance Backhouse

East • Est

Ottawa

One of the extraordinary benefits of being a law professor in Ottawa and London is the thousands of law students I have met during the course of my career. The generational turnover allows for recognition of the changing perspectives of young people, and the diversity of issues that confront new entrants to our profession. Another wonderful privilege is the continuing contact with alumni, permitting glimpses into the ongoing lives of the lawyers who have gone on to explore vastly different careers.

These contacts, along with opportunities to research and write about the past and future of law practice in Canada, have caused me concern about a number of issues. If re-elected, I would work towards the following:

- Ensuring that the LSUC can respond to the fact that the profession is no longer (perhaps has never been) one monolithic whole. Recognizing that the **interests of sole practitioners, clinic lawyers, government lawyers, general practitioners, specialized corporate practitioners and so on can be dramatically different**, and that all members of the bar require support for their efforts to operate successful practices in diverse settings.
- Recognizing that **public accessibility to legal services** is an objective our profession is increasingly unable to meet. Maximizing access, **revitalizing, and expanding legal aid**.
- Continuing to **reassess legal education** in the universities, bar admission course, articling, and continuing professional development programs to ensure there is coherence and effectiveness of outcomes.
- Consulting with the County and District Law Presidents' Association, local, regional and provincial law associations to ensure that the **LSUC is more inclusive** of the full range of the bar, and that its **practices are transparent** to the profession and the public.
- Protecting the **heritage of the legal profession** through expansion of the historical collection of material documenting the lives and careers of Ontario's lawyers.
- Developing new initiatives to achieve greater **equity within the legal profession** to ensure equality of sex, race, ethnicity, religion, dis/ability, class and sexual identity.

Un des avantages extraordinaires de l'enseignement du droit à Ottawa et à London, Ontario, c'est d'avoir eu le plaisir de rencontrer des milliers d'étudiantes et d'étudiants en droit au fil de ma carrière de professeure. Je connais bien les problèmes auxquels sont confrontés les nouveaux juristes qui entrent dans la profession : la recherche d'emploi, l'établissement d'une clientèle et le fardeau de composer avec des dettes toujours plus oppressantes. La pratique du droit, par contre, est une lutte même pour les juristes qui ont plusieurs années de service dans la profession.

Si je suis élue, je consacrerai mon énergie à :

- Veiller à ce que le Barreau puisse répondre à la réalité que la profession n'est plus (n'a peut-être jamais été) une entité. Reconnaître que les **intérêts des juristes, qu'ils pratiquent seuls, qu'ils exercent dans le milieu clinique ou dans la fonction publique, qu'ils aient une pratique générale ou qu'ils œuvrent dans le secteur de l'entreprise ou ailleurs, ont changé de façon sensible**; tous les membres ont besoin de la reconnaissance et de l'appui du Barreau sur le plan des efforts fournis pour assurer la saine gestion de pratiques dans des milieux divers.
- Reconnaître que l'**accès public aux services juridiques** est un objectif que notre profession est de moins en moins capable d'atteindre. Trouver des moyens d'augmenter l'accès, de **raviver et d'élargir le système de l'aide juridique**.
- Continuer à **évaluer la formation en droit** offerte dans les universités, les cours de formation professionnelle, les expériences de stage et les programmes de formation permanente pour les professionnels afin d'assurer une cohérence et des preuves concrètes d'efficacité.
- Consulter les présidents ou présidentes des associations juridiques de comté et de district, des associations professionnelles locales, régionales et provinciales afin de veiller à ce que le Barreau **soit plus représentatif** de l'ensemble de ses membres et que ses **pratiques soient vraiment transparentes** tant pour les membres que pour le public en général.
- Protéger l'**héritage de la profession juridique** par l'enrichissement de la collection de documents historiques relatant la vie et la carrière de juristes de l'Ontario.
- Mettre en œuvre de nouvelles initiatives afin d'assurer une plus grande **équité au sein de la profession juridique**.



The mandate of the Law Society is to regulate our profession in the public interest. The public interest is best served by a vital and prosperous bar. Accordingly, in order to fulfill its mandate, the Society must support all members of the profession in our efforts to deliver professional and affordable service while, at the same time, balancing our professional and personal lives in an increasingly complex society.

We elect our benchers to develop and implement policy to deal with the many issues facing our profession and we ask them to do it without spending any more of our money than necessary and without placing unnecessary obstacles in our paths.

Our current benchers have taken many positive steps to address these issues; however, we continue to face an ever-evolving number of challenges.

Diversity, legal aid, the difficulty in attracting young lawyers to smaller communities, access to justice and self-represented litigants, the inability of law school graduates to find articling positions and paralegal regulation are all issues that will continue to demand our attention and, in addressing them, the Law Society must continue to work with professional organizations including the Ontario Bar Association, the County and District Law Presidents' Association, the Criminal Lawyers' Association and The Advocates' Society.

What are my qualifications to take on this responsibility?

Having lived and practised law in both Toronto and Northumberland County, in small firms and now as a sole practitioner, I have an appreciation of the perspectives of a wide variety of our colleagues and the needs of a wide spectrum of the public we serve.

I have the ability to listen and to work with others, a commitment to public service, and the ability to exercise judgment.

Having participated in various professional organizations, I have worked with a diverse group of lawyers from across the province on issues facing our profession and have a wide network of colleagues upon whom I can rely for support and advice.

I am passionate about the law and the legal profession and grateful for the many opportunities that membership in the profession has afforded me.

And most importantly, I have a track record: a demonstrated need and ability to become engaged. As an example, in my two terms as a director of The Advocates' Society, I chaired the Sir William Campbell Foundation and two standing committees: Operations, Governance and Finance and Advocacy and Practice.

Participation of our members in recent bencher elections has been relatively low. This is disappointing because we all share the responsibility of electing the best Bench possible in order that the Law Society may support us in delivering professional and affordable service to our clients.

I respectfully request your vote. If elected, I will draw upon my experience in both the practice of law and in professional organizations to represent you to the very best of my ability.

Education

Trent University
B.A. University of Toronto
LL.B. Queen's University
Called to Bar 1980

Practice

Litigation counsel
Deputy Judge

Professional service

The Advocates' Society, Director
(2001-2007)
Pro Bono Law Ontario, Director
(2005-2008)
Sir William Campbell Foundation,
Trustee (2002-2005) and
Past Chair
Northumberland County Law
Association, Past President and
County representative at CDLPA
and OBA Council

Community service

Green Communities Foundation,
Trustee (current)
Habitat for Humanity
Northumberland, Trustee
(2007-2010)

Memberships

The Advocates' Society
Criminal Lawyers' Association
Ontario Bar Association

Nominators

Michael Adams (Innisfil)
Jack Braithwaite (Sudbury)
Tom Conway (Ottawa)
Peter Cronyn (Ottawa)
Cliff Dresner (Newmarket)
Bruce Fitzpatrick (Peterborough)
Michael Head (Pickering)
Mark Lerner (London)
Derry Millar (Toronto)
Patrick Murphy (Goderich)
Stephen Wojciechowski
(Thunder Bay)



This is my first bencher election. The Central South Region, which includes the County of Brant and the regional municipalities of Haldimand-Norfolk, Hamilton-Wentworth, Niagara and Waterloo has been represented at Convocation by a single bencher, who has now served the maximum term. I am running for bencher to ensure that Convocation continues to include at least one voice from this region.

My practice is restricted to civil litigation, advocating for clients in and out of court. If elected, I will advocate for you in these areas:

- Partner, Giffen LLP, Kitchener
- B.A.(Hons.), University of Ottawa, 1988
- LL.B., University of Ottawa, 1991
- Called to the Bar, 1993
- Certified as a Specialist in Civil Litigation
- Member of the Advocates' Society, Ontario Trial Lawyers Association, Ontario Bar Association, Waterloo Law Association, and American Association for Justice
- Sessional Lecturer, University of Waterloo 2001-2009
- Contact:
gmb@giffenlawyers.com
- Address concerns the Law Society is over-regulated and our fees are too high
- Ensure affordable public access to criminal and civil justice in our communities
- Continue to improve public confidence and trust in lawyers
- Ensure relevant, timely and accessible continuing legal education programs both in and outside of the GTA
- Maintain high standards and ensure transmission of substantive knowledge in the licensing process
- Promote the interests and concerns of sole practitioners and smaller firms
- Encourage new lawyers to practise in under-represented communities



- B.A., M.A.,
University of Manitoba
- LL.B. (Queens University)
- 1973 Call
- Senior Partner,
Weiler Maloney Nelson
- Labour and Administrative Law
- Certified Specialist
(Labour Law)
- Member, LSUC, Labour Law
Specialty Board
- Member, LSUC,
Certified Specialist Board,
Professional Development and
Competence Committee
- Editor-in-Chief, Federated
Press Legal Journal
“Management Rights”
- Elected member, OBA Council
(2004 – 2010)
- Past Alternate Chair,
Ontario Review Board
- Advocates’ Society (1982)
- Ontario Bar Association (1977)
- Past Director, Thunder Bay
Law Association
- Counsel in 55 to 60
Reported Cases
- Served Canadian Armed Forces
Camp Valcartier, Quebec, Signal
Squadron and in Royal 22nd
Regiment Airborne Infantry
Battalion

It is critical we all vote in this Bencher Election.

Benchers, Convocation, and its Committees and Disciplinary Panels will determine the future of our profession over the next four years.

As you know, members in the eight regions in Ontario elect their own bencher and in addition, thirteen benchers outside of Toronto are elected at-large by voters across the province.

I respectfully ask my colleagues in the Northwest for their support in the Regional Bencher Election.

I also respectfully ask my colleagues across Ontario for their at-large support of my candidacy.

Based on my professional experience, energy and good health, I am confident I can play a leadership role as a bencher.

I approach my work with energy and enthusiasm. I am committed to bringing the same energy and enthusiasm to Convocation, and to Committee work and participation on Disciplinary Panels. I understand the Law Society has, in the past, experienced difficulty staffing its many Committees and Disciplinary Panels.

My counsel work on hundreds of Arbitration cases and other Tribunals provides me with the present qualifications and experience to do the committee and tribunal work required of benchers.

In addition, my service as an Alternate Chair of the Ontario Review Board for three years, chairing five-member hearing panels across Ontario, is another asset.

My counsel experience, with its focus on human rights issues, management, and disciplinary matters, provides me with the type of experience a bencher needs to hit the ground running.

Through my service as a member of the Law Society’s Labour Law Specialty Board (2004), and on the Law Society’s Certified Specialist Board (2008), I have gained valuable knowledge and experience about the Law Society’s Professional Development and Competence policies and procedures.

Challenges facing Convocation the next four years.

1. Access to Justice: Having practised in Northwestern Ontario for my entire career, I am keenly interested in maximizing access to justice for all residents of Ontario, particularly those in remote regions of the province.
2. Equity and Diversity: Increasing diversity in our profession is an area of critical importance and a challenge to our profession to ensure equity and fairness. I am committed to our Law Society meeting the challenges arising from that diversity.
3. Retention of Women in Practice: Although the majority of new calls are women, women leave our profession in higher numbers than men.

I am committed to the Law Society continuing its work assisting women practitioners remaining in the profession.

4. Sole and Small Firm Practitioners: Our Law Society assists and encourages new members to relocate to areas outside larger centres, which also offer challenging legal opportunities. I fully support that important work.

5. Midsized and Larger Firms: Our Law Society assists and promotes midsized and larger firms to continue making vital contributions to the provision of legal services. I support those initiatives.

I welcome the opportunity to serve as bencher.

I respectfully request your vote on April 29, 2011.

I would be happy to hear from you and can be reached at fbickfor@wmnlaw.com.



Jack Braithwaite, B.Sc., B.A.,
M.A., LL.B. - Counsel, Weaver
Simmons LLP

Practice:

- Labour/Employment Law; (Management) including WSIB; OHSA prosecutions;
- Collaborated in writing a leading textbook entitled “Canadian Employment Law”
- Past Associate Editor of the Dismissal and Employment Law Digest

Memberships:

- CBA; OBA; National Bar Association (U.S.); Canadian Association of Black Lawyers; Canadian Association of Counsel to Employers; Past Board of Directors of The Advocates’ Society; Past President of the Sudbury District Law Association; Past Governing Council of the Ontario Chamber of Commerce; Past Board of Directors of the Ontario Chamber of Commerce; Past Chair of the Greater Sudbury Chamber of Commerce; Member of Human Resources Professionals Association of Ontario (“HRPAO”)

Other Activities:

- Guest lectures at Laurentian/ Western University/ Osgoode Hall

Dear Colleagues:

I am again seeking your support to be re-elected as a bencher. My reasons are simple. I am proud of the profession and the dedication of those who make up the profession.

I believe I have brought and continue to bring the necessary ingredients to assist in ensuring the profession continues to strive to achieve its ideals of ultimate service to the community.

In addressing the continued self-regulation of the profession and the future of its growth, I bring the following:

1. Past and current bencher experience;
2. Time commitment - I am prepared to put in the time as demonstrated in my past service as bencher;
3. Diversity including:
 - i) Regional representation - practice in the North;
 - ii) Experiential representation
- practiced in the South and North (Toronto and Sudbury);
 - iii) Practice representation
- practiced in both a relatively small and medium-sized boutique firm
- practice in a relatively medium/large full-service firm;
 - iv) Firm knowledge representation
- Associate; Partner; Counsel;

In consideration of at least the above, I believe I have served our profession well and most importantly, I want to continue to do so in a bencher capacity.



1962 B.Sc. (Econ) London School of Economics

1965 Called to the Bar, Lincoln's Inn, England

1967 Master's Degree, Development Economics, University of Berlin

1970 LL.B., Osgoode Hall, York University and Doctor Juris

1972 Called to the Bar, Law Society

1980s Advisory Committee Paralegals, Seneca College

1980s 3 years Chairman, Canadian Bar Association

1982 Registered as Advocate, Bar Council of Gujarat, India

1990s 3 years *Pro bono* Legal Aid lawyer

1992 Deputy Judge, Richmond Hill

1990s Mentor for many students, lawyers

1990-2010 Published many legal articles

2004 Award for legal writing from Canadian Ethnic Journalists Association

2006-2009 Special Lectures to Tanganyika Law Society on Mentorship, Law Reform in India, Universities of Chandigarh and Saurashtra

I have practised 38 years in Richmond Hill, Ontario and have seen the Law Society and profession change significantly during this time. I am called to the Bar in several jurisdictions and have been a Deputy Judge for 18 years in Richmond Hill. I would now like to contribute in these years of transition to work to improve the governance and maintain a strong and independent bar in a rapidly changing society.

Civility

Our adversarial system should be tempered with civility to provide resolution of conflict using courtesy and respect and courtroom manners of the bar and before the judiciary and tribunals. In my view it is an essential and integral part of the administration of justice to achieve resolution of legal problems.

Legal Aid

We should continue to work to improve the availability of public funds and *pro bono* work of lawyers to provide better access to justice and legal information to those in need, recognizing that legal problems can affect the public just as seriously as medical problems. We need to achieve better access to courts and legal institutions for all members of the public.

Education

Dramatic changes in society, as reflected in the legal system, require not only a strong programme of articling to have good lawyers, but also a continual effort to educate the lawyers both in specialities in an increasingly complex society and continual education for the general practice lawyers to adequately service an ever more demanding public.

Human Rights

The current effort of the Law Society to support foreign lawyers and judges in human rights issues abroad should be expanded to include more members participating in such programmes here and abroad as we interact more closely with the outside world in asserting our fundamental values of liberty, due process, justice and human rights.

Paralegals

We need to make special effort to integrate the paralegals in the profession and recognize their supportive role in the administration of justice.

***Pro bono* Work**

The Law Society should take more steps in supporting *pro bono* work and ethics in doing it to fulfill our mandate to govern the profession for the benefit of the public.

Women and Diversity

The Law Society has made good effort to support the role of women in the profession in the last few years, which should continue. Similar effort needs to be made to integrate the diverse communities of Ontario in the profession and recognize their effort and contribution to the administration of the justice system.

Discipline

The discipline procedure should be streamlined and codified to make it more judicial following the principles of natural justice. The image of the Law Society with the membership should be shifted towards a more supportive role to members.

Judiciary & Bar

A strong and independent bar and judiciary are extremely important for the future development of Ontario and the Law Society should take a greater and more active role in recognizing members who can be judges and work with the Judicial Advisory committees both federally and provincially.

Public Image

We should make a vigorous effort to help improve the image of the Law Society as supportive of the member whilst protecting public interest and improve the image of the lawyers contributing to Ontario society through charitable, *pro bono* work. Disciplinary work done and shown to the public should be enhanced by other activities in the public eye.



Stephen B. Collinson *Central West • Centre-Ouest*

Oakville

The Law Society of Upper Canada is charged with important mandates of regulating our profession and protecting the public interest. This role is an honour and a responsibility that none of us should take lightly. Continued good governance of the Law Society is a sacred trust. In a number of jurisdictions self-regulation has been legislatively restricted or removed when standards and principles have not been adhered to. In my view, it is not contrary to either the regulation of the profession or the public interest for the Law Society to also strongly advocate on behalf of the interests of the profession. Self-regulation, protection of the public interest and advocacy on behalf of the profession are complimentary to each other.

My perspective is that of a sole practitioner. As a barrister in criminal courts, I face the challenges of our stakeholders on a daily basis. As the Past President of the Halton County Law Association, I am aware of the issues that arise for “Main Street Lawyers”. Having served a six-year term as the Central West Director of C.D.L.P.A., I am aware of the issues that relate to the practice as a whole. I sit as a Deputy Judge in Small Claims Court. I have a practice as Defense Counsel and also act as an Agent of the Department of Justice and a Per-Diem Provincial Crown Attorney. I also maintain a solicitor’s practice. I would like to bring these perspectives to the Law Society.

The Law Society has built a strong foundation over the past number of years. The task of Convocation over the next four years will be to build upon that foundation. To that end, there are a number of areas that present interesting challenges:

1. Libraries and Continuing Legal Education----I believe in the importance of well-funded legal libraries across the province. Local associations and local libraries play a key role in the delivery of continuing legal education. Given the new Continuing Professional Development requirements, proper libraries and well-funded local associations are as important as ever.
2. Fees and Insurance Levys----The Law Society and LAWPRO should continue to manage funds in a prudent and responsible fashion. Wherever possible fees and levies should be maintained if not reduced. Paralegal regulation should be self-sustaining and not subsidized by lawyers.
3. Discipline and Enforcement----The Law Society has an obligation to the public and profession to enforce practice standards. This role ranges from enforcing the *Barristers Act*, to prosecuting unauthorized practice, to ensuring that members of the profession treat each other with courtesy and civility.
4. Advocacy and Lobbying of Government----The Law Society has an important role to play in respect to lobbying. From Legal Aid funding, to new court houses, from proper remuneration for deputy judges to insuring services to under-represented members of the public, we must continue to insure that the voice of the profession is heard at both Queen’s Park and in Ottawa.
5. Sole and Small Firms---I started my own practice after being called to the Bar. At the time, the Law Society offered absolutely no assistance to new calls. Efforts by the Law Society over the past number of years have been an impressive start. The Society must continue to explore ways of assisting small and sole practitioners and recent calls.

I am very pleased to have the endorsement of the Halton County Law Association. I would very much appreciate your consideration of my candidacy in the up-coming elections.

B.A. (Honours)
Queen’s University 1986

LL.B.
University of Windsor 1990

Call to the Bar 1992

Sole Practitioner – Oakville
1992-present
Originally in association with
Ledressay, VanMelle

Per-Diem Crown Attorney (Halton)
1993-present

Standing Agent – Department of
Justice Canada
1993-1995, 2008-present

Deputy Judge – Small Claims Court
2003-present

Halton County Law Association
Executive 1994-2004
President 2000-2002

Central West Representative
C.D.L.P.A
2002-2008

Bar Admissions Instructor
Law Society of Upper Canada
2002-2006

Board Member:
Big Brothers of Halton
1992-1995
A.D.A.P.T. 1996-Present
Canadian Club of Burlington
1996-2002
St. Luke’s Church

Endorsed by the Halton County
Law Association



I was privileged to be elected for my first term as a bencher in 2007 and am very grateful to have had the opportunity to contribute to the governance of the profession. I would like to continue and complete my work at the Law Society, especially now that I have had a few years to learn the ropes and gain some experience. I seek your support in this election.

I have served on a number of committees, task forces and working groups, including:

- **Chair, Professional Development and Competence Committee.**
 - Participated in the working group charged with developing the new Continuing Professional Development requirements that came into effect in January 2011.
- **Co-Chair, Retention of Women in Private Practice Working Group.**
 - Directed the implementation of the nine recommendations of the Task Force Report on the Retention of Women in Private Practice, approved by Convocation in May 2008.
 - Traveled throughout Ontario to implement and promote the initiatives of the Working Group and the Justicia Project.
- **Council Member, Federation of Law Societies of Canada.**
 - Represent Ontario on the Council of the Federation, and have chaired several Federation committees.
- **Vice-Chair, Hearing Panel.**
- **Director, LibraryCo.**
- **LSUC Delegate, Council, Ontario Bar Association.**
- **Member, Professional Regulation Committee.**
- **Member, Priority Planning Committee.**
- **Member, Government Relations Committee.**
- **Member, Tribunals Committee.**
- **Member, Inter-Jurisdictional Mobility Committee.**

LSUC Highlights

Chair, Professional Development and Competence Committee

Co-Chair, Retention of Women in Private Practice Working Group

Council Member, Federation of Law Societies of Canada

Other Professional Commitments

President, County of Carleton Law Association (“CCLA”), 2006-2007

Trustee and Executive Member, CCLA, 1995-2006

Member, Library Committee, County and District Law Presidents’ Association, 2006-2007

Adjunct Professor, Faculty of Law, University of Ottawa, 2005-2009

Biographical

Partner, Cavanagh Williams Conway Baxter LLP

Partner, McCarthy Tétrault LLP, 1995-2009

Associate/Partner, Soloway Wright LLP, 1989-1995

LXPERT® Leading Practitioner, Commercial Litigation

The Best Lawyers in Canada, Corporate Commercial Litigation

Married to Linda, two children

Cross Country Ski Coach, Ontario Special Olympics

I ask for your vote so that I can continue to:

- Advocate for fiscally responsible governance of the Law Society and for a renewed commitment to its core mandate and duties.
- Focus the Law Society’s limited resources and energies on maintaining and improving the standards of learning, professional competence and professional conduct of the legal professions.
- Represent the Society nationally in the Federation of Law Societies of Canada, and enhance the Society’s leadership role on issues of national and international consequence for our profession.
- Address the “greying-of-the-bar” challenges by supporting practical and cost-effective strategies to ensure that ordinary Ontarians have access to competent, ethical and affordable legal services, including:
 - advocating for more comprehensive, financially sustainable legal aid;
 - promoting and supporting the role of sole and small firm practitioners, particularly in under-served areas of practice and in centres outside Ontario’s large urban centres.
- Support Law Society initiatives and programs to enhance continuing professional development from the moment a law graduate enters our licensing process to the day the lawyer retires from the profession.

There are many things that the Law Society could do in the coming years, but I believe it must:

- **Consider reforms to our investigation and discipline processes.** Our membership has grown to over 42,000 members, yet we rely heavily on benchers to conduct our adjudications. We need to examine whether our current investigation and hearing processes can be made more efficient, more predictable, fairer and less costly to the profession and to those who are subject to investigation and discipline.
- **Meet the challenges presented by the numbers entering our articling and licensing programs.** About 250 students per year cannot find articling positions. The number of law school graduates and foreign-trained lawyers seeking admission to the Society continues to increase dramatically. We must address this challenge in a way that is fair to those who have invested time, effort and money in their training, without compromising ethical and competency standards.
- **Build on programs and opportunities for the enhancement of professionalism and learning.** The introduction of continuing professional development and the rejuvenated relationship between the Law Society and the Academy has created new and exciting opportunities for the advancement of lifelong professional development and learning. We must continue to build on this progress in collaboration with professional associations, the law schools and the profession.
- **Review Programs and Manage Change.** Over the years the LSUC has developed numerous initiatives and supports for its members. It is time, however, that we review and renew them to ensure they remain effective. With the implementation of governance reforms, the Law Society will experience accelerated change. The change can be positive if properly managed by a mix of new and experienced benchers.

Link to more information

- Twitter: @ThomasGConway
- Facebook: www.facebook.com/thomas.g.conway
- Website: <http://www.cwcb-law.com/ReElectTomConway.html>
- LinkedIn: <http://ca.linkedin.com/pub/thomas-conway/25/b9a/128>
- YouTube: <http://www.youtube.com/user/ThomasGConway>



A Law Society that educates, supports and advances the INTEGRITY of all its members serves THE PUBLIC INTEREST.

My platform rests on four fundamental principles:

1) Law Society as a Regulator (Professional Development & Fees)

Education

The Law Society has a wealth of archived Continuing Legal Education programs in print, audio or video format which could be used to help educate members of our Bar. I propose that we make these materials available to the profession by establishing a members-only web portal for archived events 2 years and older. This would not inhibit current Continuing Legal Education events or the revenue derived from them. However, current CPD programs should be available for free for lawyers who have practised less than 3 years.

Mentorship

Mentorship is the most important activity a lawyer can undertake to advance the quality of our profession. Providing quality education and guidance to junior members of the Bar is necessary for the betterment of the profession and the protection of the public. Individuals who undertake this vital role should be granted a discount in their annual membership fees.

Pro Bono

This should not be a replacement for the Legal Aid system. Our fight to improve the Legal Aid system must continue. However, it is in the public interest to participate in serving the community on a *pro bono* basis. Members who actively participate in *pro bono* work should also be granted a discount in their annual membership fees.

Fees

Benchers past and present have diligently worked to protect reasonable membership fees. I will strive to continue to maintain reasonable fees, which will help to ensure the protection of small, new and sole practitioners.

2) Law Society as a Regulator (Self-Governance)

Discipline

The public is best protected by lawyers regulating themselves. No one is better equipped to understand and determine whether a member has crossed the line than another member of the profession. Lawyers bring understanding and empathy, as well as fairness, to the discipline process. I strenuously oppose any “outsourcing” of discipline hearing panellists to non-benchers.

Election Process

The inside/outside Toronto format is antiquated and requires change in order to broaden and equitably increase representation from across Ontario. There should be an expansion in the number of elected benchers to include more recognition of other large centres such as Ottawa, London and Windsor. In addition, there should be an expansion of positions available for sole and small firm practitioners. These changes will bring a greater diversity to an institution whose purpose is to advocate for change for all lawyers in the province.

Also, the Law Society needs to create an even playing field to promote greater diversity in those who wish to run in the Bencher Election. The Law Society should eliminate the members address list fee for candidates running for election.

3) Sole Practitioner/Small Firm

In order to promote and protect the small firm/sole practitioner, the Law Society needs to develop workable exit and succession strategies for retiring practitioners. First, the Law Society needs to establish an opt-in retirement plan for its members. The Society has the ability to leverage the existing base infrastructure of L.P.I.C./LAWPRO to build a sustainable plan. Moreover, the initiation of a matching program for retiring and young lawyers (both in rural and urban areas) would ensure the seamless transition and continued viability of established sole/small practices. These measures will provide continued access to justice throughout the province.

4) Legal Aid

Legal Aid is grossly underfunded and the defence of the indigent is at risk. The Law Society should mandate to its nominees on the Board of Legal Aid, the immediate need to demand from the province an increase in funding. The Law Society should also mandate its Board nominees to establish a Parental Leave program for lawyers who actively accept Legal Aid work, similar to the one recently developed by the Law Society.

The Law Society has taken steps to develop transparency and effective communication with its membership. I look forward to being given the opportunity to further the progress and to create a greater connection between the Law Society and you.

Paul Cooper

LL.B. Osgoode (1990)

B.A. (Hon) York (1987)

(economics & finance)

Call - February 1992

Private Practice

1992-Present:

Criminal Defence Lawyer

Prosecutor

1994-2000:

Standing Agent – Attorney General

of Canada – Department of Justice

Duty Counsel

1993-1994:

York Region Legal Aid Panel –

Per Diem Criminal Duty Counsel

Continuing Legal Education

Host/Moderator “Garage Series”

FREE Continuing Legal Education Series

Lecturer – LSUC Bar Admission

Course – “The Guilty Plea:

Introduction to Sentencing”

Bar Admission Course Instructor

DOJ-Contributor Drug Witness

Expert Seminar

CBA/OBA Contributor

Memberships

Criminal Lawyers Association

York Region Law Association

Toronto Law Association

Ontario Bar Association

Community Involvement

‘Rep’ Hockey Coach



Law Professor, University of Windsor, 2007 – present

B.A., University of Western Ontario; LL.B., University of London; LL.M., University of Strathclyde; LL.M., Osgoode Hall Law School

Professor of the Year, 2008, 2009 and 2010, Student Law Society, University of Windsor

Young Practitioner of the Year (2010), South Asian Bar Association

Founder & Co-Chair of the Harold G. Fox Intellectual Property Moot; Founder & Co-Chair of the Donald G. Bowman National Tax Moot; and Chair of the Black Law Students' Association of Canada's Diversity Moot

Appointed Member, Justices of the Peace Review Council

Judicial Panel Chair, and Member of Senate, University of Windsor

Former Vice-President of Women's Issues, Diversity and Equity, Windsor University Faculty Association

Founder, Caribbean Bar Association (CARIBA) of Canada

The governance of the profession could benefit from greater diversity. Some of you know me as **Professor Emir Aly Crowne-Mohammed**, or “Pro Mo”, but as a law professor with significant experience in dealing with issues concerning professional misconduct, legal education, and equity, I possess many of the qualities essential to that of benchers.

If elected, I shall strive to:

- Bridge the often neglected **gap between academia and practice**; and contribute to the development and evolution of our legal curricula so that they respond to this gap with a special emphasis on the new **ethics and professionalism** requirements which are making their way into the law school curriculum. Indeed, I have been instrumental in the creation and sustenance of the **Fox Moot** and the **Bowman Moot** – both of which bridge the gap between law students, bar and judiciary;
- Ensure that **disciplinary matters** are dealt with **fairly, promptly and with due regard to the ideals of the profession and the public interest**. As an appointed member of the Justices of the Peace Review Council for the past three years, and as Chair of a Judicial Panel at the University of Windsor, I have considerable experience in dealing with various types of **professional misconduct**;
- Make the Law Society a **more inclusive, diverse and equitable body**: in terms of its attentiveness to the needs of sole practitioners, ‘Main Street’ practitioners and others who may not have previously enjoyed a strong voice at the Law Society; and the need to represent diverse interests and segments of society in **accessing justice**, including **vital reforms to legal aid and clinics**;
- Ensure that **student recruitment** and the **articling process** is conducted in a manner that respects the integrity of the student and the ethical ideals of the profession. Indeed, the challenges facing law students and articling students are often overlooked or neglected by those who have advanced within the profession (especially the challenges of those from **equity seeking groups**).

La gouvernance de la profession pourrait bénéficier d’une plus grande diversité. Certains d’entre vous me connaissent comme **professeur Emir Aly Crowne-Mohammed**, ou «Pro Mo », mais comme professeur de droit ayant une expérience significative dans le traitement des questions relatives au manquement professionnel, à l’éducation juridique, et à l’équité, je possède de nombreuses qualités essentielles au poste de conseiller.

Si je suis élu, je m’efforcerai :

- de combler le **fossé** souvent négligé **entre l’université et la pratique** et de contribuer à l’élaboration et à l’évolution de nos programmes d’études juridiques afin qu’ils abordent cette lacune en mettant l’accent sur la **déontologie et les nouvelles exigences de professionnalisme** qui font leur chemin dans le curriculum des écoles de droit. En effet, j’ai joué un rôle déterminant dans la création et le maintien des tribunaux-écoles **Fox** et **Bowman** - qui tous deux combler le fossé entre les étudiants en droit, le barreau et l’appareil judiciaire;
- d’assurer que les **questions disciplinaires** sont traitées **équitablement, rapidement et avec respect des idéaux de la profession et de l’intérêt public**. En tant que membre nommé au Conseil d’évaluation des juges de paix pour les trois dernières années, et en tant que président d’un groupe judiciaire à l’Université de Windsor, j’ai une expérience considérable dans le traitement de différents types de **manquement professionnel**;
- de rendre le Barreau **plus inclusif, diversifié et équitable** : en termes de son attention aux besoins des praticiens exerçant seuls, des praticiens « ordinaires » et autres personnes qui n’ont peut-être pas encore bénéficié d’une voix forte au Barreau; et la nécessité de représenter les divers intérêts et les segments de la société pour qu’ils accèdent à la **justice**, en faisant des **réformes indispensables à l’aide juridique et aux cliniques**;
- de veiller à ce que le **recrutement et le processus de stage** se déroulent d’une manière qui respecte l’intégrité de l’étudiant et les idéaux éthiques de la profession. En effet, les défis auxquels font face les étudiants en droit et les stagiaires sont souvent omis ou négligés par ceux qui ont avancé au sein de la profession (en particulier les défis de ceux **des groupes recherchant l’équité**).



- Sole Practitioner family law, mediation, arbitration
- Previous experience in criminal law, real estate, civil litigation, wills and estates
- Called in 1984
- LL.B. cum laude (Ottawa 1982)
- Winner of the Gordon F. Henderson Award for charity (2008)
- Married (to Kevin Doyle Legal Aid Ontario Staff Lawyer)
- Mother of 4 children

Current Professional Activities

- Member of the Family Law Rules Committee
- Member of the Family Bench and Bar Committee
- Co-Chair of the Family Law Institute
- LSUC bilingual adjudicator
- Membre de l'AJEFO
- Collaborative Family Law

Past Professional Activities

- President of the County of Carleton Law Association
- Executive member of the CDLPA (2000-2002)
- Director of the Advocates' Society(2000-2003)

I am running for bencher because I believe my experience as a sole practitioner and my involvement with both the legal and the public communities will serve the best interests of all who rely on the integrity of our self-regulation. I have the requisite skills, energy, commitment and compassion. Mon expérience au service de notre profession me fournit les outils nécessaires pour travailler à maintenir les services que vous méritez.

My Background

In 27 years as a lawyer, I have practised civil litigation, criminal law, family law, wills, estates and real estate as a sole practitioner and in small firms. I was elected as trustee for 8 years for the County of Carleton Law Association and served as its President (1998-1999). I have remained actively involved by sitting on various Ottawa committees such as the Bench and Bar Committee, Community and Liaison Resource Committee and Family Law CLE Program. Outside Ottawa, I served as an executive member of the County and District Presidents' Law Association (2000-2002) and as Director of the Advocates' Society (2000-2003) which provided me the opportunity to be involved with the issues that touch our profession province wide. I am also currently a member of the provincial Family Law Rules Committee (2000 to present) and have done my utmost to ensure that the concerns of the Bar are taken into account when changes are suggested and made to the rules. I was closely involved in the case management master pilot project in Ottawa and its extension. From that experience, I have learned to lead for change even when it is controversial. I have presided as a deputy Judge of the Ottawa Small Claims Court for many years. I currently sit as a bilingual adjudicator at Law Society discipline hearings, which has allowed me to witness firsthand the challenges and issues facing the profession. I have served in numerous community and volunteer activities. I am aware of the importance of lawyers interacting with the community and the need to improve the public's perception of our profession. This wide range of experience provides the foundation necessary to become an effective bencher and demonstrates my commitment to our profession, the administration of justice and continuing legal education.

Sole Practitioner/Small Firms

As a sole practitioner, I enjoy the autonomy and privilege of providing my legal services to the public. I have faced and met the challenges of running a small business, maintaining professional competency and satisfying the Law Society requirements regarding record keeping. I am committed to ensuring that the voices of small firms are heard at the table. I will advocate that these firms be provided with the timely and meaningful assistance and information that they require to serve the public and to comply with the Law Society's reporting requirements. As a Law Society adjudicator, I realize how much more work has to be done for sole practitioners and small firms who can encounter disciplinary difficulties when they have no support or mentoring.

Access to Justice

A properly functioning legal aid program is vital to the administration of our justice system. Our system must ensure that those of modest financial means have proper advice and representation when they are involved in the legal system. Given the limits of legal aid, I would also like to work with lawyers to find ways in which we can provide legal services to the public in a cost-effective fashion.

Women/Diversity

The Law Society has taken great strides in implementing programs to assist women in private practice. I would like to continue to participate in the evolution of these initiatives to ensure that the needs of women are met. As a daughter of Italian immigrants (nee Mazzarello), I have had the benefit of Canada, being both a land of opportunity and of new challenges. Consequently, I can assist in analysing LSUC regulation and public legal needs from that additional perspective.

Services en français

Je tiens à continuer mes efforts pour promouvoir et améliorer les services que le Barreau rend à nos membres francophones.



With thirty years in advocacy and managing a busy practice as a commercial litigator, I believe that I have the following key attributes important in your selection of me as a bencher:

- Highest Ethical Standards
- Demonstrated Professionalism, Integrity, Civility and Leadership
- Dedicated Hard Worker
- Effective Advocate and Communicator
- Attentive Listener
- Recognized for Mentorship
- Demonstrated Social Responsibility Through Community Involvement

EXPERIENCE

I have a unique perspective on the practice of law derived from being a commercial litigator with a large firm, practising in the surroundings of a smaller community and office. Serving as the Advocacy Department Leader on the Management Team of the Waterloo Region office of Gowlings and as a past member of the Executive Committee of the firm has given me experience in leadership and the opportunity to act as a mentor to my colleagues, not only in terms of legal skills but in the equally important areas of community involvement and social responsibility.

ENDORSEMENT BY WATERLOO LAW ASSOCIATION

I enjoy the support and endorsement of the Waterloo Law Association, an organization of over 500 members which I served as President from 2003 - 2005. One of the traditions of that Association is the presentation of an annual award, the Coulter A. Osborne Award, to one of its members nominated at large and selected by a committee appointed by the Board of Trustees. The award is presented to a member who demonstrates qualities in "professional practice and public life [that] uphold the highest traditions of the profession". I was its proud recipient in 2009.

RECOGNIZED FOR MENTORSHIP

I similarly enjoy the support and endorsement of my colleagues at Gowlings. The firm is attentive to the professional and personal development of its junior members. In 2010, a mentorship award was initiated and presented to a handful of Gowlings lawyers who best exemplified the qualities of a mentor. I was gratified when the selection committee of associates from across the firm selected me to receive this special recognition.

DIVERSE SUPPORT FROM THE BAR

And I enjoy the support and endorsement of my colleagues in the profession at large. My nominators include practitioners from the Justice Department, from the criminal bar, from sole practitioners and members of large firms, from corporate in-house counsel and private practice, from practitioners in Toronto and those in Brantford, Waterloo Region and Owen Sound. They are male and female, young and old. Support from this diverse group shows that I listen to the concerns of a broad spectrum of the Bar and understand the many issues that confront the profession as it strives to serve the public throughout the Province.

COMMITMENT

I commit to bringing personal qualities of integrity, commitment, leadership and understanding to my work as a bencher. Convocation must work effectively to preserve and build public confidence in the ability of the profession to govern itself. An effective governing body must develop policy and strategy to deal with issues facing the profession in a way that both protects and advances the public interest. During this term, we will confront the issues of the greying of the bar, the challenges of sole and small practices outside the larger population centres, the maintenance and improvement of competency through continuing education and the securing of articling positions and permanent jobs for our graduating students. I believe that my experience qualifies me to address these issues in the interests of seeing that future generations of lawyers will thrive throughout the Province, ensuring access to justice for the public.

I ask for your support. Please make your voice heard by voting.

Personal

Age: 58

Hometown: St. Thomas, Ontario

Location: Region of Waterloo
(Kitchener, Waterloo, Cambridge)

Education:

A. Mus. (piano), UWO, 1973

B. Sc. (first class with distinction),
York U., 1974

LL.B., Osgoode Hall, 1977

Practice

1979: called to Ontario bar

1979 – 86:

litigation associate and partner
(1984) with Simmers, Edwards,
Jenkins, Cambridge, Ontario

1986:

Simmers and Gowlings merger

1986 – present:

Gowlings equity partner,
commercial litigation practice
(more at www.gowlings.com)

Professional – Recent Accomplishments

- Past President (2003 – 2005)
of 500 member Waterloo Law
Association
- Gowlings Advocacy Department
Head, Waterloo Region Office
(2006 – 2010)
- Coulter A. Osborne Award
recipient (2009) (more at [www.
waterloolaw.org](http://www.waterloolaw.org))
- Gowlings Associate Mentorship
Award (2010)

Endorsed by the Waterloo Law Association



Larry Eustace

Northwest • Nord-Ouest

Fort Frances

As an incumbent I seek re-election as a bencher to continue service to the profession through the work of the Law Society of Upper Canada.

The profession needs benchers with:

- a vision for the future of the profession;
- a “grass roots” wisdom of the profession and the public it serves;
- an understanding of small firms and sole practitioners;
- the awareness of access to justice issues;
- the ability to listen, build bridges, and work together with fellow benchers, other legal organizations and the profession;
- the commitment to meet the challenges of governing the profession in the public interest with foresight and integrity;
- a keen interest in equity and diversity issues;
- leadership and communication skills;
- values of compassion, respect, courage, strength, dignity, honesty, trustworthiness, commitment to service; and
- attitudes of fairness, discipline, humility and wisdom.

- Sole Practitioner in Fort Frances, Northwestern Ontario with extensive experience in the general practice of law including criminal, civil, family litigation, real estate, corporate, commercial, municipal, estates and wills
- Currently serve on Access to Justice, Working Group on Real Estate Issues, Finance and Professional Development and Competence Committees of LSUC
- Private Practice 37 years
- LawPRO Board of Directors 12 years
- LawPRO Investment Committee
- Northern Law School Initiative Committee since inception, Lakehead University
- President Rainy River Law Association 27 years
- Legal Aid Area Committee 30 years
- Past Chair of County and District Law Presidents’ Association (CDLPA)
- CDLPA Executive 10 years
- Community Involvement - business development, youth, senior citizens, church and civic activities

I believe that I possess these qualities, together with a great sense of humour.

I supported the recommendations of the Governance Task Force on Bencher Reform. As former US President, Bill Clinton, said “It’s a good thing that we have a (term) limit. Otherwise, I would have stayed until I was carried away in a coffin.”

I was presented with the Bicentennial Award of Merit by the Law Society of Upper Canada for meritorious contribution to public service in the community, and in recognition of my numerous accomplishments, which have worked to enhance the good works of lawyers in society.

I have attended countless meetings throughout the Province on the profession’s affairs with many members of the practising profession, the Law Society, LawPRO, the Advocates’ Society, Toronto Lawyers Association, Ontario Bar Association and local law associations. I understand the issues and the difficulties facing the profession and the public we serve. I am willing to meet with and listen to all members of the profession – small firms, large firms, legal aid counsel, corporate counsel, government counsel, and law professors any member of the profession. I support initiatives that promote better communication tools for the profession, more advanced technology, legal education and legal research opportunities, an enhancement of the public’s image of the legal profession, and recognition of the bread and butter issues facing the profession.

I continually encourage consultation between benchers and the lawyers’ professional organizations in the decision making process on issues affecting the profession. I will continue to stress consultation with the profession by the Law Society and the benchers, since I am strongly of the opinion that, while the Law Society governs the profession in the public interest, benchers need to listen to and be sensitive to the profession.

The following is a quote from the article – **Larry Eustace: Duty Calls** – contained in the January/February 2004 issue of the Ontario Lawyers Gazette:

“There’s not a more conscientious and committed spokesperson for the profession than Larry,” says Michelle Strom, President and CEO of LawPRO. “He brings to the table valuable insight into the issues facing lawyers, and has represented the needs and concerns of the profession in a way that resonates with lawyers today. Larry has been an invaluable addition to our Board, and an asset to CDLPA and the profession.”

I have the ability to build consensus and to move difficult matters forward in a constructive fashion. I have been congratulated by many members of our profession and many of our professional organizations on a “job well done” during my tenure as your bencher, as the Chair of CDLPA, and as a member or Chair of many of our professional committees.

I ask for your continued support. I undertake to put forth my best efforts to earn the endorsement - “a job well done” - as your bencher.



I have been in general practice in Bradford since 1966. My work has been mainly on the solicitor's side, in real estate, wills, powers of attorney, estates, corporate and commercial work. It has been my privilege to work with long-time clients of our firm as well as with newcomers to our area.

Over the years, our municipality (now Bradford West Gwillimbury, which is at the south end of Simcoe County and is adjacent to the GTA) has been transitioning from a mainly rural to an increasingly urban community.

Change is the "new normal" in the practice of law. I believe that the Law Society has an important role in supporting the lawyers of Ontario in this time of transition, continuous change and increasing pressure in our professional lives. Such support will help us become more efficient and effective in our work thereby benefitting not only the lawyers but our clients and indeed all the people of Ontario.

I extend my best wishes to the candidates in the Bench Election and to the members of our profession throughout Ontario.

- University of Toronto B.A. 1961
- Osgoode Hall Law School LL.B. 1964, LL.M. 1981
- Called to the Bar 1966
- Queen's Counsel 1981
- Currently senior member of Evans & Evans, Bradford, Ontario, a family firm dating back to 1894
- Real estate, wills and estates, corporate and commercial practice
- Deputy Judge in Simcoe County
- President of York Region Law Association 1976 – 1978
- Member of Council of CBA 1985 – 1990
- Member of OBA Institute Committee 1986 – 1990
- Member of the Rotary Club of Bradford since 1967
- Paul Harris Fellow (Rotary) 1984
- Trustee of Simcoe County District School Board 1991 – 2000
- Chairman and Founding Member of Bradford West Gwillimbury and District Community Foundation
- Married to Janet Evans, 4 children, 12 grandchildren

bob@evansevans.ca



Many classmates and family members have asked me why I am running for benchers. The simple answer is that, after 25 years of practice, I feel that I can constructively contribute to the many important issues facing lawyers today. I am well aware of the significant time burden and responsibilities that this position entails. I am willing to take on this challenge. My family (of which four others are lawyers) consider the practice of law to be a noble profession.

I began my career over 25 years ago. From that time forward, I have practised law with large firms in St. Catharines, London and Windsor. Three years ago, I formed my own firm in Leamington, Ontario. Currently my practice emphasis is on Insurance Defence litigation; however, throughout my career I have conducted Commercial litigation as well as acting on behalf of individuals injured in accidents. I have appeared before the Ontario Municipal Board and almost every other Court and Tribunal in Ontario on numerous occasions.

As a candidate for benchers, I feel that these are important times for the Law Society. Lawyers face serious issues including the risk of losing our self-regulation status. At this point in my career, I feel an obligation to put my name forward as a benchers.

The critical challenges which I see facing the Law Society include:

- *The aging of practitioners in small towns.* This is a fundamental issue to the principle of Access to Justice. If the reason for the existence of the Law Society is to regulate the practice of law in the public interest then there can be no more serious concern. As one who has practised in large firms and manages my own small firm in a small town, I am personally aware of the burdens and responsibilities which are placed upon lawyers in small firms as well as large firms. When elected, I intend to focus on this issue with an aggressive policy integrating the assistance of the law schools, CDLPA and the media.
- *The retention of women lawyers in private practice.* My wife is a lawyer and my daughter hopes to be a lawyer. I have personally seen the specific problems that face highly qualified women in private practice, whether it be in small communities or in large centres. In my view, this problem may be related to the aging of members in private practice. I will work with the law schools, CDLPA and the media to address this issue.
- *The use of technology in the delivery of legal services and Access to Justice.* The only constant in the legal profession is change. Further steps need to be taken to use technology to create greater access to the activities of the Law Society. The vast majority of the direct legal work being carried out for the public is completed by lawyers in small firms in small communities. Technological advances must be implemented to allow lawyers and the public greater access to the process of the Law Society.
- *Maintaining good lawyers.* Given a mandate to carry out the regulation of lawyers in the public interest, the benchers have no greater duty than discipline. Even a small number of dishonest or incompetent lawyers are very costly to the public and to the Law Society itself. As a benchers, I will approach discipline with a fair and open mind and with a view to always carrying out those duties in the interests of the public and the Law Society.
- *Costs to lawyers.* Dues, fees and insurance premiums must be kept to a minimum. As one who manages his own small firm, I am well aware of the burden of overhead. When elected, I will work diligently to cut direct expenses. **As a start, I will not accept the remuneration available to Benchers during my term in office.**

When elected, I will serve the public interest and that of lawyers with the same thoughtful and result-oriented approach I bring to my practice.

PERSONAL:

- Graduated McMaster University, Honours B.A. (1981);
- Graduated Queen's University Law School (1984);
- Called to the bar in 1986;
- Married to Audrey Festeryga and father of two children.

PROFESSIONAL:

- Articled in Hamilton;
- Practised law with firms in London, St. Catharines and Windsor;
- Formed Festeryga Partners, Leamington, June, 2008.

MEMBERSHIPS:

- Law Society of Upper Canada;
- Canadian Bar Association;
- Advocates' Society;
- Essex Law Association.

INTERESTS:

- Avid reader of fiction and non-fiction;
- Family history in football, father being a Grey Cup Champion (1949) and our son a Vanier Cup Champion (2009);
- "Hockey parents" with a son playing from "AAA" to Junior "A".



In running for re-election as a bencher, I am forever mindful that the need for certain attributes remains constant for important office - integrity – vision - the ability to provide leadership and to understand the problems of our profession regardless of the size of the firm, and area of practice.

After working some 40 years as a lawyer, practising family, criminal and general litigation in South Western Ontario with my wife and partner Pascale Daigneault, I understand the challenges facing all of you.

We have trained over a dozen articling students and are aware of the problems new lawyers face entering this profession, along with the demands of raising children, and meeting overhead.

I have practised in every court in the province of Ontario. Throughout my career I have paid back the profession by *pro bono* and volunteer work. I have participated in Law Day, fundraised for various charities including Crime Stoppers, Canadian Mental Health, as well as Big Brothers and Big Sisters. I was instrumental in forming a local theatre group of lawyers who staged plays, the proceeds of which have all been donated to local charities. The positive feedback from this effort has convinced me of the need for our profession to participate in our communities.

The demands of a bencher, particularly in discipline work, can be stressful and challenging. Nobody enjoys this work, but we are self-regulated and the integrity of our system requires us to handle this aspect of self-regulation wisely and honestly. In this regard I have in my two years as bencher, participated as an Adjudicator on numerous hearings as well as pre-hearings. This experience has given me an in depth understanding of the problems facing our profession, and the struggle faced by both young and senior lawyers to comply with the professions’ regulations and standards. I believe I have an appropriate sense of fairness to adjudicate fairly.

Small and sole law firms are the backbone of our profession with the reality of the “Greying of the Bar”. LSUC studies show that lawyers practising in sole or small firms make up 52% of lawyers in private practice and make up 94% of all firms in the province. As well 77% of the clients they represent are individuals. Young lawyers continue to be attracted towards larger law firms in our University centers. We must continue to reverse this trend in order to ensure that access to justice truly means access to all citizens regardless of location in Ontario. There must continue to be a coordinated initiative with LSUC, the OBA and CDLPA if we are expected to reach some balance to this problem.

In my career over the past several years, I have participated actively in the Legal Aid process and fully understand how many of my colleagues serve the vital ends of justice by accepting Legal Aid work. The concept of “Access to Justice” in Ontario carries with it the fundamental life blood of the Ontario Legal Aid Plan. The Provincial Government continues to struggle with providing adequate funding to legal aid. If we are to preserve this system at an appropriate level of representation renewed efforts will be needed by our legal community. Despite legal aid governance being outside of the sphere of the LSUC, we must continue to assert the Society’s influence to address underfunding problems.

Studies show that women are more likely to give up private practice at an early stage of their career. Women however face significantly more challenges when they try returning to the profession. The LSUC should continue to take the lead in pursuing meaningful initiatives offering women assistance in staying at the private bar.

I have arrived at a stage of my career when I can afford the time and the considerable effort required to fully participate in the work of a bencher. I promise if re-elected to bring forward honesty, imagination and enthusiasm on your behalf. Thank you for the privilege of serving you for the past two years.

Bencher Service (Committees)

Professional Regulation (Vice Chair & Chair), Access to Justice, Tribunals, Finance, Inter-jurisdictional Mobility, and LSUC representative to Library Co. and to the Ontario Bar Association.

EDUCATION:

- B.A., LL.B., UWO
- Bar Admission LSUC

APPOINTMENT/AWARDS:

- “Best Lawyers®”
- Honoree, OTLA Celebration of Personal Injury Bar
- Bruce T. Hillyer Award for outstanding contribution to civil justice
- Lexpert® recognized in the area of personal injury litigation
- Certified Specialist Civil Litigation
- Certified Specialist Criminal and Civil Litigation
- Small Claims Judge - Federal Human Rights Adjudicator
- Queen’s Counsel

PROFESSIONAL INVOLVEMENT:

- Bencher
- Treasurer & President Lambton Law Association
- Director Advocates’ Society
- Member of the Executive of the Ontario Bar Association
- Director of Ontario Trial Lawyers Association
- Regional Representative Osborne’s “Access to Justice” Commission

PRACTICE:

- Civil Litigation with Fleck & Daigneault

ENDORSEMENT

- Lambton Law Association



So who would have thought I'd be elected as a Bencher four years ago? Certainly not me. I wasn't from Bay Street. I didn't have a lot (any really) money to spend on my campaign. I was too young. I was not connected to anyone important.

So when I was asked how I did it, my only explanation was that I must have been the protest vote. People voted for me because, well, I wasn't from Bay Street. I didn't have a lot of money. I was young. And I wasn't connected to the important people. I represented change. Those who voted for me, I assumed, were as disengaged as I was from the Law Society and what it stood for.

Other than not being quite so young, I'm still that person. But let me tell you, change is hard. And when people don't want or are afraid of change, they can dig in their heels and refuse to budge. So I learned early on that my approach would be to pick my issues, and not be that one who speaks up on every single thing. But when I spoke, I would speak for the lawyers that I worked with every day. For those who did not exactly welcome the thought of another Law Society audit. For those who needed to use agents for some of their court appearances. For those who thought we should, on principle, have a completely different oath than the paralegals. For those who now must compete against paralegals for clients. For those who wouldn't appreciate raising the fees paid to the board members at LAWPRO, while they were writing the cheque to cover their own insurance. I wasn't often successful. But I always tried to voice what I thought the lawyers I knew would say on those issues that affected them.

I also learned early on as a bencher that many of my colleagues did not openly embrace the new generation of lawyers that I represented. A new generation that needed to have a voice at the Law Society if it was to continue to represent us. But also a generation that didn't have a chance if the face of Convocation remained the same. A fellow bencher recently told me that the reason young lawyers didn't run for election was because they were too busy starting their practice and their families to be interested. I corrected him as politely as I could – the reason young lawyers didn't run was because they saw the Law Society as impermeable and the bencher election as unwinnable. I don't think I made many friends at Convocation the day I pointed out that the Law Society had become irrelevant to my generation of lawyers, and even more so to the generations after me. Change is hard. But it is also necessary.

If I'm elected again, I'll continue to speak up when it's important. I know now that I can't make any promises about what I will be able to accomplish. I may not be able to accomplish much. But I will listen. And I will speak up, no matter how cold the room suddenly becomes. I'll even use my mother's sense of guilt to, at least, try to point my colleagues in the direction I believe the membership wants us to go. If I'm not elected again, that's fine too. I won't miss the wine cellar or the meals because I rarely stay for them anyway. I just hope, though, that if I don't return, I'm replaced by others who speak for the future - for me and my peers - and not the status quo.

- Elected Bencher (2007 to present)
- Called to Ontario Bar (1999)
- LL.B. from University of Toronto Law School (1997)
- MBA in Marketing and Small Business from York University (1992)
- BA(Hons) in English Literature and Commerce from University of Toronto (1990)
- Assistant Crown Attorney (Newmarket) (2008 to present)
- Previously:
 - Sole Practitioner based in York Region specializing in Criminal Law (2005 – 2008)
 - Assistant Crown Attorney (Metro North) (2000 – 2005)
 - Associate at Goodmans LLP (1999 – 2000)
 - Summered and Articled at Blake, Cassels & Graydon (1996 – 1998)



Susan M. Hare

Northeast • Nord-Est

M'Chigeeng

You have given me the great honour of serving as a bencher for the first time, over the past four years. I thank you. I ask for your consideration and vote again in this year's election.

I am an Ojibway lawyer, with a small practice on the beautiful Manitoulin Island in northern Ontario. I run a general practice with one associate, a young lawyer who moved up north from Toronto. My practice focuses on Aboriginal law, criminal law, adjudicatory work and other areas of law associated with a small northern community.

I believe I bring a facet of diversity to Convocation which is increasingly reflective of our profession. That is what I see when I attend the many Calls to the Bar by the newest members of our honourable profession.

Susan M. Hare is an Ojibwe woman. Ms. Hare's practice on Manitoulin Island in northern Ontario focuses on First Nations Law, Criminal Law, Child Protection, adjudicatory work and Indian Residential School litigation. Her practice includes a junior associate who moved north from Toronto.

Ms. Hare served as an Adjudicator for the Ontario Government's "Grandview School for Girls" Settlement Process and provided the Ontario Government with an evaluation regarding the aboriginal perspective. Ms. Hare was also a Senior Adjudicator for the Indian Residential Schools Adjudication Secretariat, Canada.

Ms. Hare established a Legal Aid Advice Lawyer service which attends at 14 aboriginal communities. Ms. Hare is a recipient of the 2003 Osgoode Hall Alumni Gold Key.

Access to justice is so important and such access must be available to all parts of Ontario, no matter the size. That is one of the reasons I attended an Orillia conference sponsored by the Law Foundation of Ontario, which looked at precisely how a whole community could mobilize to provide access to justice in various ways, such as transportation to courts, inter-agency collaboration and by distribution of current law information.

I strongly believe that the mentoring process in our profession should be a fundamental element as well, even after we begin practising. Lawyers practising as sole practitioners change their practices over time and may welcome a senior lawyer as a mentor for the new field or simply as a friend to your practice. I would like to work towards making mentoring work for lawyers who would welcome such experience.

The importance of maintaining self-regulation and keeping an independent bar in Ontario is fundamental to the profession being able to continue to represent effectively the citizens in this province.

Over the past four years, two of the highlights at Convocation have been the adoption of nine recommendations to enhance the retention of women in private practice and the assumption of regulation of paralegals. These were important directions for Convocation and decisions not taken without the usual fulsome and challenging debates.

I fully believe that our profession is honourable, dynamic and continues to shape society.

During my term as bencher I have served on the Finance Committee, Professional Development and Competence Committee, and on the Equity and Aboriginal Issues Committee. I also chair the Aboriginal Working Group, a volunteer group of Aboriginal lawyers who provide input from time to time. I have had the opportunity of working as a LSUC representative on a provincial committee with the onerous name of "Advisory Committee on Attracting New Child Welfare Lawyers" with its report released last fall. I also had the opportunity to be appointed to a "Licensing and Accreditation Task Force" which recommended mandatory law school courses to the Federation of Law Societies.

I will continue to work with other benchers on committees and task forces if appointed to do so to further the regulation of our profession in a manner compatible with lawyers' highest aspirations.



I was elected in 2007 and I am standing for re-election for a second term as a candidate from outside Toronto.

During my first term as a benchler, I spent on average 3 to 4 days per month in Toronto on Law Society business; my attendance record at Convocation and on Committees is near perfect.

Over the past 4 years, it has been my pleasure and privilege to serve on the following Committees, Boards and Task Forces:

- Chair of Finance Committee (2008 – present)
- Co-chair working group of the Finance and Audit Committees (2010 – present)
- Member of the Compensation Committee (2009 – present)
- Member of the Government and Public Affairs Committee (2010 – present)
- Member of the Priority and Planning Committee (2010 – present)
- Member of the Law Society Awards Committee (2009 – present)
- Member of the LL.D. Advisory Committee (2009 – present)
- Member of the Board of Directors of LibraryCo. (2007 – 2010)
- Member of the Licensing and Accreditation Task Force (2007 – 2010)

- Born, Sudbury
- Called 1987
- Partner, Miller Maki LLP (Sudbury)
- Practice, family law
- LL.B. Cum laude (Ottawa)

Professional Activities:

- Member of the Sudbury Law Association; Canadian & Ontario Bar Associations; Women’s Law Association of Ontario and The Advocates’ Society
- Member of the Bench & Bar Committee, Northeast Region, Sudbury (2003-2009; 1990-1995)
- Executive Member, County and District Law Presidents’ Association (CDLPA) (1999-2005)
- President, SLA (1995-1996)
- Editor in Chief, SLA Newsletter (1989-1993)

Community Activities:

- Chair (2008-2010) and Director (1999-2010) Sudbury Regional Hospital
- Member, Governance Leadership Council, Ontario Hospital Association (2004-2007)
- Director, Family Enrichment Centre (1995-2009)
- President CKLU 96.7 FM (Laurentian University Studio and Community Radio Station) (1995-2000)

In Convocation, I participated in the following Law Society initiatives:

- Advocating and voting for the recommendations to enhance the retention and advancement of women in private practice, including the establishment of the parental leave program for sole and small firm practitioners.
- Lobbying and voting to continue the articling requirements for candidates seeking admission to the Bar.
- Lobbying and voting for a 12-year term limit for elected benchers.
- Lobbying and voting for a continuing professional development (CPD) requirement of 12 hours per year for practising lawyers and licensed paralegals who provide legal services.
- Advocating and voting for the report recommending that common law jurisdictions establish a uniform educational requirement for entry to their Bar Admission Programs (Canadian Common Law Degree).

I am seeking a second term because I want to continue my work at Convocation: there are several important initiatives that I would like to see to completion:

Priority and Planning: Following the upcoming election, Convocation will establish its priorities and initiatives for the next four year term.

Finance: This year the Committee began a review of the nature and use of Law Society fund balances and will be developing further policies with respect to the use of the fund balances.

A working group of the Finance and Audit Committees was recently struck to review the roles of the two Committees.

Unbundling of Legal Services: Unbundling, also known as limited scope retainers, refers to when a client retains a lawyer for only part of the client’s legal matter; the client is otherwise self-represented. The current Rules of Professional Conduct do not specifically address limited retainers or unbundling of services. Sometime in 2011, Convocation will receive a report with respect to a call for input on proposed amendments to the Rules of Professional Conduct with respect to limited legal representation.

Having practised law in Sudbury for 24 years, I have a good understanding of the needs and concerns unique to practising in the North. I also have an appreciation for the concerns of lawyers throughout Ontario because of my involvement with Provincial organizations and associations. Knowing what members need makes it possible for me to be an effective voice in Convocation and to ensure lawyers are governed in the public interest.

I respectfully seek your support for re-election.



WHY I AM RUNNING

I strongly believe in the legal profession's privilege to self-govern; a fair and decisive regulating committee maintains the high standards in the profession and addresses public interest concerns. My commitment to education together with my strong work ethic will enable me to make a positive contribution to the governance of the profession.

MY POSITION ON THE ISSUES

PARALEGAL REGULATION

We are fortunate to have the authority to provide oversight over the regulation of paralegals. Maintaining high standards for educational requirements, licensing exams and prosecution for the unauthorized practice of law is essential to ensure that the public is fairly and competently represented.

LEGAL EDUCATION

We all know the value of continuing legal education. Creating viable methods of access to CLE courses and materials is fundamental for sole practitioners, small firms and practitioners in rural areas. Approving CLE accredited programs needs to be creative to not only include accredited courses for legal education but the provision of legal services to meet individual client requirements such as language and culture. Access to continuing legal education plays a key role in the professional development of lawyers. The Law Society needs to engage members of the legal profession to strive for greater knowledge in their areas of practice.

RETENTION OF WOMEN IN THE PROFESSION

The retention of women in the profession is a concern. When appearing in court, I have often noticed that I was the only women lawyer in the room. The practice of law needs to be balanced with maintaining a healthy family life. The Law Society needs to be committed to offer valid options that enable women the opportunity for job/financial security while promoting the importance of raising a family.

LEGAL REPRESENTATION IN RURAL COMMUNITIES

The profession is aging in rural communities and younger lawyers are not present to fill the gap. The Law Society is addressing this issue and the members of the profession need to maintain involvement in achieving solutions. I support the Law Society's efforts to date. Additionally, strategic partnerships with local governments can be formed to offer initial rent and business incentives to younger lawyers so that the members of their community can receive legal services while the younger lawyer builds their practice. Moreover, a mentorship program can be utilized to provide the younger lawyers with assistance in running a general practice.

FISCAL PRUDENCE

The Law Society needs to regularly review its budget to ensure accountability to the profession. It must diligently and creatively search for ways to reduce the cost of insurance and membership fees.

LEGAL AID

The Legal Aid system eligibility criteria of the financial component needs to be increased to ensure that the public can be the represented by a lawyer of their choosing. The Law Society needs to become engaged to ensure that the public truly has access to justice.

ACCREDITED COURT INTERPRETERS

The Law Society needs to become involved in the system for approving or granting accreditation to court interpreters to ensure that a fair and accurate translation is given of a witness and/or an accused party's testimony. We need to ensure the existence of a system which promotes credibility and accountability for justice and the public interest. We need to cultivate a system to address the current shortage of interpreters.

EXPERIENCE AND TRAINING

York University (B.A.) Political Science
Osgoode Hall Law School LL.B., LL.M.
Collège Boréal – French as a Second Language – Advanced Level
Served as Member of the Program Advisory Committee for Sheridan College
Professor of Debtor/Creditor Law for Sheridan College
Past Chair – City of Burlington Crime Prevention Committee
Called to the Ontario Bar in February 2002
Member of Halton and Hamilton Law Associations

VOLUNTEER PROJECTS

Careforce International – New Orleans – November 2005
Habitat for Humanity – New Orleans – May 2006
Habitat for Humanity – Gliwice, Poland – August 2009

ENDORSED CANDIDATE OF THE HALTON LAW ASSOCIATION

In 2004, I established a civil litigation law firm in Burlington specializing in debt enforcement and recovery services. I mentor a junior lawyer and together we represent banks, companies and government agencies to collect unsecured debts.

I teach Debtor/Creditor law in the paralegal program at Sheridan College. I have been a speaker on the topic of debt enforcement for the Halton and Hamilton Law Associations. Moreover, I have spoken on the topic, "From running a business to practising as a professional" for the Paralegal Society of Ontario.

I was raised on St. Joseph Island in Northern Ontario and moved to Toronto to attend York University and Osgoode. I currently reside in Burlington with my husband of 12 years.



I am a sole practitioner in Cobourg, Ontario with a practice devoted to Prison Law. With this specialty and being a member of the executive of the Northumberland Law Association, three major issues emerge that deserve Law Society attention in the coming years.

A. Access to Justice

Legal Aid Ontario is not presently funded on a sustainable basis. The recession and its impact in the decrease of Law Foundation funds going to Legal Aid has resulted in the loss of about \$10 million. The agency is cash strapped at a time when legal representation of the financially vulnerable is crucial. The Law Society no longer administers Legal Aid but it does appoint members to its Board of Directors. Those directors ought to ensure that access to justice is not dictated by economic fluctuations. Stable and sustainable funding for Legal Aid is necessary. Negotiations between Legal Aid Ontario, the Law Society and the Provincial government ought to be undertaken to replace the Law Foundation as the major source of funding for Legal Aid.

While unbundling legal service is intended to ensure affordable delivery of those services, the Law Society ought to ensure that any new procedures do not involve pitfalls that could result in claims to LAWPRO. If lawyers provide only partial services, few will be persuaded to participate if, as a result, negligence claims become more prevalent. Extreme care must be taken in bringing about this initiative.

B. The “Greying of the Bar”

Rural Ontario can expect to be particularly hard hit as older members of the profession retire. The Law Society can assist by initiating measures that will attract younger members of the bar to smaller communities. The Law Society could designate each County and District Law Association as an articling principal or encourage the provincial government to appoint promising students as Law Clerks to Superior Court judges in rural areas. This would allow new recruits to the profession the opportunity to work with a variety of lawyers in a variety of practices making the case that one need not practise with the big firms in the big cities to have a rewarding professional life.

The Law Society could give greater emphasis to a mentoring program so that junior members of the bar can offer quality service regardless of their locale. Setting up shop or joining a small firm would not be so intimidating if the new recruit was confident that expert advice was only a phone call away.

C. Financial and Democratic Responsibility

The addition of an additional 8% to the GST under the Harmonized Sales Tax has made a significant impact on fees charged to a client. Some firms are simply “eating” the increase resulting in a lower profit margin at year end or passing the increase on to clients who will be less inclined to seek professional legal help. The Law Society ought to have sought exemption from the HST when it was proposed and ought to seek a commitment from the various political parties in the upcoming provincial election to have the tax rescinded.

The Law Society should work diligently to ensure that the cost of CPD programming is kept to a minimum. Professional development courses are aimed at ensuring a lawyer’s knowledge and practices are kept up-to-date. It is a protection to ensure the public is well served by the legal profession. It should not be allowed to become a profit centre for the Society.

Benchers from each of the regions ought to meet regularly with the local law associations in their region so as to continuously audit concerns of the local bar. The Law Society seeks member comments at bencher elections. Wouldn’t it be better to have year-round consultation? I envisage annual “town hall” meetings of the local law associations to meet with the regional bencher to keep that bencher attuned to issues as they arise.

These are only a few of the issues that will arise during the term in office of the newly elected benchers. I look forward to discussing issues with you in future. I ask for your support.

Education

Triple graduate of Queen’s University: B.A.(Hons), M.A. J.D. LL.M. in Constitutional Law (Osgoode Hall).

Employment

Articled in London, Ontario with Siskinds

Taught correctional law at Queen’s and University of Windsor

Instructor in Administrative Law at Bar Admission Course

Self-employed sole practitioner in Prison Law

Legal Aid

Member of Criminal Law Panel

Member of Area Committee

Member of the Prison Law Advisory Committee

Community

Executive of Northumberland County Law Association

A founding member of the Canadian Prison Law Association

Speaker at several international conferences of the Association of Law and Mental Health

Committee to establish an off-leash dog park in Port Hope

Personal

Resides with wife Roxann and dog “Judge” in Cobourg



I am running for bench because I have the knowledge, the judgment, the temperament, and the discipline to make a positive contribution to the LSUC and our profession. Further, I believe I can bring a fresh perspective and offer creative ideas given the stage of my career and my background to ensure that our governing body remains vital and forward-thinking. If elected, I will strive to be mindful of the barriers that cause some lawyers in the profession to continue to feel as though they have little or no voice. These barriers include: gender, ethnicity, language, and geographical location.

As a self-governing body, the LSUC must do all that it can to enhance access to justice and to foster and maintain a positive image of the profession. The following are some issues that have my focus and attention:

LAWYERS FEED THE HUNGRY

I applaud the work of those responsible for this wonderfully generous, worthwhile program and its more recent expansion into Ottawa, London, and Windsor. I encourage the LSUC to support the initiation of similar programs in communities all across the province.

ACCESS TO JUSTICE

One of the core values that the LSUC must promote is greater and more affordable access to legal services for the public, regardless of income bracket or geographical location. We must ensure that the legal system works for everyone by supporting sole practitioners and small firms, as well as those lawyers who dedicate their practice to public interest and *pro bono* work. The LSUC must also encourage increased funding for Legal Aid.

CONTINUING EDUCATION

The LSUC must ensure that all lawyers called to the Bar of Ontario are competent to practise. Lawyers cannot otherwise even hope to bring honour to the profession. To this end, the LSUC must provide continuing education programs that are creative, affordable, and readily accessible. The competencies and values taught must include practice management, professional ethics, and civility.

ARTICLING AND THE LICENSING PROCESS

More than 1,100 law graduates are called to the Bar of Ontario each year. Yet the LSUC, for all its efforts, has not been able to generate enough articling positions to meet students' needs. The LSUC must search for genuine solutions to the articling crisis if we are to be true to our duty to uphold the public interest and guarantee that the next generation of graduates is competent to meet the challenges of an ever-changing profession.

One option the LSUC might consider is to supplement the licensing process with training courses geared to graduates who wish to practise as sole practitioners, or who wish to commit their careers to the public interest. Another option is to establish a formal network to help graduates connect with smaller communities or to place them in public-interest organizations.

DIVERSITY

I support and applaud the efforts that the LSUC has made in recent years to encourage diversity in our profession. If elected, I will continue to promote those initiatives to ensure our profession is more reflective of our diverse province, including expanding opportunities for minorities and for women.

LAWYERS IN SMALL FIRMS AND COMMUNITIES

Special treatment should not be afforded to any member of our profession. So, too, the LSUC must support and treat equally all lawyers in every region of the province and regardless of firm size. Still, smaller communities are facing a real threat to access to justice, given the aging of the Bar in communities outside the large metropolitan areas. The LSUC must create and promote incentives to encourage younger lawyers to relocate to smaller communities.

FISCAL ACCOUNTABILITY

The fees charged place a financial burden on many members of our profession. We must ensure that the LSUC works efficiently while avoiding unnecessary bureaucratic expenditures and unduly high fees.

TECHNOLOGY

As a profession we must keep pace with the withering pace of technological change. The LSUC can and must lead practising lawyers to stay, or to become, current in the technology. Lawyers will benefit in two ways: their practices will be more efficient and profitable; and they will be alive to the machinations of those who hope to perpetrate fraud by technological means.

FOR FURTHER INFORMATION, PLEASE VISIT WWW.JACQUELINEHORVAT.CA

Associate Partner:
Sutts, Strosberg LLP

Born and raised:
Windsor, Ontario

Called to the Ontario Bar:
2002

LL.B.: University of Windsor
(2001)

Litigator:
Class Actions
Corporate/Commercial
Bankruptcy and Insolvency
Counsel to the former Attorney
General for the Province of
Ontario at the Ipperwash Inquiry
Appeared before the Court of
Appeal for Ontario, Divisional
Court of Ontario, Ontario
Superior Court of Justice,
Manitoba Court of Queen's Bench
and Registrar in Bankruptcy

Member:
Essex County Law Association
Intellectual Property Institute of
Canada (IPIC)
Registered Canadian Trade
Mark Agent
The Advocates' Society

Activities:
Board Member of House of
Sophrosyne (residential treatment
program designed to assist
women with addictions)
Member of IPIC Litigation,
Competition Law and Young
Practitioners Committees



Sole practitioner since 1997
Currently in association with
two other soles
Formerly partner in a five
person firm

EDUCATION

Graduate of U of T Law School,
1977
Called in Ontario, 1979
Chartered Accountant, 1981

PROFESSIONAL INVOLVEMENT

Long time member Thunder Bay
Law Association Board
of Directors
Past president Thunder Bay
Law Association
Chairman, TBLA Continuing Legal
Education Committee Real
Estate Section
Member Ontario Institute of
Chartered Accountants

PRACTICE AREAS

Family and civil litigation
Corporate law
Residential and Commercial
Real Estate

The graying of the bar outside of the golden horseshoe is a major access to justice issue. The public face of the bar in most of the province is presented through small firm and sole practice lawyers. This group is aging and not being replaced. On the other hand, we are told there is a surplus of new graduates who cannot find articling positions.

The Law Society, to its credit, has taken several steps to address this problem. It needs to keep working on solving the interrelated problems of both these groups. If these issues can be solved the public will continue to be well-served by the profession and our members will enjoy the opportunity to earn a living from the practice of law. If they can't, access to justice will certainly become an even greater problem than it is today and a wealth of legal talent will be under or un-used.

Lack of access to justice also arises due to issues such as the ongoing failure of the government to adequately finance Legal Aid. The costs of the process are too high and most working people, who don't qualify for Legal Aid are, effectively, left to fend for themselves in a complex, time-consuming, unsatisfying legal process.

The increasing complexity of the process is also making it less and less available to the middle class. While civil justice reform has led to substantial improvements through the increases in Small Claims Court limits and the adoption of the Simplified Rules, additional layers of process in the area of matrimonial law are resulting in clients running out of money by the time their cases reach Case Conference.

Both the underfunding of Legal Aid and the increasing complexity of the litigation process are increasing the numbers of unrepresented litigants. This makes it more difficult and expensive for matters to proceed. The problem is exacerbated by the Bench's tendency to allow even outrageously unreasonable unrepresented parties their "day in court". Represented litigants come to realize that they may, in fact, be at a disadvantage. This realization brings the administration of justice into disrepute. The Law Society needs to be in the forefront of helping to develop alternatives to the status quo.

The Law Society also needs to reconsider its ideas regarding the delivery of continuing education. While the requirement for mandatory continuing education is a competence issue which falls squarely within the Society's mandate, the nuts and bolts of program offerings might more profitably be left to other organizations which may be as well or better positioned than the Law Society to deliver relevant, cost-effective continuing education programs. The Society ought to focus on its mandate and leave other issues, particularly issues which are being adequately addressed, to others.

The Law Society has made some real strides in addressing gender issues. These need to be continued and broadened. The majority of law students are now female and this has been the case for some time. It is in the public interest to ensure that those who we educate remain engaged throughout their working lifetimes in delivering to the public the services for which they were trained.

There is no shortage of issues. They will need focused thought and innovative ideas. Please read the candidates' statements, think about what they have to say and vote on April 29th.



The practice of law is a rare privilege, but the pressures facing today's practitioner are many and varied. As a long-time solicitor, chartered accountant and educator in the Ottawa legal community, most recently as senior counsel with Borden Ladner Gervais LLP, I believe I have the common sense and experience to effectively serve as your bencher.

The betterment of the profession has always been an important part of my practice, whether as a mentor to young lawyers or in building the profile of the local bar. For more than 25 years, I have taught, and continue to teach, professional responsibility and ethics in the Faculty of Law at the University of Ottawa. I have served as President of the County of Carleton Law Association, Chair of the Dean's Advisory Council for the Faculty of Law at Queens University, organizer of the Centenary Celebrations of our CCLA and editor of the history of the CCLA, *The First Century*. In 1993, I was founding Chair of the Montebello Solicitors Conference, providing a venue for solicitors to discuss important issues in their practices. I have served as Treasurer of the Thomas More Lawyers Guild. In earlier years, I taught business law in the Bar Admission Course and tax law at Carleton University. In 2002, the CCLA was kind enough to award me the Carleton Medal in recognition of leadership and service to the local bar.

What I stand for:

Integrity

I believe we share a great profession and that we can, and should, shoulder more than our fair portion of the heavy responsibilities of service to our social, charitable, political and community organizations. However, we must work harder as a profession to find ways to enhance the reputation of lawyers as committed citizens within our various communities.

I believe society benefits when the public is able to obtain the services of lawyers. Too often, lawyers are thought to be outside the public's reach. We have to work harder in building bridges to the public, widening our market in both small and large communities and rebuilding trust between ourselves and Ontarians.

Solicitors representation

Solicitors are traditionally under-represented in the councils of the Law Society. With retirements, the East region will have no bencher solicitors and, elsewhere in Ontario, there are only a few bencher solicitors. This is unhealthy for our profession. A large portion of Law Society Regulations and By-laws deal with solicitor matters. Solicitors should be heard, loudly and strongly, on these matters.

Access

I believe in sustainable legal aid in our criminal courts, family courts and tenant tribunals, as lawyers' services in those places are essential to the rule of law. I believe lawyers offering those essential services must be properly compensated. For similar reasons, I believe there is a place for paralegals in Ontario's legal system and that paralegals should be licensed to practise only in those areas in which they are fully competent. However, the process of licensing paralegals and of testing their competence has to be improved. And the line between lawyers and paralegals has to be made brighter.

Access is not just about the services provided; the legal profession should reflect the public it serves. We must work harder to find ways to make our profession more representative of the racial and cultural diversity in our communities. We must strengthen our efforts to find ways to more fairly recognize and retain women in the practice of law. And, while family responsibilities still fall disproportionately to women, finding a space for family in the practice of law is an issue for all of us.

Professional issues

I strongly believe in the value of technology and of continuing education in our practices. However, the Law Society has to work harder to find ways to make technology and continuing education less costly and more convenient for lawyers.

I believe the Law Society can be more effective in consulting lawyers. The role of the Law Society and its new initiatives, most recently the Continuing Professional Development program, must be made clearer. The Law Society has to work harder to consult with you, its members, before it launches new programs and takes positions on your behalf.

I would be grateful for your support.

- Borden Ladner Gervais partner and senior counsel, 1988 - 2010
- Chartered Accountant
- Current Adjunct Professor in Legal Ethics, University of Ottawa
- Past President and Trustee, County of Carleton Law Association
- Founder of Montebello Solicitors Conference
- Editor of the CCLA history, *The First Century*, 1989
- Algonquin College Governor, Vice-Chair and Chair Audit Committee
- Past Chair, Dean's Advisory Council, Queens University, Faculty of Law
- Past President, Ottawa East Community Association
- Past President, Estate Planning Council
- Past Treasurer, Canadian Foundation for Refugees
- Past Lecturer in tax law, Carleton University
- Recipient of CCLA Carleton Medal, 2002
- Recipient of Excellence in Teaching Award, 1996
- Graduate of Queens (Law) and McGill (Commerce)
- Married (Susan), son (Mark, lawyer), daughter (Karen, nurse) and three grandchildren



Who I Am

I am a family, civil litigation and human rights lawyer who has practised for over 27 years. I am a partner in a diverse seven lawyer firm in Brampton. I have practised in both small and medium sized firms, in each of Toronto and Brampton.

I have served the profession in a variety of capacities. I am a three term member of the board of the Peel Law Association (PLA). Over the past decade, I have helped organize and present many well received and cost effective CLE programmes. I have joined with fellow Peel family law practitioners to establish and lead the PLA Family Law Committee. That body gives family lawyers a long needed “seat at the table” in discussions with the local judiciary, administration and political powers that be. It also offers networking and mentoring opportunities for young lawyers. I helped establish the Dispute Resolution Officer programme in the Brampton Superior Court. I have been a member of numerous legal and community boards and organizations, from the League for Human Rights of B’nai Brith Canada, to the local bench and bar committee, to Access Education, a charity raising money to build schools in rural Guatemala. I am both a small claims court judge and a dispute resolution officer.

Partner, Dale Streiman and Kurz LLP, Brampton

University of Windsor Law, 1981

I’ve practised family, civil litigation and human rights law for twenty-seven years; appearing before tribunals, courts, and commissions of inquiry across the country.

Highlights:

- Peel Law Association (PLA) executive (3 terms)
- PLA Family Law Committee (founding member and chair)
- PLA continuing legal education committee (chair)
- Organizer and speaker at numerous professional and community legal and human rights conferences
- Civil Justice Reform (Osborne) Commission Advisory Committee
- Attorney General Family Justice Improvement Expert Advisory Committee
- Small Claims Court judge
- Dispute Resolution Officer
- National Legal Counsel, B’nai Brith League for Human Rights
- Office of the Children’s Lawyer Panel (1983-2009)

Why I am Qualified

Having enjoyed a wide ranging practice, I understand the challenges of a legal career in a variety of venues. I am committed to protecting and promoting practices in smaller firms and in venues outside Toronto. As a volunteer, I have contributed to a variety of volunteer legal and community boards. I am committed to diversity in the practice and have practised what I preach in my own firm and community. I feel that I have acquired the skills and experience to help tackle the constantly emerging challenges of modern legal practice.

Why I am Running

I have long felt that new voices are needed at Convocation; voices that reflect jurisdictions, like Peel, that straddle the larger and smaller town practice. I have seen the Law Society expand to become an outsized and often impersonal organization; one that sometimes forgets its core role of regulation to protect the public and improve the profession. Willingly or not, it has moved into the role of regulating paralegals as well as lawyers, while regrettably blurring the distinction between its various “licence” holders. While I feel that it is vital to raise the standards of proficiency and civility of the profession through education and regulation, it is also vital to have an emphasis on helping the honest and competent practitioner. Discipline is an important role for the Law Society, but in protecting the public, discipline must be administered with scrupulous fairness as well as rigour.

What Issues Concern me:

I am running because I believe that I can make a difference to the profession in many of the issues that concern us. They include:

- ✓ Limiting the scope of paralegal practice and the notion that paralegals have joined lawyers in the coterminous status of “licensees” and practitioners of law. I particularly oppose the movement to expand the scope of paralegal practice to include real estate and family law;
- ✓ Working to ensure that the discipline process is fair to all, including a reduction in the time that the Law Society takes to respond to complaints against lawyers;
- ✓ Encouraging diversity and equity in our profession, including women, aboriginals and other minorities;
- ✓ Young lawyers, particularly in small and solo practice, need mentoring and support;
- ✓ Advocating for a robust system of legal aid that allows lawyers to make a proper living and ensures the public’s access to justice;
- ✓ Allowing the unbundling of services; this is an access to justice issue for those who cannot afford the “full monty” of legal services. It is one answer to the crisis of unrepresented litigants. Clear and reasonable rules must be provided to lawyers willing to provide these necessary services;
- ✓ Fiscal responsibility by the Law Society, including holding the line on bureaucratic expansion and increasing fees;
- ✓ Making your benchers accessible and accountable to you.



- University of Western Ontario, Bachelor of Arts (1967)
- University of Western Ontario, Bachelor of Laws (1972)
- Called to the Bar (Ontario) (1974)
- Partner Lawyer, Lerner LLP
- Lecturer, Fanshawe College
- Merrymount Children's Foundation
- Foundation for Gene & Cell Therapy
- Past-President, Masonville Ratepayers Association
- Counsel, Royal Canadian Legion Poppy Fund
- Past-President, Canadian Club of London
- London Humane Society
- Middlesex Law Association, Member President 1988
- Ronald McDonald House Advisory Board
- Advocates' Society
- Canadian Bar Association
- Board Member, London Health Sciences Centre
- Chair, Children's Health Foundation
- Lecturer, UWO Law School
- Vice-Chair, Ontario Human Rights Tribunal
- Outstanding Young Londoner 1984

I am a partner in the London office of Lerner LLP. I began practice in 1974 as a sole practitioner in a one-man branch office, conducting a general practice that serviced a diverse client base from various ethnic, religious and economic groups with exposure to criminal, civil, family, real estate and wills and estates matters. Since 1988, I have been located in Lerner's London office practising as a litigation partner. My practice is currently focused on commercial litigation and administrative matters. I was recently appointed a Vice-Chair of the Ontario Human Rights Tribunal.

In the past, I have had the privilege of serving in a number of leadership capacities including President of the Middlesex Law Association, founding member of the local Ronald McDonald House and President of the local neighbourhood association. I currently serve on the Board of Directors of the London Health Sciences Centre and as Chair of the Children's Health Foundation.

Convocation and benchers are at the confluence of the interests of lawyers and the public. The Law Society must be able to serve the interests of both. Its principal mandate is to ensure that practising lawyers are competent and ethical and in doing so, the public is well served by the profession. It is imperative that every citizen of the province is able to approach any lawyer, regardless of location knowing that he or she will be served by an individual of ability, integrity and respect.

It is becoming increasingly difficult for sole and small firm practitioners to implement a successful retirement plan. Graduates are attracted to the major centres and few have any interest in locating in the smaller urban and rural communities. Accessibility to legal services does not only mean *affordable* legal services, but also the opportunity and ability to consult a lawyer in close proximity to one's home or business. Like medicine, it has become increasingly difficult to find a lawyer in some parts of the province without having to travel a great distance. In its responsibility to the public, the Law Society ought to consider ways in which to encourage lawyers to locate in the under serviced areas of the province. To assist in doing so, I would ask the Law Society to establish a service where senior practitioners on the verge of retirement can be matched with those who might be interested in carrying on their established practice.

I firmly believe a legal education needs to include more practical aspects of the practice of law. As part of their training, medical students are given substantial practical experience. Similar experiences ought to be an integral part of a basic legal education and new courses need to be introduced at law schools for this purpose.

I am distressed that the public at large does not appreciate the significant contribution lawyers make to community and charitable organizations. I would dare to say that if every lawyer involved in those organizations across the province withdrew his or her services from these organizations, life as we know it would come to a standstill. Other professions have made efforts to acquaint the public not only with "what they do", but also "who they are". I would support a public awareness program that emphasizes the invaluable contributions that lawyers make in enhancing life in our communities.

There is a continuing need to ensure that an effective mentoring program is in place for new lawyers and that we continue to seek opportunities for young lawyers to practise and develop their skills. It has become increasingly difficult, if not impossible, for every law school graduate to secure an articling position. Diverse and unique opportunities need to be explored to ensure that every new call to the Bar has the ability to gain the practical experience needed to serve the community with competence and integrity.

Last, although somewhat trite, it is imperative that we continue to be mindful that self-governance is a privilege. To not serve the public competently and honestly, creates a serious risk that we will no longer be able to independently self-govern. Voting for me will ensure that we continue our efforts to regulate in the public interest while solidifying a positive public perception of our profession.



Background

My long-standing passion for legal practice was sparked initially as a youth touring Osgoode Hall. Once actively engaged in the pursuit of a legal education, my articling principal and mentor (former Treasurer Laura Legge) further influenced my career path with her infectious passion for not only the practice of law but also the governance of the profession for the public good. My interest in broader community affairs has also been lengthy. Over the past 20 years I have volunteered my time with Boards to address issues ranging from healthcare to business and community building to personal finances.

My legal experience over the years comes from working within a small firm and as a sole practitioner in urban, suburban and rural environments. This diverse experience has taught me that the law and the challenges of practice are consistent throughout Ontario but the opportunities and limitations facing lawyers vary widely within these different operating contexts.

Education

Called to the Bar 1992

Graduated York University
(Osgoode)

Graduated Trent University
(Honours BA)

Key Community Work

Lakeridge Health Board of Trustees;

Toronto Parking Authority, Vice
Chair;

Credit Canada, Past President;

Newcastle Business Improvement
Association President;

ShareLife, Corporate Fundraising
Campaigner;

Covenant House of Toronto, Duty
Counsel, Community Support;

Clarington Taskforce for attracting
Higher Education; 2008-2010

Newcastle Community
Improvement Plan Steering
Committee; 2007-2008

Clarington Board of Trade,
Director; 2005-2006

John Milton Society for the Blind in
Canada, Director, 1996-2004;

St. John Ambulance Brigade,
Division Superintendent;
1991-1995

Endorsed by Durham Region Law Association

Interests

Cavalry Squadron, Governor
General's Horse Guards (riding)

Local History of Clarke and
Darlington

Why run?

My background, experience and community involvement are a natural fit for taking on the new challenge of shaping the governance of the legal profession by running as a sole practitioner in the Central East District.

I believe I bring all of these elements together in my candidacy and have a solid track record of responsible stewardship for all my professional and personal interests over many years of service.

My approach

I believe that the Law Society should not be governed by benchers that possess special interest or bias, but be led by fair-minded and objective lawyers who have practical and varied experience, those who excel in finding common ground and building relationships and those who recognize opportunities for the advancement of the profession in the public realm. My interests include:

Communication

I would be committed to consulting with the County and District Law Presidents' Association, the local/regional law associations and other key stakeholders to ensure that the Law Society understands our challenges and that we understand the Law Society's practices.

Public Confidence

Lawyers can be tireless advocates for clients and still be remarkably retiring about themselves. As a result, there is a gap between the public perception of lawyers and the reality of members' professional and community lives. As a group, we have tried to earn public confidence by raising professional standards which has a positive impact on the quality of the Bar; but the Law Society can also be the tireless advocate of the profession by raising awareness of how the profession serves the public.

Access to Justice

The staggering number of self-represented litigants in the court system is evidence that many Ontarians have challenges accessing even minimal legal representation. These litigants are a burden to the system by using a disproportionate amount of court time. Improved funding for Legal Aid and access to reliable information about the litigation process are two ways in which the Law Society can assist in addressing this concern.

Law Libraries

The Great Library is one of the treasures of the Profession. Every effort must be made to enhance remote access and to make the collection available to all members, wherever they are in the Province.

Future issues

I believe that priority must be given to the following areas of focus:

Civil Legal Needs

Civil case funding such as funding for estate disputes is essentially unavailable. The injustice of non-representation will only increase if funding opportunities are not created to satisfy civil legal needs.

Limited Scope Retainers

The Law Society can take a leadership role in promoting the use of Limited Scope retainers and in developing templates for adaptation by the Bar to ensure that members and the public are clear as to the profession's duties when delivering services in this way.

Over Supply of Professional Licences

In 2011, there will be approximately 250 more lawyers licensed than there will be employment opportunities. Paradoxically, in rural areas there is a mounting crisis where the demographic of the Bar is aging and the work demands are climbing. We must control numbers and ensure that new licensees have the skills necessary to be ready for the opportunities that exist throughout the province.



**Your Regional Voice
At the Law Society of Upper Canada**

As a sole practitioner, I am seeking your vote as a new bencher. I have dedicated my career to the legal profession that has been so good to me and will continue to take an active role if elected.

I have had a long and interesting career in both the legal profession and as a community leader. I passionately advocate for social justice and justice in the court room. That motivates my decision to become a bencher.

Accountability – I am a sole practitioner

Like many of you, I have carried on my practice as a sole practitioner. This means, of course, that I am concerned about the role of the Law Society in *prudently and transparently managing its fiscal responsibilities*. This is certainly a key issue for our profession during this time of economic upheaval. During my time as a trustee with the Hamilton Board of Education, I oversaw, with my colleagues, the establishment of financial accountability and tendering controls and policies. This is invaluable experience, which I will bring to my work as a bencher as we strive to operate within disciplined and rigorous budgetary constraints.

Struggle to retain women

My perspective has been deeply influenced by the fact that my introduction to the legal system was as a legal secretary and law clerk. After more than a decade in this role, I earned my way through law school at the University of Western Ontario to be called to the Bar in 1988.

It was during these years that I chose to champion women’s rights and equity issues across the justice system. In April 1991, former Justice Bertha Wilson told the CBA she would undertake a two-year Gender Equality Study. Ellen Anderson observed in her book, *Judging Bertha Wilson – Law As Large As Life*, that “*Wilson gives MacDonald the entire credit for getting the ball rolling at an absolutely crucial point in the task force’s mandate.*” To this date the struggle continues to retain women in the profession, despite the fact that more than 50 per cent of new graduates from law schools are women.

Passionate commitment to the law and social justice

I have been a member of the CBA and OBA for several decades, served on numerous committees within these organizations and remain committed to the issues of diversity, equality and access to justice.

Many of my achievements and awards are listed, not out of immodesty, but to demonstrate my tireless and passionate commitment to the law and social justice. **I have worked enthusiastically as a lawyer and community leader to make Ontario and Canada a better place, particularly in my own corner of the world, the City of Hamilton.**

The scope of my legal practice has covered the difficult challenges of Criminal law, Mental Health, Family and Civil Litigation and Criminal Injury and Compensation. I have a decade of adjudicative experience on several tribunals. Having served on the Immigration and Refugee Board, I have witnessed firsthand the consequences of unscrupulous consultants in immigration law. I am committed to participate in disciplinary panels to **save costs to lawyers, protect the public and preserve the integrity of the profession.**

I have in-depth knowledge of our legal system and how it impacts the plight of the disadvantaged in our society. I know **legal aid** funding has a direct correlation to the public’s ability to access justice.

I also find myself drawn to causes as diverse as AIDS awareness in the Hamilton-Niagara region, membership in the Rotary Club of Hamilton and activism within the Hamilton Board of Education. I have worked with the Easter Seals, the John Howard Society, the City of Hamilton Status of Women Committee, the Salvation Army, and many other charitable organizations.

I invite you to contact me at law_firm@sympatico.ca (905) 979-0367 or visit my website at Joanmacdonald.ca for more information on my profound commitment to serve your interests as a bencher.

Professional Activities

OBA Director 2000; 2010

Co-Chair Feminist Legal Analysis Committee 2010-2011

Award for Distinguished Service 2002

Ontario Trial Lawyers Association

Founding Director 1991-2003

Inaugural Chair, Women’s Caucus 1998

Distinguished Service Award 2004

Association of Trial Lawyers of America

First Canadian Chair, Women’s Caucus

First Governor for Ontario

Marie Lambert Award of

Distinction/Women’s Caucus 2005

Women’s Law Association of Ontario since 1990

Treasurer 1994-1995

Hamilton Law Association since 1988

Criminal Lawyers’ Association (Toronto & Hamilton) 1990

The Advocates’ Society 1991-1999

Children’s Lawyer Personal Rights Panel

Deputy Judge Hamilton Small Claims Court 1995

Mental Health Legal Committee Toronto

McMaster Medical School Admissions Committee 1993-2003

CPP/OAS Tribunal 2002-2003

Immigration and Refugee Board (IAD) 2003-2009

Ontario Deputy Judges Association Founding Director 2001



Called 1969, sole practitioner
Oakville.

Certified Specialist Municipal
Law-Local Government/Land Use
Planning and Development Law
(2006).

Previous practice public
sector – provincial and municipal
governments, large and boutique
Toronto law firms.

Chair CBA Pro Bono Committee.

Past President Ontario Bar
Association, Women's Law
Association.

Past chair of various OBA and CBA
committees.

Director: the Osgoode Society for
Canadian Legal History.

Member: Advocates' Society, CBA
and OBA, Halton County Law
Association, Northumberland
County Law Associations,
International Municipal Lawyers
Association, Women's Law
Association of Ontario.

Lectured and authored municipal
law papers and texts.

Honours and Awards: Queen's
Counsel 1982, Linda Adlam
Manning Award Volunteerism
(OBA) 2006, Law Society Medal
(2010).

Education: LL.B., Osgoode Hall
Law School, 1967, B.A.
University of Toronto.

Why I am a candidate

This is my fourth quest to become an elected benchers and my first as a benchers candidate from outside Toronto. In 2006, I relocated my sole practitioner practice from downtown Toronto to Oakville where I am a long-term resident. My experience and leadership with legal professional associations are most relevant to being an elected benchers. I believe that together with other newly-elected benchers I can make a difference and can help to make the Law Society relevant to our profession.

The Law Society Overview

The Law Society, which is the oldest in any common law jurisdiction, regulates the legal profession in the public interest. There are licensees of the opinion that the Law Society is irrelevant to their practice. In this brief election statement it is impossible to change that opinion but I put this challenge to you: **Read all the election statements and elect candidates who will make a difference as I think I can. Most importantly, please vote.**

This is the time to elect new benchers and for those benchers to move forward with more governance changes to make the Law Society more accountable, transparent and cost effective.

Some Important Issues

There are many issues that need to be addressed by the benchers in the next 4 years. This election Statement permits only a brief examination of a few of these issues:

Pensions

Many members of our profession, especially the sole and small practitioners practise law until they are unable to continue. They do not retire. Why? Because they cannot afford to retire. There is a graying of the profession as a result with some discipline consequences. All practising lawyers need a pension plan. The Law Society could and should explore and work towards the provision of a pension plan which is affordable and available to all practising members as soon as possible.

Paralegals

As the former Vice Chair of the OBA's Paralegal Committee I am familiar with paralegal regulation. I recall the recommendation of Justice Cory that the Law Society not be the regulator of paralegals. However, in our profession, unlike most other professions, governance of the para profession is linked with governance of the profession. The *Law Society Act* was amended so that the paralegals could come into our professional tent. I suggest that it is now time for the paralegals to move into their own paralegal tent. Let the Law Society regulate lawyers and let the paralegals be self-regulating.

Governance

Treasurer Millar oversaw a consultation process and a report on changes to the by-laws under the *Law Society Act*. Some of the changes to governance were introduced as recently as February 2011. The benchers are to be congratulated on these changes so very long overdue but, do they go far enough? I suggest that they do not. The Law Society must be more open and transparent to the licensee members and the public.

CPD

Unlike other professions that have long had mandatory continuing learning, the benchers only approved Continuing Professional Development to be effective in 2011. This is long overdue but not well-thought-out. The mechanism for approval and delivery of courses is not fully in place. The Law Society should only be delivering on a without fee basis the three compulsory hours of ethics or professionalism and/or practice management, not the substantive law programs. The Law Society needs to approve and set the standards, not deliver the product.

Other issues

The graying of the profession, especially outside Toronto and the need to encourage new lawyers to locate outside Toronto are two related and crucial issues. Controlling sharp practices and unprofessional behavior should also be on the Convocation agenda.

My Plea and Promise

It would be a privilege and honour to serve this profession as an elected benchers. I am prepared to work and dedicate the time and the effort necessary to fulfill this most important elected position. If I am elected I promise to listen, to communicate with members and at Convocation, to seek out answers and speak out.



Sole Practitioner – Criminal Law

Called Ontario 1993

Member of Michigan Bar since 1977

BA University of Michigan 1973

JD Detroit College of Law 1977

World Headquarters: Port Elgin

Member, Criminal Lawyers' Association

1. The Law Society must work toward further streamlining the complaint process. There is far too much paper work and not enough focus on early resolution. Prehearing benchers must have more power to resolve the complaints in a swift and fair way for the benefit of both the lawyer and the client. Prior to the extensive documentation that gets launched, bring the parties together in person or by conference call and informally try to work out a resolution wherein the lawyer can hopefully avoid a blemish on his or her record. If it is clear no resolution is possible, set a formal hearing or make a determination to dismiss the complaint.
2. The Law Society must do all it can to advance access to justice. Legal Aid must be funded and expanded to everyone that cannot afford a lawyer [and at reasonable rates].
3. The Law Society must protect the independence of the Bar. Legal Aid is interfering with that independence. The Legal Aid Extremely Serious Matters panel and the Legal Aid Gladue panel must be eliminated. Legal Aid must not dictate who acts for a client. If there is a problem with representation by a lawyer, the court and the Law Society handle that. It is not the business of Legal Aid. The absurdity is that a client may be prohibited to have the lawyer of his or her choice because the lawyer is not on an arbitrary panel set up by Legal Aid Ontario. Legal Aid Ontario has more power related to this than any Judge in Canada.
4. The Law Society must protect lawyers from interference from Legal Aid in his or her handling of a client matter and Legal Aid must pay reasonable attorney fees. A lawyer should never have to explain to Legal Aid Ontario why he or she is pursuing a certain motion, requiring a certain expert witness, or requiring certain other funding that in his or her expert judgment is required. Legal Aid is not privy to the evaluation of the file and it is none of their business. Legal Aid is not our client and they have no business in knowing our strategy or anything else intruding into our lawyer-client privilege. Obviously, the requests must be reasonable. If a lawyer is overbilling and not reasonable, Legal Aid can assess the bill and have the Law Society deal with it. I don't recall when the Crown has had to ask Legal Aid Ontario for funding for anything. The playing field must be leveled. Denying funding adversely affects full answer and defense of the client and ultimately hurts the client, i.e., the public who we must protect. Lawyers will stop accepting legal aid certificates, not because they want to, but because they have to allow their businesses to survive. This further harms the public because John or Jane Doe have a limited pool of lawyers to choose from. That is a direct violation of their Charter rights, and they must be protected by us.
5. The benchers that are elected I hope will deal with these issues.



WHO am I? Certainly I am more than the précis of my resume in the left-hand column. I am a wife, a mother and a grandmother. I have practised in Mississauga for almost 30 years and during that time witnessed significant changes to the way we practise and the manner in which we are governed. Most changes have been for the betterment of the profession, some have not. My experience on a variety of boards, often charged with managing large budgets, has equipped me to assess and offer suggestions for the improvement of the LSUC management of funds. Over the years, I have had the privilege of attending numerous Plenary Sessions of the County and District Law Presidents' Association as Vice President, President and Past President of the Peel Law Association. More than anything these sessions helped inform me as to the concerns facing the Bar throughout the province.

- Deputy Judge of the Small Claims Court
- Director of the Ontario Deputy Judges Association
- President of the Peel Law Association (for 2 terms) 2008-2010
- Director of the Peel Law Association from 2002 to 2011
- Editor of "Peel Briefs" for 6 years
- Graduated Osgoode Hall Law School in 1979
- Called to the Bar 1981
- LL.M. in ADR from Osgoode Hall in 2000
- Trained at Harvard in Negotiation
- Trained in Mediation (York University)
- Dispute Resolution Officer (hearing family case conferences) in Brampton
- Member of Peel Halton Collaborative Group
- Treasurer of the Brampton Caledon Community Living Charitable Foundation
- Married, with children (and grandchildren, horses and dogs)

WHAT are the specific issues I consider important to the Bar? In no particular order, we need to focus on: the graying of the bar, the unique needs of sole practitioners and small firms, the Legal Aid Crisis (yes it still is in crisis), continuing legal education requirements, the woeful lack of judicial resources in almost all jurisdictions, the public face of the profession and the need to mentor and support our articling students and recent calls. LibraryCo must continue to assess and strive to meet the needs of County and District Law libraries scattered across the province, recognizing the unique needs of each association in terms of maintaining its collection and, where applicable, staffing those libraries. I have great interest in the regulation of paralegals and much familiarity with the scope and competence of their practice as they appear before me regularly in the Small Claims Court. Despite the Four Pillars introduced by the Attorney General, access to justice (or rather lack thereof) is a very real concern to a vast number of family law litigants. In addition we, as practitioners, deserve a voice in the implementation of procedures and introduction of Rules that affect our ability to deliver timely and affordable legal services.

WHERE is there room for improvement? We need better communication between the Law Society and its members, including full accountability of benchers to their constituents and a greater focus on the needs of members outside the GTA. We also need to consider long range planning for the future of the profession as a whole, embracing the new financial realities of private practice and the challenges (and benefits) of technology.

WHEN can you contact me to discuss your concerns? Anytime. If I am to properly represent you, my constituents, then I should be, and will be, readily available to listen to your complaints or suggestions (almost) 24/7. Let me be your voice at Convocation. I can be reached by phone at 905-279-7930 (ext 223) or by email at bmartel@weirnakon.com

WHY do I want your vote? Having served the maximum nine years as a Director of the Peel Law Association, I now find myself in the enviable position of having extra time. I should like to use this time to give back, in a different forum, to the profession that has given me so much for over a quarter of a century. My work as both Barrister and Solicitor has been not only challenging but rewarding; intellectually, socially and financially. My experience with the Peel Law Association, as a private practitioner and as a Deputy Judge has given me a broad perspective of the needs and concerns of my colleagues practising in centres outside of Toronto. Besides, as the mother of a daughter (our youngest) in her first year of law school, I have a vested interest in contributing to the best possible future for the profession.

Please consider voting for me this April.



Bencher, 2007-2011

LL.B., Osgoode Hall Law School

Called 1979

Sole Practitioner 1981-Present
Children's Lawyer Personal Rights
Panel 1986-2000
Deputy Area Director Legal Aid
1997-2000

CBA President 2004-2005
CBA 1st Vice-President 2003-2004,
CBA 2nd Vice-President 2002-2003
Liaison re CBA Legal Aid Test Case
Litigation 2005-present
CBA Finance Committee 1999-2000
CBA Finance & Plenary Directorate
1998-1999
CBA Board of Directors 1999-2006
CBA/OBA Council Member 1982-1987,
1990-2007

OBA President 1999-2000
OBA Treasurer 1997-1998
OBA Secretary 1996-1997
OBA Committees: *Law Society Act*
Amendments, Paralegals,
Regionalization, Gender Issues,
Law Society Liaison, CLE Advisory
Committee, Membership, Nominating,
Institute, Distance CLE, Awards,
Federal Judicial Appointments,
CBAO/CDLPA Merger

Cochrane Law Association
President 1983-1984 Legal Aid Area
Committee 1980-1988, 1992-Present

Deputy Judge, Temiskaming Small
Claims Court 1986-1987

I have been a sole practitioner in Iroquois Falls, (pop 4500) District of Cochrane, North East Region, since 1981. I served as Director of my local Law Association from 1980-1983, 1992-1996, and as President in 1984-1985. I also represented my local law association at CDLPA in 1984 and from 1996-2000. My involvement with OBA and CBA is extensive, having served as President of both, as well as on numerous committees and Task Forces. I am committed to working for our profession and in the public interest.

I've been honoured to serve as bencher for the last 4 years. I am currently chair of the Compensation Fund and Inter-Jurisdictional Mobility Committees. I am a member of the Access to Justice, Paralegal, Government and Public Affairs, Professional Development and Competence, and Awards Committees, the Unbundling Working Group, and the LibraryCo Board.

The independence of our profession is increasingly under assault and it is imperative that we be vigilant in protecting that independence and, with it, the ability to fearlessly and fairly represent our clients' interests. Loss of independence in the U.K., coupled with troubling comments by various provincial Attorneys General and Canada's Commissioner of Competition, may be warning signs that the independence of the profession in Canada may be subject to challenge by our governments. The independence of the legal profession is one of the pillars of our democracy and must be protected for the benefit of all Canadians.

The discipline process is a necessary component of ensuring that the highest level of integrity is maintained by those who practise in our province and is one of the hallmarks of a self-regulated and independent profession. I have devoted significant time to participation in discipline panels and appeal panels to ensure that dispositions protect the public, the integrity of the profession, and, where possible, the ability of a member to maintain his or her practice and to continue to earn a livelihood.

Maintaining professional competence is necessary to provide appropriate and effective services to the public. However, it is also a pocketbook issue for lawyers as they weigh the benefits of maintaining such competence against the cost of malpractice litigation and errors and omissions claims. With the launch of CPD in January, the Law Society developed high quality programs in ethics, professionalism and practice management, provided at no cost direct to your desktops. It is possible to complete your entire CPD requirement from these programs. The Law Society continues to provide excellent programs at reasonable cost, both over the web, and live in various locations across the province.

The Report on Sole and Small Firm Practitioners indicates that a number of difficulties, such as stress, substance abuse, financial difficulties, and burn-out, face lawyers in these firms and may threaten their continued viability. This would have a serious impact on the many members of the public who depend on these lawyers and firms for their legal services. The Law Society must continue to make a significant investment of time, services and money to ensure that this essential segment of our profession can continue to provide top quality service to the public in their communities.

I believe that the interests of the public and of the legal profession usually converge and that working for one goal is equivalent to working for the other. I have devoted my efforts to the OBA and CBA, as the essential advocate and ally of the legal profession. Representing you at the Law Society is one more step on the continuum of advocating for the best interests of the profession by ensuring that the public interest is protected.

I have devoted my time and energy over the last 4 years to ensure that we maintain and strengthen our legal profession in Ontario in order that we achieve our goal to provide the best legal services to our clients. I am committed to continue this work on your behalf. I ask for your support.



I have worked in government for various agencies as a lawyer, volunteered and worked for environmental and social organizations, and taught law to undergraduate and college students for nearly two decades.

Law Society of Ontario (LSO): Regrettably most Ontarians do not respect legal professionals. Maintaining an elitist name – the Law Society of Upper Canada – doesn't help. Some observers note it evokes images of drinking high tea in the Barrister's Dining Room. I have pushed since 1986 to change the name of the LSUC to Law Society of Ontario. The LSUC's name predates confederation and "Upper Canada" means nothing to most immigrants.

Mentoring: I believe law students, new lawyers (esp. sole practitioners) and paralegals should have mentors to assist them if they choose.

Legal aid: I am committed to the LSO working closer with Legal Aid Ontario and MAG to enhance the rates for legal aid clients.

Duty to use our skills to empower Ontarians: Many of us have been blessed with prosperous careers and enjoy very quality housing and eat very fine meals every day. The reality facing most Ontarians is very different. There is structural unemployment, particularly among young men. As lawyers we have powerful tools at our disposal to promote positive social change and a duty to facilitate change. The benchers and the society deserves kudos for its excellent programs feeding the poor and homeless. There is more work to do. I will support LSO programs that promote positive social change.

Job-sharing: I have tremendous empathy for those young lawyers and paralegals who face chronic underemployment in a fairly tough job market. In 1996 I wrote to the LSUC Treasurer trying to gain her support for a unique job-sharing arrangement between two talented women lawyers at my employer. Both had children and I thought it would be wonderful to promote a job-sharing arrangement. While she could offer no help, I was delighted to see in 2009 that the LSUC has made retention of women one of its highest priorities.

Some of the solutions to the unemployment problems we face in Canada and other developed nations are relatively simple, e.g. implement job-sharing, live with less, and focus on re-building communities. Real change starts with families, churches and communities.

Pledge to represent all Ontario legal professionals: I pledge to represent all lawyers and paralegals – women and men; aboriginals, prospectors and developers; ethnic minorities and the disabled facing discrimination – in a compassionate, refreshing and powerful way. I support the goals of consensus decision-making and full consultation whenever possible. I am a creative thinker and I was fortunate to article in the Ministry of the Attorney General where I studied at the feet of one of Ontario's most brilliant AGs, the Honourable Ian Scott (the other being retired Chief Justice Roy McMurtry) and was mentored and coached by superb lawyers like Steve Fram, Thea Herman, John Gregory, Mike Cochrane, Karen Cohl and Doug Ewart. These lawyers truly were masterful public policy developers and their powerful legacies remain largely untouched by law reformers.

In May 1987 I championed a new feminist research institute at Osgoode in the wake of the controversy over the 1987 Decanal Appointment process. I was very pleased that this institute was created in 1990 as a settlement of the OHRC complaint related to the process filed by Osgoode female students, faculty and alumni.

Growing Mental Health Stress facing Legal Professionals: Lawyers and paralegals are under tremendous pressure at work and at home, due to the rapid evolution of communications and computer technologies. Sandwich generation pressures are likely to grow for boomer lawyers, the lawyers following us and our clients. We need to help lawyers adopt healthy lifestyles so that they can manage and contribute over the long haul. The taxpayers of Canada and Ontario, the OBA, and the Law Society have invested heavily in our training and development. Our families and communities need us to remain healthy and fit because we have a great deal more to contribute.

For more information about my work:

<http://www.lacieg2s.ca/public/law/dsm-vita.htm>

<http://www.lacieg2s.ca/law/>

Peterborough, Ontario

Married; two children

Called to the Ontario Bar in 1990

Member of CBA since 1985;
Member of OBA Environmental
Section Executive, 1993-95,
2001-2003

Master in Environmental Studies
(1984), York

Bachelor of Science (Biology), Trent

Part-time Faculty, Business
School, Humber College,
Jan. 2011 –

In-House Counsel,
Environmental Commissioner of
Ontario, 1994-2010

Part-time Faculty, FES, York,
1994 - June 2009 and Instructor,
LL.M. in Administrative Law (Part-
time), Osgoode

**Policy and Programs
Analyst,** Waste Reduction Office,
Ministry of the Environment,
1991 - 1993

Program Coordinator, Waste
Reduction and Climate Change,
Pollution Probe Foundation,
Toronto 1990-1991

Accepted to three Ontario medical
schools in 1981

Division Leader and Caseworker,
CLASP, OHLS, 1984-1987



At the core of my philosophy of governance of our profession in the public interest is the idea that the public interest, in its broadest sense, has always been best served by having an independent and secure self-regulated bar. Our profession serves the public by challenging those rules, policies, regulations and legislation that affront one's sense of what is right or challenge the rule of law. Our profession's ability to act as one of the public's tribunes on legal matters is directly linked to our independence through self-regulation.

My perspective on the needs of our profession is informed both by the fact that I am a francophone originally from Northern Ontario, and that I have practised on my own or in small firms, primarily in family law and primarily outside the GTA and NCR, for the last 21 years. I am unabashedly an advocate for programs directed towards broadening and enhancing access to justice in the outlying districts and counties.

- B.A. (Hons.) History, Laurentian 1976
- LL.B., Windsor and Ottawa, studies in English and French 1981
- LL.M., Queen's: Administrative Law 2009
- LSUC Tribunal Adjudicator 2010
- Kingston Penitentiary Disciplinary Court Chairperson 1998-2009
- Panel Chairman CPP Tribunal 2005-2008
- Cross Appointed Residential Tenancy Appeal Commissioner & Rent Review Hearings Board 1986-1989
- Residential Tenancy Commission 1983-1986
- Frontenac Law Association, member through to President in 2000
- Community Committee for the Preservation of the Frontenac County Court House 1999-2002
- Frontenac Law Association Award of Excellence 2003
- Membre de l'AJEFO
- Member OBA Council 2000 to 2006
- OBA Executive, Member at Large 2006-07
- LibraryCo Board of Directors 2002-2007
- Bar Admission Course Instructor 2004

During my five years on the Board of Directors of LibraryCo, the funding source for our own district and county libraries, I consistently advocated for the idea that LibraryCo and the Law Society had a legacy responsibility to provide adequate funding and support to county and district law associations through the maintenance and staffing of a library in each and every county and district.

There are a number of policy issues one can address. I will focus on two. Both are access to justice issues.

The effective collapse of legal aid as a means of ensuring sufficiently broad access to representation is choking our courts. As one former CDLPA president put it, "if only institutional and government bureaucrats, the rich and the large city dwellers have access to lawyers, then the legal system itself will succumb to runaway-self representation." Extra court time, effort and resources are required to walk the unrepresented through their cases. The fact is that we need to continue revisiting the legal aid funding issue with reasoned argument and hard data until the lower middle income litigants who fall between the cracks receive some measure of assistance. One idea to study would be the adoption of graduated scales of legal aid based on income as opposed to the current arbitrary on/off system of cut-off levels.

Secondly, we must more actively address the greying of the Bar in the outlying regions. As our colleagues age and retire, fewer and fewer new graduates are able to take their place. The aging of the solo and small firm bar is evident and pronounced. This is a critical access to justice issue. Younger practitioners are forsaking opportunities for a better work/life balance because current levels of student debt impel them to seek higher-paying GTA and NCR positions. The all too common refrain is "I would love to set up practice here but I can't afford to." Some of the solutions for those choosing to practise in underserved areas may lie in temporary relief from Law Society fees at start up, more creative financing packages from lenders, realistic terms for student loan repayment, and law school and Law Foundation bursaries. The Law Society could be pivotal in striking up, co-ordinating and pursuing conversations with the various interests with a view to blending the elements into a solution.

La ville de Kingston est maintenant désignée officiellement bilingue. Une lacune évidente dans de telles communautés est le manque de personnel bilingue au niveau de l'administration judiciaire. Le principe d'offrir l'accès en français comprend non seulement le droit de s'exprimer en français devant un juge, mais de se sentir accommodé dès le premier contact au comptoir du palais de justice. Comme Franco-Ontarien, je ne peux qu'insister que le Barreau joue un rôle militant en encourageant notre gouvernement à atteindre ce but dans toutes les régions désignées bilingues.

Our Law Society has changed radically in the last decade and a half. It is a much more activist force on a number of fronts. The recent changes in governance demonstrate that, to its credit, it can even reform itself. There is a momentum and a sense of initiative in which I wish to participate and contribute. I seek your support in this effort.



Graduate of Queen's University Law School, called to Bar 1970

1970-1980
Assistant Crown Attorney and Crown Attorney for District of Algoma

Entered private practice in 1980, specializing in Criminal Law

Presently practising in association in the firm Orazietti, Kwolek, Walz

Member of Area Legal Aid Committee for over 10 years

Member of the Board of Sault College for 5 years

Member of the Board of the VON

Member of Board of Governors Community Living

Instructor of Introductory Law at Algoma University (4 sessions)

Various Educational Panels

Member of the Criminal Lawyers Association (CLA)

Local delegate to CLA

Member of sub-committee of the LSUC

Establishing rules of practice in Criminal Law

I am seeking election for the first time as a bencher to represent my colleagues in the legal profession. Over the past number of years, I believe I have accumulated a great deal of experience and insight into the evolving workings of the legal profession in Ontario, which qualify me for such a position.

Since my call to the Bar in 1970, the profession has seen a sea change of reforms and practices, perhaps the largest being the technology revolution and what that has meant to the average practitioner.

I am particularly concerned with representing lawyers outside of the Greater Toronto Area. Lawyers in Northern Ontario often feel isolated and alienated from the decision making process taking place in Toronto, fearing that their voice does not carry any weight or does not matter. Northern Ontario faces very unique challenges which need to be addressed. Access to continuing legal education with personal interaction, by attendance at conferences and educational seminars, is extremely costly for the Northern practitioner, many of whom are sole practitioners. The travelling and hotel costs make the continuing education process very difficult for the Northern Ontario lawyer and yet such access has never been more important.

In Northeastern Ontario, criminal practitioners enjoyed, for a short period of time, their own annual Northern Ontario conference on criminal law, which was held in the fall at Laurentian University in Sudbury.

Sudbury seemed a logical focal point for the northeastern region. The site was most accommodating, the attendance was invariably good since the program was of high quality featuring some of the leading experts on a variety of topical subjects. It was of salutary importance to the practitioners in the region, giving them a personal exchange at a venue in their region. This sort of decentralization is a welcome breath of fresh air and while the conference I refer to is one on criminal law, there is no reason of course, why that concept could not be enacted in areas of civil law. That might ameliorate the alienation of regional practitioners while enhancing legal education.

In my years of practice I have specialized in criminal law, as a prosecutor and as defence counsel. I understand the regulation and over-reaching of government and other governing bodies. I am keenly aware, in this age of diminishing civil liberties and over regulation, that there is an important balance that needs to be struck between the interests of the practitioner and the interest of the Law Society in its mandate of governing the profession.

My record for standing up for the practitioners speaks for itself. In 1995, I was engaged in defending a legally-aided client who was charged with conspiracy to traffic a kilo of cocaine. The Attorney General of the day, Charles Harnick, refused to guarantee that the legal aid lawyers would be paid. My motion to stay the proceeding pending a commitment from the Attorney General was granted. That started numerous applications on the same terms most of which were granted, and caused the Attorney General to honor the legal aid certificates.

I also believe that my background dealing daily with a variety of Charter issues from the right to counsel to due process is helpful in terms of dealing with alleged violations of the rules of professional conduct. In addition, my tenure at the Board of Governors at Sault College at a time of its most dire financial and cost cutting experience has given me some insight into the need for a disciplined approach to spending, for which we all pay heavily. Burgeoning costs of operation is something that concerns everyone and we cannot be too vigilant in controlling them.

It is important for the profession to recapture its sense of idealism and have a vision of what kind of profession we want to be in the years ahead. We want to be a profession that is forward looking and one which the public respects.

Therefore, I am seeking your support in representing you as a bencher for the Law Society of Upper Canada.



The Law Society of Upper Canada, and its Members in particular, face new and continuing challenges as the Practice of Law evolves in the 21st century. I have worked in a large corporate firm setting. I have worked as a sole practitioner in Criminal and Civil law. I have acted as a per diem Assistant Crown Attorney. I am well acquainted with the various professional and financial strains associated with the Practice of Law and working in a highly regulated environment.

We face many pressures as lawyers in Ontario. Some of those issues are:

- the changing economics of the practice of law, including the growth in both small firms and sole practitioners, and in very large law firms
- access to justice concerns given the evisceration of Legal Aid funding combined with (a) outdated financial eligibility guidelines, (b) limits on hours in family, child protection and criminal proceedings and (c) Justice on Target Initiatives
- the regulation of activities of paralegals and the economic impact on lawyers
- the difficulties faced by articling students and young lawyers to secure employment
- the increasing costs associated with sustaining a law practice given the new and cost-prohibitive obligations for continuing legal education and rising LPIC premiums
- the “graying of the bar” and difficulties law firms from small communities face in attracting young lawyers

These issues, among others, require strong leadership, hard work, and ingenuity to effect the desired changes. I am absolutely committed to giving my best to maximize the benefits to the small practitioner whose livelihood is affected by these pressing issues.

Like many of us, I have achieved a few things professionally and personally, and I am now at a point in my life where I wish to serve the interests of my colleagues. I value what we represent to the proper functioning of a civilized society embedded in the Rule of Law. A desire to serve, however, is not enough. I needed to know what specifically was weighing on my colleagues and how to help improve our lot. And so I asked. About the stresses of practice. About views on the Law Society and our relationship to it. About what we feel the Law Society is doing well and what it needs to improve on.

I have communicated with a broad cross-section of our Members. I know the issues. We need to get working with each other and with the Law Society on improving the relationship. Now. The Law Society needs to achieve more for its Members. We need more transparency, less red tape, more support, and less apathy to our interests. The Law Society needs to step up.

What I am offering is my absolute and unwavering commitment to the interests of Lawyers in Ontario. I am offering to apply my knowledge and experience as a lawyer with a varied and diverse background to further our collective agenda. I am offering to employ balance, vigour, and diligence in executing my duties as a bencher of the Law Society of Upper Canada. I am excited by this prospect and hope that you will support me.

B.A. York University

LL.B. University of Ottawa 1989

Articles at *Blakes*

Called to Bar 1991

Practise primarily Criminal Defence and Insurance Litigation

Department of Justice Prosecutions

Part time Per Diem Assistant Crown Attorney past 8 years

Currently President of York Region Law Association

Involvement in various committees

Attended CDLPA meetings over past 2 years

Attended OBA meetings as YRLA Representative

Membership and Attendances at ABA Meetings

Former Chair, Board of Referees, El Act Appeals

Mock Trial Coach

Youth Baseball and Soccer Coach



- Associate Professor, University of Western Ontario; Goodmans LLP Faculty Fellow in Legal Ethics
- B.A. (Carleton), LL.B. (Dalhousie), LL.M., Ph.D. (Cambridge)
- Co-author, editor or co-editor of 10 books on private law, class actions and private international law including *Conflict of Laws* (2010)
- Member of the Chief Justice of Ontario's Advisory Committee on Professionalism, with particular focus on improving the teaching of ethics and professionalism
- Contributor to *Lawyers' Ethics and Professional Regulation* (2008)
- Co-developer of Canada's first mandatory first-year law school course in legal ethics
- Director, Lenczner Slaght Advocacy Competition in Legal Ethics
- Called 1994; practiced civil litigation in Toronto for three years; Advocates' Society member
- Pro bono legal research for MADD Canada since 2002
- Married, to a lawyer practising criminal law

I am running for benchers because the Law Society is facing an increasing number of issues that can benefit from input from the legal academy. As a law professor with a focus on legal ethics and professionalism I can help in addressing these issues. In the past the Law Society has often had several benchers from the legal academy. More recently it has not. There is strength and effectiveness in having benchers drawn from diverse backgrounds and professional contexts and this includes our law schools.

Many regulatory issues relate quite closely to what is happening in our law schools. The Law Society has actively considered proposals and embarked on recent initiatives relating to the requirements of the common law degree in law (whether J.D. or LL.B.), the articling process and the licence examination process. It has taken significant steps in the area of mandatory continuing legal education by implementing a continuing professional development requirement for all lawyers. In addition, the Law Society revises and updates the code of professional conduct, faces broad issues about the ongoing future of self-governance and oversees an extensive regulatory and discipline regime. These are all issues that interest me as a law professor.

One of the major issues facing the profession is the growing shortage of lawyers interested in working as sole practitioners or in small firms outside of a major city. Senior lawyers looking to retire are finding it difficult to implement a succession plan and transfer their practice to a more junior lawyer, and the legal needs of some Ontarians are going unmet. Some of the solutions to these problems need to start in the law schools. Students, as part of their academic studies, need to be exposed to more information about the opportunities, viability and benefits of practising as a sole practitioner or in a small firm. In addition, in light of the high number of lawyers in all parts of the profession expected to retire in the next ten to fifteen years, we need to address whether we are teaching and admitting a sufficient number of new lawyers to serve the public in the years ahead.

My academic work is highly practical and relevant to many Ontario lawyers. I have published articles about the jurisdiction of the civil courts, the ability to enforce judgments of courts outside Ontario, and limitation periods. I have also published chapters of a tort textbook on the standard of care in negligence, defences to negligence claims and personal injury damages. I have taught civil procedure, torts, international commercial litigation, and legal ethics and professionalism. My research and my teaching are closely connected to the practice of law as it actually occurs in Ontario.

My experience with the practice of law is in the area of corporate and commercial litigation. I do not have any first-hand experience with criminal law, but I am fortunate to be able to benefit from my spouse's experience. She is a criminal defence lawyer and a federal prosecution agent for the Public Prosecution Service of Canada. She is my daily point of contact with the practice of law in Ontario.

I have very strong oral and written communication skills and am highly organized. I have won teaching awards and received several research grants. I enjoy administrative work. I would consider it an honour and a privilege to serve Ontario's lawyers as a Law Society benchers.

I appreciate the time you have taken to read this election statement. I encourage you to contact me (at spitel@uwo.ca) if you have any questions about my candidacy and I encourage you to vote in April.



Dorette Pollard is Counsel with the Department of Justice Canada, Criminal Law Policy Section, Ottawa, where she specializes in national security law.

Member of the Law Society of Upper Canada since 2007, she completed articles of clerkship at the Federal Court of Canada to the Honourable Mr. Justice Michel Beaudry (2006-2007) and to the designated judge, the Honourable Mr. Justice Simon Noël (2007-2008).

Ms. Pollard obtained her LL.B. from Osgoode Hall Law School in 2006 and successfully defended her LL.M. thesis on Fresh Evidence, at the University of Ottawa, in November 2010.

Prior to law school, Ms. Pollard was the first Director of Communications (2001-2003) in the Ontario Regional Office of the Department of Justice in Toronto.

She is bilingual.

Why I am running for Bencher

On Tuesday, November 9, 2010, I attended the Meet the Treasurer Breakfast hosted by the Women's Law Association of Ontario (WLAO), the County of Carleton Law Association (CCLA) and the Law Society of Upper Canada at the Lord Elgin Hotel in Ottawa.

The new Treasurer challenged the audience, male and female alike, to get involved and be active contributors to the future of our profession. Heeding the call, that is why I am running for bencher today.

True enough, I do not come with a platform built on a slate of reforms or diehard issues to champion. I come to the task rather with a commitment to give full and open consideration to every deliberation, listening, learning, remaining silent and rolling up my sleeves with resolve, dedication and good humour to arrive at decisions that are consistent with the integrity and advancement of the Law Society of Upper Canada and respect the best interests of its members.

As your bencher, I would bring a unique voice to Convocation drawing upon broad executive and legal experience in the public sector. Most of all, I love the law and harbour a healthy curiosity in all its manifestations. I would be honoured to serve on your behalf as a bencher of the Law Society of Upper Canada.

Thank you for your trust.

Thank you for your vote.

Dorette Pollard



RE-ELECT

Currently on Finance, Professional Regulation, Equity and Aboriginal Issues Committees and Return to Practice Working Group. Previously served as *Chair* Smalls and Soles Implementation Working Group; Residential Schools Guidelines for Lawyers Working Group; *Co-Chair* Access To Justice Committee; Smalls and Soles Task Force; *Vice-Chair* Equity Committee; *Director* Board of LibraryCo; *Member* Professional Development & Competence Committee; Government & Public Affairs Committee; Contingency Fees Working Group; Specialist Certification Working Group; Court House Study Task Force; Discipline Hearings Panel Member; LS Appointee, Ontario Bar Association Council; Calls to the Bar.

Professional Activities

Sole Practitioner; Tribunal member Consent & Capacity Board; Deputy Judge Small Claims Court; Southwest Region Women’s Law Association; Middlesex Law Association; Canadian Bar Association & OBA

Education

University of Western Ontario BA; University of Windsor LL.B. - Igor Kaplan Award for Scholarship, Commitment and Integrity; Year of Call 1991

Community Involvement

Board member London Children’s Aid Society; Merrymount Children’s Centre; London Abused Women’s Centre; Professional Women of London; Board of Governors University of Western Ontario; Federal Riding Association President; Candidate, Civic Election; London Memorial Boys & Girls Club and Ronald MacDonald House Capital Campaigns

**RE-ELECT
EXPERIENCE
INTEGRITY
COMPETENCE
COMMITMENT
LEADERSHIP**

“I continue to be committed to ensuring that Small Firms and Sole Practitioners not only survive but thrive.”

- because of our work on this issue and the implementation of the Task Force recommendations, the lawyers of Ontario now have numerous tools and programs to assist them
- the public interest is best served by lawyers who have access to up-to-date tools, technologies, education and information
- continuing to provide these services to the lawyers of Ontario in a cost-effective way is essential

“I am committed to addressing the growing problem of too few articling positions available for the numbers of law school graduates.”

- articling is a requirement for being Called to the Ontario Bar yet increasingly each year the demand is greater than available positions
- it is time to explore other cost effective options that would level the playing field
- as long as articling is a prerequisite to being a member of the profession fairness demands that we create a solution to a growing inequity

“I am committed to addressing the issue of “the greying of the bar.”

- the average age of lawyers in small towns and non-urban areas is older than their urban counterparts. When they retire or leave practice they are not being replaced
- how can the public interest be served when small towns and non-urban areas in particular are not attracting younger lawyers
- we need to develop strategies that will halt this erosion and enable those communities to attract and retain younger replacement lawyers

“I am committed to Equity and Diversity.”

- to ongoing development and implementation of initiatives that enhance the retention of women in practice, that halt the steady erosion of their numbers after being Called to the Bar and that will assist them to return to practice
- to support initiatives that recognize, utilize and capitalize on the diversity within the profession

“I am committed to improving public confidence in the Law Society and to improving lawyers’ confidence in their governing body.”



In its 213th year, the members of the Law Society of Upper Canada continue to maintain its tradition of service to the public.

We are legislatively mandated to advance the rule of law and to improve access to justice for the communities of Ontario.

At the same time, we must provide a strong voice on behalf of the 42,000 lawyers and 3,000 paralegals in Ontario, addressing and resolving their needs.

In particular, we must continue to be aware of the needs of the small law firm. As an example of this, as a member of the Law Society's Working Group, I was very satisfied to have been involved in the adoption of the "two lawyer" rule; the rule was significant in enabling small firms to adequately carry on the real estate portion of their practices.

Many have said, 'of those to whom much is given, much is required'.

I adhere to the foregoing statement.

I have been privileged and indeed honoured to have been accepted as a member of our profession. I pledge that I will work diligently and to the best of my ability to support our profession and to maintain the traditions and principles of the Law Society of Upper Canada.

- McMaster University 1953
- Osgoode Hall 1957
- Called 1957
- Queen's Counsel 1971
- Honourary LL.B., York University 1992
- Past-President, Director Thunder Bay Law Association
- Past-President Life Member Children's Aid Society Thunder Bay
- Past Member Thunder Bay LACAC
- Past-Chairman Port Arthur Separate School Board
- Life-Member William Creighton Youth Services
- Past-Member Thunder Bay Regional Cancer Centre Ethics Committee
- Past-Director Alzheimer's Society of Thunder Bay
- Past Director V.O.N.
- Past Director Thunder Bay Foundation
- Thunder Bay Annual CLE Program Chair – Real Estate
- Deputy Judge Small Claims Court
- Recipient Law Society of Upper Canada Bicentennial (1797–1997) Award of Merit
- Law Society of Upper Canada, Bencher 2007-2011



WHY I AM RUNNING FOR RE-ELECTION

I have had the immense luck to be born in Canada and live in a society governed by the rule of law. I have the privilege of being a lawyer in a self-regulated profession where I can freely confront the state on behalf of my clients. I wish to play my part in ensuring the continued independence of the legal profession and the viability of the practice of law. I have the time, the energy and the will to fulfill my duties as a bencher.

SOME OF MY CONCERNS

• *The future of the profession and retention of lawyers*

I enjoy the company of young lawyers and listen to what they say. I am encouraged by their idealism and ability. I understand that the policy decisions I participate in will affect their future much more than my own and I will keep their hopes and expectations in mind.

• *The small general practitioner and sole practitioner*

We need to ensure that lawyers in small practices especially in outlying areas have the support of their Law Society and access to education and practice assistance at a reasonable cost.

• *Access to justice*

I continue to be concerned about the erosion of Legal Aid and the resulting imbalance in the criminal justice system. The diminishing number of jobs for junior criminal lawyers and the need for mentors from the senior criminal and family bars are issues of importance.

• *Discipline Hearings*

I will bring empathy and a sense of fair play to my duties in the discipline process.

• *Governance and Regulation*

The public interest mandate of the Law Society of Upper Canada goes hand in hand with support for lawyers. The more motivated and competent the Bar - the more the needs of the public will be met.

LES DROITS LINGUISTIQUES

Mon époux est Franco-Ontarien. Nos enfants ont fréquenté les écoles françaises exclusivement. Ceci m'a permis de prendre connaissance de la longue lutte pour l'égalité linguistique en Ontario. Au début, j'ai appuyé les efforts de la francophonie par loyauté à mes enfants et mon époux. Avec le temps, je suis devenue convaincue de la justice et de la nécessité d'un accès bilingue à tous les services, que ce soit aux tribunaux, dans les transactions avec le Barreau du Haut-Canada ou dans les contacts avec notre gouvernement provincial. Vous pouvez compter sur mon appui résolu, constant et averti.

WHAT I HAVE TO OFFER

I bring to the table the viewpoint and experience of a lawyer who has been in a small private practice for over 30 years. I have first-hand knowledge of many of the challenges faced by lawyers on a daily basis and am aware of the concerns of my colleagues in other areas of practice. I will work diligently to better the profession for us all.

I am asking for your support and for you to encourage your colleagues to vote. My website is www.susanricher.ca.

Partner: Richer & Richer
Called to the Bar in 1979

Background

- Have been a bencher of the Law Society of Upper Canada since November, 2010
- Member of Professional Regulation Committee
- Have been in private practice since my call - starting out in general practice and now practising criminal law
- Married with two adult children
- Prior career teaching in Quebec and Ontario

Education and Training

- B.Ed. McGill University
- LL.B Osgoode Hall Law School
- Parkdale Community Legal Services

Professional Associations

- Criminal Lawyers' Association
- County of Carleton Law Association
- Defence Counsel Association of Ottawa (Former Treasurer)
- Endorsed by the Defence Counsel Association of Ottawa

Community Service

- Active in volunteer work
- Vice-Chair and head of the Governance Committee of the Ottawa Montessori School



James A. Scarfone, founding partner of Scarfone Hawkins in Hamilton, graduated from University of Western Ontario, Kings College, then University of Windsor Law (1973), called to the bar (1975). James' practice specializes in serious personal injury, death, product liability, insurance, medical malpractice and professional negligence.

James was a founding Director and past President of OTLA, past Governor for OLTA's Association of Trial Lawyers of America, Certified Specialist in Civil Litigation (1995), past President of both the Hamilton Law Association and Theatre Aquarius (Hamilton), past Director of both the Advocates' Society and Ontario Brain Injury Association. "Jim" often presents with OTLA, HLA, Advocates' Society and other organizations.

He and his wife JoAnn of 31+ years have two children, Kelli and James.

I am a proud lawyer, a trial lawyer, who offers to continue serving the legal profession and the public. I ask for your support and your vote.

My track record of service includes serving as Past President of the Hamilton Law Association, founding director of the Ontario Trial Lawyers Association, director of the Advocates' Society, and director of the Ontario Brain Injury Association.

Up to eight non-incumbents will run for election. Your criteria for earning your vote will hopefully include: a track record of leadership; fiscally alert and prudent; qualified by reputation; qualified by experience; having the sensitivity and ability to represent both big city and small town practitioners and professionals; an appropriate degree of civility mixed with the courage to do the right thing.

Our profession is evolving. I believe we are on the cusp of a new era, where governance occupies the top priority amidst the changing societal dynamics. LSUC, now more than ever, must have effective custodians who bring good judgment to bear in keeping what is good and changing what needs to be changed.

Here is my take on where we are going and how we need to get there!

Self-governance is a privilege to be jealously guarded and entrenched, never to be taken for granted. Losing it will cost us money out of our pockets, reduce the dignity and esteem that our profession maintains, and subject our practices to the dictates of bureaucratic mandarins. This means that we need to ensure the public is protected. The primary means for securing those objectives is to ensure that all members are continuously qualified and practising ethically. All new and existing licensees, both lawyers and paralegals, must be genuinely qualified by education and by character to serve the public. From entrance qualifications through CLE, we must take the steps to identify discipline and/or remove the unqualified. The challenge is to implement and hone cost-effective methods and processes.

Paralegals must practise only within the permissible fields authorized by their licence, and must have training in concepts such as The Rule of Law, Conflict of Interest, Duty to the Client, Officer of the Court, Civility and other principles that lawyers abide by.

Our discipline proceedings must provide certainty and efficiency. The time may have arrived to appoint specialist hearing officers who make recommendations to Convocation.

Recently, "unbundling of legal services" has been offered as a means to better serve the public with a more a la carte approach to legal services. Our profession must insist that such a movement be justified both in terms of serving the public and in meeting the needs of our membership.

Women find it challenging to remain in private practice. LSUC can and should develop policies that support women in the profession. Research indicates that women lawyers often earn less than males for similar work (Ornstein). Women are also less likely to become partners than males. These are issues that need examination, and which cry out for internal action.

I offer myself to meet the need for fresh perspective with skillful and energetic leadership. Call me anytime to discuss any LSUC related issue, and please vote.



Experience: Over the last fifteen years I have practised law in a variety of settings, namely government, a small firm and currently as a sole practitioner. In my practice, I serve my client's needs in a wide range of legal practice including Family, Criminal, Real Estate, and Corporate/Commercial. Through my legal career, I have also worked closely with colleagues in large firms. Collectively, these experiences have enabled me to develop an appreciation for the challenges in different areas of practice as well as small and larger firm settings. I see this plurality of vision as important for a bencher to acknowledge and address both the common and the unique needs of our lawyer members.

Outside of my practice, contributing to our legal profession, as well as our communities, is vital for me. I have taken on leadership accountabilities in legal and non-legal organizations in Peel, Toronto, Halton, Hamilton and Ottawa. This has ranged from serving as first VP of the Peel Law Association, past Director with the Advocacy Centre for the Elderly (a Legal Aid Clinic) to leadership with vital community organizations such as the United Way of Oakville and the Halton Multicultural Council. It is clear to me that individuals willing to commit their time, passion and experience can make an impact. As a leader I focus on being a good listener, a mediator and bridge-builder, a balanced decision-maker, and above all, someone who gets things done.

Having roots in the Canadian, British, and East-Indian cultures, I am blessed to speak several languages including English, Hindi, Punjabi and Urdu. This ability to service diverse communities has been an asset in my practice, and one which I believe can enrich my perspective as a bencher.

Focus Areas: Benchers must ensure that our Law Society continues to uphold the principles of maintaining and advancing the cause of justice and the rule of law, facilitating access to justice, protecting the public interest and acting in a timely open and efficient manner. In addition, the Law Society is obliged to govern the practices of lawyers and paralegals.

In my view several issues require thoughtful attention and proactive action on the part of benchers, including:

Proactively address the barriers to effective and efficient legal practice

- New regulation should not add undue burden, rather regulatory decisions should be based on effective, streamlined practices that support a high service standard execution. I believe that ensuring lawyers can practice in a fair and financially viable environment is foundational to upholding these principles.

Ensure public access to the legal system as senior lawyers retire

- The graying of our profession may result in diminished legal representation, especially in smaller communities. We need to find ways to ensure access to justice for all communities in Ontario.

Evaluate paralegal regulation

- We need to objectively evaluate paralegal regulation considering both the positive benefits and the negative consequences, and then determine what changes would strike the best balance going forward.

Strengthen the public's perception of lawyers

- Enhance the image of lawyers in the public's eye, by highlighting the value that is added to the public interest by lawyers and their many contributions to their communities.

Solicit ongoing and open feedback

- Each year every lawyer member must complete their annual report. This process should be enhanced to solicit pertinent issues and concerns from our membership to guide bencher's priorities.

I wish to offer my services as a bencher to our legal profession. Knowing that so many of our lawyers practice in small firm and sole practitioner settings, I believe that my experience in this form of practice, coupled with my dedicated leadership and business skills, will drive me as a bencher to strengthen and uphold the Law Society's principles for the benefit of all the people of Ontario.

My overriding goal is to apply my skills, experience and knowledge in a manner that contributes to the professional, fair, meaningful and compassionate governance of the noble profession of being a lawyer in Ontario.

I am proud to be endorsed by the Canadian Association of South Asian Lawyers (CASAL).

I thank you for this opportunity to serve you and ask you for your vote.

WWW.SHARDALAW.CA

Education

- McMaster University,
B.A. Hons. Pol. Sci.
- B.A. Gerontology
- LL.B. University of Ottawa,
1994
- LSUC called 1996
- Solicitor, England and Wales
since 2000

Professional

- Sharda Law (2005 – present)
- Adjudicator, Senior Lawyer
Member, Consent and
Capacity Board of Ontario
(2002 to 2008)
- Ron. E. Folkes Barristers and
Solicitors, (1997 to 2005)
- Crown Counsel, Office of the
Public Guardian and Trustee,
Ontario (1996)

Community Service

- 1st Vice President, Peel Law
Association (current)
- 2nd Vice President, Canadian
Association of South Asian
Lawyers (current)
- Vice-Chair, Peel Family
Mediation Services (current)
- Member, Peel Justice Education
Network (current)
- Member OBA/CBA (current)
- Town/Regional Councillor,
Oakville/Halton (2000)
- President, Halton Multicultural
Council (1996-2001)
- Director, Advocacy Centre for
the Elderly (1996-2004)
- Allocations Cabinet, United
Way of Oakville (1995-2000)



Colleagues and friends:

With the introduction of bench term limits, 2011 promises to be a watershed election for our profession. Many new faces are anticipated at the Convocation table, heightening the need for continuity, stability and experience. As a two-term bencher, thanks to you, I seek your support one more time.

Much has been accomplished over the last four years: the precedent-setting Justicia and Parental Leave Assistance Programs; new professional development requirements; enhanced electronic filing initiatives; a reformed governance structure for Convocation; introduction of a practice locum; development of the “Your Law” videos on YouTube; numerous practice guides; client identification and verification rules; plus a guaranteed role for lawyers in real estate conveyancing.

But issues a-plenty remain, some old, some new, many affecting your day-to-day practice.

CORPORATE GOVERNANCE A further reduction in the overall size of Convocation is necessary to make it more efficient and productive in fulfilling its regulatory obligations. Use of non-benchers lawyers to adjudicate discipline cases should also be continued and expanded.

STICK TO ITS MANDATE Several times in recent years the Law Society has strayed from its mandate, entertaining socially redeeming initiatives that are far removed from its mandate – governing Ontario’s lawyers in the public interest. These projects consume valuable staff time and resources, with the cost being incurred by lawyers province-wide. To retain the privilege of self-regulation, Convocation and the Law Society must return and adhere to its *raison d’être*.

LIBRARIES Serving on LibraryCo’s Board of Directors has strengthened my appreciation of local law libraries and the vital services they provide to lawyers in small firms and smaller communities. Ongoing support for LibraryCo ensures that lawyers in all corners of the province have access to the legal resources they need.

UNREPRESENTED PARTIES Too often today parties have no legal representation, both inside and outside the courtroom. A meaningful solution to this new reality is needed before it threatens one of the Law Society’s core values – access to justice and legal services.

UNBUNDLED LEGAL SERVICES The Law Society is considering whether, to what extent and in what practice areas lawyers could provide limited legal services for clients (for all other services, clients would be self-represented). As gaps inevitably would lead to confusion and complaints, any new Law Society guidelines must focus on those services a lawyer will not provide, not the services the client will provide.

DISCIPLINE Sitting on the Proceedings Authorization Committee, I have witnessed first-hand the underbelly of the legal profession in Ontario. Especially in the area of mortgage fraud, the activities of a small minority of members are shameful and disgraceful. The Law Society must remain vigilant in suspending and disbaring those lawyers who besmirch the honour and reputation of our profession.

SOLES AND SMALLS Sole practitioners and lawyers in small firms must continue to rank high on the Law Society’s priority list, as they have the greatest contact with the public day in and day out. “Soles and smalls” are vital in safeguarding access to justice, especially in non-urban areas, and in providing legal services as solicitors to consumers.

CONVEYANCING Through the involvement of the Real Estate Working Group, lawyers have been granted the exclusive right to register transfers. Many real estate practice issues still must be addressed, including the need for a safe, secure, swift and cost-effective way of moving closing funds.

THE COST OF BEING A LAWYER The Law Society and LAWPRO are facing serious financial challenges. Pressure on their budgets is relentless. Yet the profession’s ability to fund their activities with higher fees, increased levies and rising insurance premiums is fast approaching the tipping point. The professional cost of practicing law must never become its impediment. Both the Law Society and LAWPRO must find ways to streamline their operations, hold down costs, and limit future fee / premium increases.

More than ever, the next Convocation can reflect the current makeup of the profession at large – large firm / small firm / sole practitioner; men and women; urban and rural; barrister and solicitor; newly elected and veteran. With your valued support, I can be your voice at Convocation one more time.

Alan G. Silverstein has been at the forefront of real estate and mortgage issues for over three decades as a writer, lecturer, commentator and media personality. Alan was an inaugural Director of the Real Estate Council of Ontario, the regulator of real estate agents and brokers. Since his 2003 election as a bencher, Alan has served on many committees: Finance and Audit; Government Relations; Compensation Fund; Sole Practitioner and Small Firm Task Force; Proceedings Authorization; Real Estate Working Group; and LibraryCo. In addition, Alan is the past Chair of the provincial Motor Vehicle Dealers Compensation Fund. Alan has been in private practice since 1977, working on TELUS’ Assyst Real Estate initiative from 2006 to 2010.



Experience: For most of my career, I have contributed my time to professional organizations whether local, such as the County of Carleton Law Association or to provincial lawyer interest bodies, such as the Advocates' Society, Ontario Bar Association and now, regulation with the Law Society of Upper Canada.

There are 40 benchers to be elected this spring. Of those running, only about 12 of us have bencher experience beyond this last term. Experience, mixed with new and younger lawyers, gives the Law Society the best opportunity to govern in the interest of the public and the profession.

Past Bencher Record: As a bencher, I have served on many committees and task forces including Professional Development and Competence, Government Relations, Tribunals, Professional Regulation, Priority Planning, Equity, and Access to Justice. I have always been conscious of the cost to the members of carrying out the Law Society's mandate.

Access to Justice: "Access to Justice" is an area that will be increasingly front and center in the next few years. The *Law Society Act* gives the Law Society the "duty to act so as to facilitate access to justice for the people of Ontario".

Access to justice issues will likely be the most challenging problems that the Law Society will have in the next term. Attacks on self-regulation have already begun with criticism of the Law Society in this area.

I am currently the co-chair of this committee. This is an area that I would like to work with the profession to solve some of the larger problems. The profession must be fully involved if we are to make significant strides in improving the ability of Ontarians to access legal services.

Independent Bar: One of the underpinnings of our profession is self-regulation. In some countries such as the United Kingdom and Australia, lawyers have lost this right. The independence of the Bar is constantly under attack. The Law Society must always be front and centre in ensuring that self-regulation continues. In the coming four years there will be continuing pressure to ensure that our discipline process is fair, transparent and efficient to not only the public but our members.

Paralegals: In addition, I was very involved in the resolution of non-regulated paralegals. Our members for more than 20 years sought a resolution to the problems presented by unregulated non-lawyers delivering legal services. Agents had the right, by legislation, to appear in Provincial Offences Court, Small Claims Court and Boards and Tribunals. The amendments to the *Law Society Act* in 2006 gave the Law Society the mandate to govern those paralegals. Since then, without any costs to lawyers, the regulation of paralegals has been successful. At present I am Vice-Chair of the Paralegal Standing Committee. There will undoubtedly, as in most areas, be upcoming issues that I would like to assist in solving.

Unauthorized Practice: The *Law Society Act* gives the Law Society the right to either prosecute under the *Provincial Offences Act*, or to seek an injunction to prohibit those who are delivering legal services without being licensed.

I believe that there is room for the Law Society to increase its vigilance in shutting down those practising without a licence. This will continue to be a priority with me.

Commitment: As a bencher, I will continue to use my experience as a practitioner, educator and active volunteer to assist the Law Society to govern effectively in the public interest while working cooperatively with the profession.

- Counsel to Tierney Stauffer, Ottawa
- Civil litigator with previous experience in Family law and Criminal defence
- Recipient of Law Society Medal, Ontario Bar Association Award for Distinguished Service and County of Carleton Law Association Medal
- Former President of the Ontario Bar Association
- Member and former Director of Advocates' Society
- Founding and continuing member of Ontario Trial Lawyers Association
- Former President of County of Carleton Law Association (CCLA)
- Long-time organizer of Continuing Legal Education (CLE) including continuing involvement with CCLA Annual Civil Litigation Conference at Montebello
- First elected bencher of the Law Society of Upper Canada in 1999
- Major involvement in the resolution of Paralegal regulation
- Presently on Audit, Government Relations and Professional Regulation Committees
- Vice Chair of Paralegal Standing Committee
- Co-Chair of Access to Justice Committee



Enhancing the strength and independence of our profession is my prime objective if elected benchler. The privilege of self-regulation has been lost in other jurisdictions. It must be preserved in Ontario. My views on some of the issues are as follows:

Prudent Management of the Law Society and LAWPRO – This is important in two ways. On the one hand, it preserves the public’s confidence in self-regulation of our profession. While on the other hand, it enhances legitimacy in the eyes of Lawyers who pay dues and premiums to support self-regulation. Keeping a tight reign on costs for Members is always a top concern.

Governance Reform – I support the governance changes recently adopted by the Law Society including term limits on benchers and restrictions on the impact of life benchers on the policy making process in Convocation. One of the next areas of reform may be discipline hearings. I support occasional employment of professional adjudicators in large or complex discipline matters.

Channel Support to Local Law Associations – As a former President of the Hamilton Law Association I understand the importance of local law associations to the profession outside of Toronto. They are the primary support networks for sole practitioners and small firms all over Ontario. Enhanced funding and support for them is a central concern of mine.

CLE – The Law Society now mandates CLE. I support diverse delivery of CLE from local law associations, practice area based associations, law schools, the OBA and private companies. The Law Society should facilitate and support education at the local level, not impede it nor compete with it.

Legal Aid - The Law Society should redouble aggressive lobbying effort to enhance Legal Aid compensation for the Criminal and Family Law bars.

Women in the Profession – I support programs geared to retention of women in the private practice of law. It is essential to create conditions to not only attract but retain the best and brightest in private practice.

Paralegals – The Law Society must maintain clear boundaries as they now exist between paralegals and lawyers in their scopes of practice. Paralegals are pursuing a project of expanding into traditional solicitors’ work. This is not in the public interest.

I am proud to be running with my friends Joe Sullivan and James Scarfone also from Hamilton. They are both excellent candidates and will make great benchers.

**PLEASE VOTE – IT IS IMPORTANT THAT YOU DO.
THANK YOU FOR CONSIDERING MY CANDIDACY.**

Background:

Born, Kitchener, Ontario
Married to Margot, two children –
Betty and Madeleine
Called to the Bar in 1995
Partner, Ross & McBride LLP
Practice, civil litigation
B.A., M.A. (York)
LL.B. (Osgoode)

Professional Activities:

Director, Advocates’ Society
Past President, Hamilton Law
Association (2007)
OTLA Distinguished Service Award
(2006)
Editor, OTLA Case Notes,
(1998–2006)
Deputy Judge, Small Claims Court
Instructor, Bar Admission Course
(2000–2003)
Member, Hamilton Medical
Legal Society
Many CLE articles, presentations
and papers

Community Activities:

Clinical Ethics Committee,
Hamilton Health Sciences
Corporation
Research Ethics Board, St. Joseph’s
Hospital
Past Director, Umbrella Child and
Family Services Hamilton

Endorsements:

The Hamilton Law Association



www.joesullivanforbencher.ca

I am pleased to submit my name as candidate for bencher of the Law Society for the Central South region. My views on some of the issues are as follows:

Self-Governance Status: I am pleased to be considered a *reform* candidate and to continue to analyze and improve the governance of the profession by the Law Society. As several common law jurisdictions have lost their self-governance status, I see this as a foremost objective of Convocation. This can never be taken for granted. It is an honour and a privilege, not a right.

Recent Governance Changes: I strongly support the recent governance changes and the election term limits imposed on benchers. To protect our self-governance status and to make the LSUC more effective those elected by the profession should be the only benchers allowed to vote at Convocation and make policy.

These governance changes eliminated the right of many retired benchers and other officials from directing policy. This has been a very good development for the Law Associations outside Toronto.

Retention of Female Lawyers in Private Practice: Ongoing efforts and study must take place to make sure the best and brightest lawyers continue to practice in the core areas of private practice. We need to find out how to effectively encourage this among female lawyers in particular and put into place systems which support them.

Legal Aid: Proper funding for legal aid is a major problem. Our country enshrines constitutional protection for those accused of crimes yet seriously underfunds those asked to protect those rights and freedoms: the criminal defense bar. The family law bar is entitled to the same strong lobbying for increases in legal aid funding for those cases.

Paralegals and Our Responsibility: The Law Society governs both lawyers and paralegals. In my view the LSUC must be careful not to allow paralegals to expand their practices into areas where lawyers are required – most notably solicitor’s work. There is a serious public interest issue here.

Dues and Insurance: Reducing fees and looking for efficiencies, and cost savings must always be a top priority.

Continuing Legal Education: I have co-chaired two of Hamilton’s largest annual continuing education events for the past ten years. Now that we have mandatory requirements I am committed to assuring the local associations that the LSUC will assist and promote this ongoing education at the local level. We do not need a cumbersome layer of bureaucracy at the LSUC.

Discipline Hearings: I also support the introduction of some professional adjudicators to handle complex discipline matters. On rare occasions, Law Society discipline decisions have been overturned by the courts and this can harm our self-governance status as it could put pressure on the Government of Ontario to review how we are handling a critical element of governance – disciplining our members.

In appropriate cases, it would be prudent to have a professional adjudicator sit on a discipline panel (with benchers) to deal with the more complex cases that come before discipline.

Closing: Along with myself, James Scarfone and Andrew Spurgeon will also be running from Hamilton and they are fine candidates and will make excellent benchers.

Endorsements Include:

- ✓ Hamilton Law Association
- ✓ Gerald A. Swaye, Q.C., Hamilton
- ✓ John F. Evans, Q.C., Hamilton
- ✓ Kathryn McKague, Hamilton
- ✓ Rebecca Wissensz, Hamilton
- ✓ A. Jarvis Scott, Hamilton
- ✓ Thomas G. Heintzman, O.C., Q.C., Toronto
- ✓ Meredith Jackson Donohue, St Catharines
- ✓ Gary Enskat, Niagara Falls
- ✓ William F. Elkin, St Catharines
- ✓ Paul J. Osier, Caledonia
- ✓ Robert J. Nightingale, Simcoe
- ✓ Michael T. Mollison Q.C., Kitchener
- ✓ Paul G. Torrie, Toronto

Please vote.

Married (Siona Sullivan) with three sons

McMaster University
(1977-1979)
Osgoode Hall Law School
(1979-1982)
Called to Bar (1984)
Certified Specialist Civil Litigation
(1992-present)

Member of:

Hamilton Law Association
Past President - 2004-05
Trustee 1999-2006

Hamilton Medical Legal Society
1995-96, Director 1989-1996

Barrister Advisory Group
The Law Society of Upper Canada
(2009-present)
(<http://rc.lsuc.on.ca/jsp/licensingprocess/index.jsp>)

The Advocates’ Society
Canadian Bar Association
American Bar Association
Women’s Law Association

Past Member:

Law Society of Upper Canada
Civil Litigation Specialty Committee
(2004-2006)

Past Board Chair

St. Joseph’s Villa, Dundas, Ontario

Past Member:

Board of Directors of St. Joseph’s
Health Care System, Hamilton
The United Way of Burlington
and Hamilton



PROFESSIONAL EXPERIENCE

Called to Ontario bar 1985. Since qualification, practised employment and labour law in Toronto with WeirFoulds, where I was a partner and in Barrie since 1991 in own law firm.

City of Barrie Councillor 1991 to 1995.

Member of Provincial Parliament in Ontario 1995 to 2007. As MPP, served as Second Deputy Chair of Committee of the Whole House and as a Parliamentary Assistant to the Solicitor General; Minister of Education and Minister of Consumer and Business Services.

AFFILIATIONS

Law Society of Upper Canada
Simcoe County Law Association
Knights of Columbus

EDUCATION

Law Society of Upper Canada,
Osgoode Hall
Bar Admission Course, 1985

Queen's University
Bachelor of Laws, 1983

McMaster University
M.B.A., 1977

McMaster University
B.A. (Hons.), 1975

After 25 years in practice, I believe to be effective as a bencher one should have an experience or understanding of the following:

Practice of law on Bay Street and in province
Large firm and sole practitioner practice
Democratic Governance
Business Management

In a nutshell, here is my experience:

Partner WeirFoulds, Toronto
Sole practitioner, Barrie
City of Barrie Councillor (1991-1995)
Member of Provincial Parliament (1995-2007)

Membership in the legal profession for almost twenty-five years has enabled me to earn a living and participate in building my community as a volunteer, and my province as an elected representative. As a sole practitioner outside of Metropolitan Toronto for the past nineteen years, I understand the challenges faced by sole practitioners and small firms throughout Ontario.

Serving as a bencher would give me the opportunity to apply my experience on behalf of the entire legal profession. As a former MPP, I know what has to be done to lobby governments on behalf of the profession.

The main reason I want to serve as a bencher is to give something back to the legal profession because it has been so important to me over the years. When I attended law school I had recently left the Ford Motor Company where I worked in labour relations in their Windsor and Oakville operations, thinking I would practise labour law on Bay Street. The practice of law led me to a career as a labour and employment lawyer in Toronto as a Partner with WeirFoulds. I entered the political arena when I was elected as a City of Barrie Councillor which took me to Barrie to practise as a sole practitioner. I served twelve plus years as an MPP, including roles as Second Deputy Chair of the Committee of the Whole House and as a Parliamentary Assistant to the Solicitor General, Minister of Education and Minister of Consumer and Business Services. I have continued to practise as a sole practitioner specializing in labour and employment law.

I fully understand that benchers are regulators. I believe that the profession deserves to be regulated with understanding since the members pay the fees that finance the regulation.

The Law Society has made progress with respect to important issues of concern to the members. I would work to address priorities by devoting whatever time is necessary to do the job, in particular proper funding for Legal Aid and in the resolution of family law disputes.

As professionals our responsibility is to serve in the public interest. We must also look after the members' interests at the same time. We must do so in a manner that will attract the calibre of members we want in the profession and protect the public interest. I would seek to enhance membership and look after the profession in a principled manner.

My approach to bencher activities would be to promote the concerns of the sole practitioner and small firms. In addition, I would encourage an emphasis on proactive, positive communication.

While I am seeking election as a sole practitioner outside of Metropolitan Toronto, and as a former partner in a Bay Street firm, I fully understand that large firms in urban centres have their own challenges. I would work to represent the interests of all members.

I respectfully ask for your support.



Fellow members of the Law Society of Upper Canada,

I am pleased to announce my candidacy for bencher, and humbly ask for your support. I believe I can put the knowledge and experience I have gained in more than 35 years of legal practice to work for you, and that I am extremely well-positioned to protect the best interests of the profession now and into the future.

I will focus on two broad themes once elected: (1) hot-button issues facing the profession, and (2) creating a more positive public perception of lawyers.

Issues Facing Lawyers: Over the course of my career I have both managed a small practice and participated in a partnership in a large firm. Based on this experience, I understand the challenges that lawyers face across the board.

For example, junior lawyers today are exiting law school and entering the unemployment line. Across Ontario, the future of our profession is graduating with elevated debt loads and, in direct contrast from the guidance of our Law Society, some even feel compelled to volunteer their services for free in the hopes of impressing senior counsel. I believe that we, as established and seasoned members of the Law Society, should play a central role in addressing this important issue.

Furthermore, it is time that our Law Society recognizes a host of other pressing issues facing lawyers. As your elected bencher, I will work diligently to ensure our Law Society puts issues facing all lawyers at the fore.

This is a promise for action. Throughout my career, I have mentored countless articling students and junior associates, all in the early stages of adjusting to the realities of practice and I have taught courses on behalf of the CBA, LSUC, OBA and University of Windsor. I believe that the Law Society should officially sanction a mandatory mentorship program. A certified mentorship program is essential for the long term care and maintenance of practice standards. It is my firm belief that this program will ensure that our junior professionals are steered in the right direction from the outset, to maintain the core values and standards that we hold dear.

Perceptions of the Profession: There is also the issue of perception. Today, the public's opinion of our noble profession as a whole is quite negative. Lawyer jokes are a dime-a-dozen. Unfortunately, this perception may sometimes be justified. As a self-governing profession, we have not always taken the necessary steps to ensure that lawyers who do not meet the highest standards are unwelcome in the practice of law.

I am helping to change the status quo. Recently, I have appeared on behalf of the LSUC on a number of occasions for the purpose of providing expert testimony during member disciplinary actions. I have assisted with the administration of justice in our field by reviewing instances of transactional fraud, and providing testimony regarding best practices in real estate law.

I do not believe that as lawyers we are solely to blame for this negative public perception. On the contrary, the vast majority of you, my colleagues, are honest, morally upstanding and exemplary members of our respective communities. However, as long as the Law Society's disciplinary system remains in its current form – selfishly protected from member feedback and public consultation – the perception that most lawyers are dishonest and fraudulent, and that the Law Society condones and perpetuates these negative qualities through its disciplinary system, will remain.

Once elected, I will utilize the network of connections that I have built over the years to lobby vigorously for an open and transparent disciplinary process. More specifically, I will work to ensure that this reform results in a balanced system where members are dealt with quickly and fairly, but not at the expense of our collective public image. We must demonstrate to the public (to our clients) that those who fail to act ethically will be denied access to our prestigious community – a community that requires years of hard work and determination to enter, decades of commitment to earn and maintain a reputation, and a career to master. This is a community that should be perceived with dignity.

I humbly request your support on April 29, 2011.

Jerry graduated from Windsor law in 1974 and was admitted to the practice of law in 1976. He began his career as part of a small practice, but since 1993 has been a partner with McTague Law Firm LLP, primarily with a focus on Real Estate, Commercial and Business Law. Jerry is a member of the OBA Real Property Executive Committee, a member of the CDLPA/OBA/ORELA Real Property Working Group, and has been appointed by the LSUC to the Certification Board for Specialists.

Jerry has been married to his lovely and supportive wife Brenda, since 1974, and together they have raised two children, Eli and Amanda.



Mahzulfah S. Uppal resides in the City of Brampton, Region of Peel, where she practises exclusively in the area of Family Law at Prouse, Dash & Crouch, LLP.

- Called to the Ontario Bar in 1997
- Called to Manitoba Bar in 1995
- Graduated from University of Windsor in 1994
- Undergraduate Degree from York University in Political Science

Associations and Memberships:

- Active member of the Peel Law Association since 2009 including Bench & Bar Committee, and Peel Mediation Board
- Member of the Board of Directors for the North Peel and Dufferin Legal Clinic since 2009
- Member of the Board of Director for the Elizabeth Fry Society since 2009

As a lawyer who is both female and a visible minority, I believe that in order to best reflect our diverse society, greater representation is needed for both of these communities within the Law Society.

In 1994, I gained valuable experience while working for a Legal Aid clinic in Winnipeg, Manitoba following my graduation from law school at Windsor University. The work in this clinic provided me with hands-on experience while helping individuals who had little to no means. This opportunity supplied me the experience necessary to recognize that there are significant needs within our community for individuals, especially women, immigrants and children.

The need for a female voice is significant within the Law Society because of the unique challenges women face in regards to maternity leave and assistance with childcare responsibilities while at the same time maintaining a successful practice. The need to find balance within one's work and family life is applicable to men and women alike.

As a woman of colour I understand the challenges people within these groups face. We need to ensure doors are open to visible minorities and women so as to better represent our community. The public needs to see that there is not only representation that reflects our diverse community among lawyers but also in the body that governs their practice.

There needs to be inclusion and representation of small to mid-size firms within our governing body to meet the needs of sole practitioners and those practising in small to mid-size firms throughout Ontario.

As a bencher, I would diligently work to address the issues women and minorities within the legal profession face and do my utmost to act as their voice within the community.



Robert Wadden

East • Est

Ottawa

Crown Prosecutor,
Ministry of the Attorney General

Vice-Chair, Public Sector
Lawyers' Section, OBA

Part-time Professor,
University of Ottawa Law School,
2001-08

Co-Chair, Joint OCAA & CLA
Education Programs, 2010 - 2011

Co-Director, Trial Advocacy
Program, OCAA

Mentor, LSUC Mentorship
Program

Called to the Bar in 1992

Prior Professional Practice
Fasken Martineau 1989-93

Memberships
Advocates' Society
Ontario Crown Attorneys'
Association
Ontario Bar Association
County of Carleton Law
Association
Osgoode Society for Legal History

Education
University of Toronto, LL.B. 1990
Memorial University of
Newfoundland, BA 1986

Community Involvement
School Council Member,
OCDSB Elementary School
Volunteer Team Manager,
Ottawa Fury Youth Soccer

Personal
Married, to Erin McKey,
with two children

Website
www.robertwadden.ca
or find me on Facebook or
LinkedIn

The Law Society has dealt with challenging issues over the last four years, such as the regulation of paralegals, the requirement for mandatory continuing education and the reform of governance. The benchers you elect this year will have to deal with the implementation of these changes, anticipate and identify new issues and provide the leadership necessary to face the challenges of the next few years.

My Principles: I've served on many boards and committees, as part of my work as Crown Counsel and within the legal community. I'm a Section Vice-Chair at the Ontario Bar Association and I've served on the Board of Directors and Executive of the Ontario Crown Attorneys' Association (OCAA).

The Law Society is created by statute and its functions, principles and powers are set out in the *Law Society Act*. My view is that a bencher should ensure that the Law Society acts within its mandate and is fiscally prudent and responsible with its members' funds. In the past, I applied these principles as a Director and Treasurer of the OCAA in pressing for reform of financial oversight, and within the OBA in advocating for a review of the fee structure. It is the approach and attitude I would bring to the Law Society if elected.

Issues: Legal education, the role of paralegals, access to justice (including the adequacy of court facilities, court support and Legal Aid), the Law Society's discipline process and the place of articling in the profession will be among the issues to be identified and dealt with by the benchers you elect.

I bring the perspective of an experienced and busy trial counsel to these matters. Even my experience as a teacher – as a part-time professor, a co-chair of criminal law programs, a director of an intensive advocacy course – has been gained while I have been in full-time practice with a busy case-load.

As a Crown I recognize the importance of a properly funded Legal Aid regime and the perils that the increase in unrepresented litigants pose to the efficiency and fairness of the legal system. I also understand the need for proper infrastructure and support in our courts.

I understand the importance of fairness, openness and efficiency in prosecution and adjudication, principles which must be made as applicable to the Law Society's discipline process as to the courts.

As an educator and articling principal I have insight into the debate and competing viewpoints about the role of articling and an understanding of its importance as part of legal education.

Personal: Balancing our Lives with the Practice of Law: My wife (a senior counsel at the Department of Justice) and I are both lawyers who've been raising two children while building our professional careers. Like many others, years of experience balancing a family, aging parents and a busy practice have given me many insights into the complexity of being a lawyer in modern society.

Balanced Representation and the Credibility of the Law Society: No matter what area of law you practice, I hope you agree with me that the benchers should be elected from all practice areas – whether public or private - and that more balanced representation enhances the credibility of the Law Society as Ontario's regulator of legal services. I hope you agree that my years of experience as a trial prosecutor and public sector lawyer will allow me to make a meaningful contribution to the Law Society.

My thanks to the many lawyers, from all areas of practice, who have supported and endorsed my candidacy.

Thank you for taking the time to review my material and consider voting for me as one of your benchers from outside Toronto.

Website, Contact Information and Questions: For more information on me, for Questions and Answers about the Bencher Election and to contact me please visit my website at www.robertwadden.ca.



- Call to the Bar in 2002
- LL.B. from York University (2000)
- Founder of Ontario Real Estate Lawyers Association (2010)

Why I Am Running For Bencher -

For you to be able to communicate with and access benchers.

I am running for bencher to strengthen the communication between the elected benchers and the LSUC members who elected them.

I came across many stories that benchers, once elected, are largely inaccessible to the LSUC members. I believe benchers should be more like other elected members of the public (be it municipal, provincial or otherwise), that benchers should be callable, and benchers should be available to be involved with LSUC members' requests for assistance once called upon.

Once I am elected, I will devote my efforts to effect a Bencher Day on a monthly basis with an open-house format for LSUC members to meet (at least some of) their benchers.

I am a lawyer running a small firm, and the majority of our members are in that category. I have strong feelings for and understanding of those working in small firms and those newly called to the bar. This large group of members need an effective way to communicate with benchers.

Fellow members who work in the big firms would also agree with me that it would be great to be able to talk to a bencher in an open-house format.

Respectfully, I believe many of my fellow members agree with my view. Please vote for me on Bencher Election day. Elected or otherwise, I will make an effort to host a regular meeting between members and benchers. I will take it upon myself to invite benchers to come to these open-house meetings.

Candidates from
Inside Toronto



Candidat(e)s de
Toronto



R. Lee Akazaki

Toronto

The Law Society. What is it for? The public suspects it exists to protect lawyers' self-interest. Some lawyers think the same way. You know its mandate is to serve the public, to uphold professional standards and to promote Justice.

In 21st century Ontario, lawyers can no longer cling on to institutional trappings. We cannot blame the public for failing to understand our professional heritage. In order to keep our self-regulation safe from the clutches of "Tea Party" politics, we will need to prove we are current and sensitive to public needs. To start, we need to train our sights on the priorities of the Law Society, and keep them forever in focus. This is how I would describe them:

1. Discipline: A minority of lawyers bring the profession down by believing they are better than non-lawyers, and also better than their colleagues. Time and again, lawyer arrogance underlies incivility, refusal to accept responsibility for lifelong learning, and bad habits. It is lawyers behaving badly who raise our membership fees and LawPro premiums. Let there be no doubt about it.

2. Regulation: It is like disliking spinach. We all encounter the Law Society's intrusions, maybe only once a year. It is in the nature of regulation that it is inconvenient. It is in our nature, as lawyers, to feel invaded. Benchers cannot cure this dichotomy. Don't believe anyone who promises to do so. What benchers can do is hold the Law Society accountable, to deliver services to enhance lawyer competence and public trust, and to avoid useless or arbitrary measures.

Public administration depends on fact-based governance and leadership. Governors must steer the ship. In turn, they must resist micromanagement of staff functions. I have worked with Law Society management for years. I have nothing but respect for their dedication to the integrity of our profession. Good people in the right places. Lawyers are not robots. Neither are the Law Society staff.

3. Retention of Women: Women have been joining the profession in great numbers and are now the majority of new lawyers. Many enter private practice and also leave it in droves. Often, women do not see the opportunities for fulfilment, where sexism is unseen but pervasive. The Law Society must not relent in addressing the concerns of women in the legal workplace.

Nevertheless, private sector law firms losing female lawyers to the public sector or to corporate Canada is not a loss to the profession. The demographic rise of talented institutionally-employed lawyers is an evolution of Law in our time. It is the Law Society's duty to appreciate the professional responsibility issues arising from this shift.

4. "Toronto and the Rest of Ontario": No one would seek to run a government of Ontario with that as a platform, any more than using "Ontario and the Rest of Canada" to seek a federal mandate. But that is how many Toronto lawyers still perceive legal politics. I have met with lawyers across this province in all kinds of settings. Lawyer regulation and discipline must apply community standards, and be sensitive to local realities. Cela veut dire aussi que la voix franco-ontarienne doit être entendue au sein du Conseil du Barreau.

5. New Lawyers: New lawyers must be equipped to succeed. This is our collective responsibility, not only to them but also to the public. When the numbers of law school graduates outstrip the capacity of the bar to generate articling positions, the Law Society must, once again, be accountable for the competence of new members and allow them to go forth with confidence. It must encourage more flexible arrangements, such as the sharing of articling students in non-urban settings, and set up the ethical criteria to facilitate these measures. The Law Society must also consider reintroducing Bar Admissions skills training.

6. Diversity: Our leadership remains unrepresentative of a multicultural Canadian society. The public at large has moved on, and wants our profession to help navigate a minefield of cultural, religious and racial conflicts and perspectives.

7. Love for the Law: Gotta have it. Keep the law close to heart, and we will not fail to live up to our end of the bargain with the public.

Gilbertson Davis Emerson LLP

- Partner and Senior Counsel in boutique Civil Litigation and Insurance Law firm
- Certified Specialist, 2000
- Called to the Bar, 1990

Ontario Bar Association / Canadian Bar Association

- OBA President, 2010-11
- OBA Vice-President, 2009-10
- Chair, Governance Committee, 2009-10
- CBA Director, 2010-11
- CBA Fee Review Committee, 2010-11
- Chair, OBA CLE Committee, 2008-09
- Chair, OBA Civil Litigation Section, 2008-09
- Delegate, Uniform Law Conference of Canada, 2008-09

Law Society of Upper Canada

- Barrister Advisory Group, 2005-09
- Certified Specialist Review Group, 2007

JusticeNet.ca

- Member, Advisory Board, 2010-11

Other memberships and community involvement:

- L'Association des juristes d'expression française de l'Ontario (AJEFO)
- Ontario Justice Education Network (OJEN)
- Advocates' Society
- Toronto Lawyers Association
- Women's Legal Education & Action Fund (LEAF)
- Feminist History Society



Basil Alexander

Toronto

Reasons to Elect Basil For Bencher

Vote for Better Access To Justice – Having worked in a social justice and public interest law firm in the private sector for over six years (including as a co-manager), I bring a practical perspective on how to increase access to justice for all. A multi-pronged approach is key: changes and increases to Legal Aid are needed; creative ways to deal with court congestion and costs (particularly in the civil and family areas) are needed; limited retainers may be helpful; and we need to ensure that non-profit community organizations are able to provide basic legal assistance to those in the greatest need without being unduly hampered by overly broad regulations. In short, I will work towards the goal of practically increasing access for all, and especially those who would not otherwise have access.

Perspectives I Can Bring

- Access to Justice
- Small-Medium Firm
- Renewal and Diversity
- Results Oriented
- Principled yet Pragmatic

Key Legal Experience

- Klippensteins (04-) (incl. Ipperwash Inquiry and proposed Good G20 Class Action)
- Adjunct Professor, Osgoode Hall Law School (09-)

Selected Community Organizations

- Ontario Association of Food Banks (incl. Board of Directors and Executive)
- University of Victoria (incl. Board of Governors)
- McMaster University (incl. University Planning and Budget Committees)

Awards Recognizing Highest Levels of Community Service

- UVic Blue and Gold
- McMaster Honour M

2005 Call to the Bar

- Top 2.5%

University Degrees

- LL.B. (UVic)
- Master's of Public Administration (UVic)
- B.Arts Sc. (Hon.) (McMaster)

Vote for Revitalization and Renewal – As bencher, I would integrate fresh perspectives on key issues facing the profession. In the coming years, we will all have to live up to and deal with important issues such as: (1) recruitment in non-urban areas; (2) retention and advancement issues, especially for women, visible minorities, and young lawyers; (3) the influx of over 1200 new lawyers each year and changing demographics; (4) the systemic work-life balance problem; and more. I will bring new ideas to these issues, in part based on my organizational experience, my public administration background, my knowledge of how other professions have managed similar problems, and by including key groups (such as young lawyers) in the discussion. Our goal should be that the profession, ultimately, reflects the diversity of Canadian society as a whole.

Vote for Re-engagement – From what I see and hear, we seem to be unfortunately becoming more and more disconnected from the Law Society. This is despite the fact that we are in an electronic era where we communicate more easily now and more than ever. I want to work towards finding new and better ways for the Law Society to effectively communicate with and re-engage the membership. This is particularly important for groups that are historically underrepresented at Convocation, such as lawyers under 40 and solicitors. Modern technologies, including social media like Facebook and Twitter, may be important tools that we should be using more to try to bridge these gaps.

Vote for Accountability and Experience – I have spent over a decade being elected and re-elected to various Boards and committees (including those with multi-million dollar budgets). My expertise, knowledge, and skills are transferable to the Law Society, and I know from experience how to get things done in these settings. I also understand from experience the serious responsibilities and tensions involved with managing budgets that are funded by members. We need to be careful, strategic, and practical because not everything should be (or can be) paid out of our dues. In addition, we must be careful about ensuring appropriate Law Society oversight while avoiding over-regulation when the benefit may be minimal. We should also not be shy about strategically using advocacy and other tools where appropriate to accomplish the Law Society's mandate and goals.

Vote for Character and Dedication – I have always tried to work for the greater good and bigger picture to make things better over time. For example, in addition to my work with various organizations, I have been a key part of the teams for the Estate of Dudley George since the Ipperwash Inquiry and for the proposed Good G20 Class Action. I understand how to hear and balance different perspectives and factors in order to come up with constructive criticism and pragmatic solutions. For me, it has always been about making a difference and, ultimately, helping people, which I will do for as long as I can.

Selected Endorsements

Community/Academic: Gail Nyberg (Executive Director, Daily Bread Food Bank); Jamie Cassels (UVic Law and previous VP Academic); Shin Imai (Osgoode)

Current Bencher / Other: Larry Banack; Trudi Brown (previous Treasurer/President, Law Society of BC); Julian Falconer; Delia Opekokew (VP CCLA); Mark Sandler

Please feel free to visit me online at www.BasilForBencher.ca,
Facebook, Twitter, or email at elect@BasilForBencher.ca.



Raj Anand

Toronto

I would be excited and honoured to serve the legal profession and the public for a second term as a benchler.

I was the proud recipient of your trust when I put my name forward for the first time in the 2007 election. The last four years presented a challenging learning curve for a rookie benchler, but I will always be grateful for the opportunity I was given to confront important issues facing lawyers, paralegals and the public.

After seven years on the Law Society's Equity Advisory Group, I became Vice Chair of the Equity and Aboriginal Issues Committee as a benchler. Our Committee received and began to implement the 2008 Task Force report on retention of women lawyers in private practice. A parental leave program involving financial assistance and development of locums was begun in 2009 for small firms. The Justicia Project enlisted about 55 medium and large firms across Ontario to work on gender demographic information, flexible work arrangements, networking, business development, mentoring and leadership skills development for women. Working groups on disability and aboriginal issues have continued to develop policies and encourage practices to break down barriers for those providing and receiving legal services.

I believe the Law Society must take concrete steps to address issues of discrimination, harassment and barriers in the areas of race and sexual orientation. Prof. Ornstein's valuable 2010 report documented the demographic shifts in representation of racialized lawyers in Ontario, but also pointed to disturbing evidence of lower compensation for racialized lawyers, as well as differential rates of change in representation across racialized communities. There is evidently much work to be done, and the adoption of voluntary annual self-reporting by members will assist in collecting the necessary demographic information in areas beyond gender.

Over the last four years, I have also had the opportunity at the Law Society to apply my experience in litigating, adjudicating and mediating civil and administrative disputes. A year after becoming a benchler, I was appointed by the Ontario government to put in place the Legal Support Centre, designed to provide access to justice under the new Human Rights Code. I made myself available for mediations and arbitrations alongside my private litigation practice and my duties on the Law Society Hearing Panel and Proceeding Management Conference (essentially a "motions court"). Je préside aux audiences dans les deux langues officielles; pour moi, il est très important d'encourager le bilinguisme et l'épanouissement des services juridiques de langue française en Ontario.

For the Tribunals, the traditional slate of lawyer conduct applications was supplemented by paralegal good character hearings. I am now the Vice Chair of the Hearing Panel, and here again, much work remains to be done. The Law Society Tribunals must continue to enhance their adjudication skills and case management procedures while addressing the distinctive situation of lawyers and paralegals.

I was privileged to serve on the Licensing and Accreditation Task Force, which worked with lawyers, the academy, and ultimately Convocation and the Federation of Law Societies to put in place the necessary educational standards to be a lawyer in this country. I also served on the Finance Committee, the Government Relations Committee and the Human Rights Monitoring Group.

Before the last election, I was one of many lawyers who were concerned about how difficult it appeared to be to break into the exclusive sanctum of Convocation. I was happy to join the Governance Task Force, which ultimately made recommendations that resulted in significant reform. The imposition of term limits and the abolition of life benchlers was coupled with measures to take advantage of benchlers' experience and institutional memory. I firmly believe, however, that greater rejuvenation, representativeness and diversity are vitally important to the Law Society and the public interest. While I may have a more nuanced view of the "incumbent advantage" as I run for the second time, I believe the process of change that has begun is irreversible. I hope to serve this time with a number of new benchlers, and probably a younger and more diverse group of benchlers, alongside many talented benchlers and staff that I have worked with over the last four years.

Please contact me at WeirFoulds LLP with any inquiries at 416-947-5091 or ranand@weirfoulds.com.

Practice areas

Civil, administrative, professional negligence, human rights, constitutional litigation
Adjudicator and mediator

Benchler 2007-11

Past Chair

Pro Bono Law Ontario
U of T Law Alumni Council
Ontario Human Rights Commission
Ontario Human Rights Legal Support Centre

Former Director

Advocates' Society
LAO and two clinics
CAMH

Member

OBA, Advocates' Society,
FACL, CABL, Court Challenges Program Panel

Teaching/CLE

"The New Administrative Law",
Osgoode LL.M.
Contributor, professional liability chapter, "Canadian Legal Practice"

Recipient

Award of Justice, Advocates' Society
Law Society Medal
Professional Man of the Year,
Indo-Canadian Chamber of Commerce
Lifetime Achievement Award, SABA
Lexpert leading practitioner:
Litigation - Public Law, Professional Liability and Workplace Human Rights
Best Lawyers listings: Administrative and Public law, and Labour and Employment law



Steven Benmor

Toronto

One of the advantages of my years of volunteer work has been the opportunity to meet so many different lawyers from so many walks of life - private practice, public service, academia as well as law students.

After years of listening to, challenging and considering the views of my fellow lawyers, I have decided to seek a position at the table and be their (your) voice when important decisions are made affecting our professional lives.

If you are reading this, then you must also be concerned about the research undertaken, reports written, issues raised and choices made by Convocation.

Some of my ideas on how the Law Society can, and should, better serve the profession and the public are:

Problem 1: A high volume of litigants in court are not represented by counsel.

On a daily basis, many lawyers like me are confronted with the dilemma posed by the number of litigants in criminal and family court that are not represented.

On one hand, the cost of operating a law practice must be factored into the fees we charge. On the other hand, every person charged with a criminal offence, forced to defend a CAS proceeding or facing a child custody hearing must have legal representation, and not be forced to navigate through the court system and make representations to judges on their own.

The high volume of unrepresented litigants in court is an epidemic. The entry of paralegals into the court system is not a solution. Sanctioning unbundled legal services is an idea that requires cautious examination.

A Solution to Problem 1: The problem requires immediate systemic attention, direct and forceful advocacy to the federal and provincial governments for more funding and judicial resources, and a public relations campaign to educate Ontarians on the necessity of representation in the courts by counsel.

As a sole practitioner, a lawyer representing legal aid clients, a family law lawyer who appears in the Ontario courts almost every day, I am asking for your vote so that I have the ability to address this crisis.

Problem 2: The concerns, needs and interests of sole and small firm practitioners are not adequately reflected when the Law Society studies, and reforms, existing policies that affect lawyers.

Sole practitioners, like me, have unique challenges that need to be understood and respected by our governing body. We are the storefront of the legal profession. We interact with the public when they buy a home, need a will, start a business, end a marriage and are charged with a crime.

It is in the Law Society's interest, but moreover, it is in the public's interest to preserve, support and even applaud this segment of the profession.

The 'greying' of the bar in smaller centres, coupled with a shortage of new lawyers (and articling students) returning to, or moving to, such locales, has created a challenge for succession planning, for mentorship, for Ontarians' access to legal representation and to the proper functioning of the courts.

In small towns and major cities such as Ottawa, Kingston, Oshawa, Mississauga, Guelph, Hamilton, London, Windsor and Toronto, sole and small firm practitioners are facing many challenges. The Law Society needs to answer our call for help.

A Solution to Problem 2: I want to see the Law Society create incentives for articling students and new lawyers to join lawyers and firms in smaller centres.

Problem 3: Junior and intermediate counsel have unique needs that the Law Society must address.

Lawyers, like me, who graduated from law school from the early 1990's until now, who are between 25 and 45 years old, entered the profession in an era that differed from our predecessors.

We are part of the electronic age of law practice. We juggle our family/volunteer/professional responsibilities with Blackberrys, iPads, remote desktops, tablet PC's, all with less administrative support than before.

We are forced to compete in the marketplace for the legal dollar and are constantly reminded by clients what our colleagues charge for the same professional service.

A Solution to Problem 3: I believe that the Law Society needs input and direction from our population of lawyers to reflect this new and changing profile of the bar.

I can be that representative and advocate.

- 43 years old
- married with 3 children
- **sole practitioner** since 1997 (1 associate, 2 law clerks and 1 articling student)
- B.Sc., University of Toronto, 1990
- LL.B., University of Windsor, 1992
- LL.M. (Family Law), Osgoode Hall Law School, 2008
- Certified Specialist in Family Law
- Adjunct Professor, Osgoode Hall Law School
- Co-chair of the Board, Access For Parents and Children in Ontario
- Executive Member, Family Law Section, Ontario Bar Association
- Member of the Board, Ontario Chapter, Association of Family and Conciliation Courts
- Member of the Board, Ontario Network for the Prevention of Elder Abuse
- Member, The Advocates' Society
- Member, Toronto Lawyers Association
- Member, Family Lawyers Association

www.BenmorForBencher.com



Robby Bernstein

Toronto

In putting myself forward for election as a bencher, I do not stand as a candidate of the left or the right, or even of the centre. I do not represent any particular platform, nor do I have any axes to grind.

I think that the Law Society is doing an excellent job in representing its members and serving the public. In the 16 years that I have been practising law in Ontario, I have seen tremendous changes for the better in the way that the Law Society is operating and is providing benefits to its members and to the public.

This does not mean that there is no more work to be done – there always will be, because the need for change is a continuous process.

An example of a new challenge is the fact that smaller communities are finding it harder to attract young lawyers to replace those who are retiring. I do not promise to produce ‘the’ solution to this problem or any other problem that the benchers will need to discuss.

I do, however, promise to approach this problem and all others with a completely open mind and a willingness to listen carefully to all perspectives, to contribute to the debates in a sensible and intelligent fashion and to work collaboratively with my fellow benchers to produce recommendations/solutions that will reflect the aspirations of the diverse spectrum of lawyers and paralegals in Ontario – all the while never forgetting that the Law Society’s mandate is to govern the profession in the public interest.

I am pleased to advise that my candidacy is endorsed by the following Members:

Stephen Bowman, Bennett Jones LLP
Valerie Edwards, Torkin Manes LLP
Peter Griffin, Lenczner Slaght Royce Smith Griffin LLP
Harvey Kirsh
Larry Lowenstein
Kenneth Prehogan, WeirFoulds LLP
Lori Stoltz, Adair Morse LLP
Susan Vella, Rochon Genova LLP

Vote Sensibly – Vote for Robby Bernstein

Sole Practitioner

Barrister & Solicitor

Mediator & Arbitrator

BCom LL.B. BCL (Oxon)

In practise for 27 years

16 in Canada, 11 in England

Partner in Goodman and Carr LLP
until it closed in 2007

Author – *Economic Loss*
(3rd edition, 2011)

For additional biographical
information, see:
www.bernsteinlaw.ca



A STRONG VOICE FOR REFORM

Both the public interest and the interest of the profession are served by an independent and self-governing Bar that strives to improve access to justice and maintains high standards of professionalism. Through my experience, in private practice, as a senior public servant, as an adjunct professor, and more recently as a bencher, I have made significant contributions to the governance of our profession. I have been, and will continue to be, a strong voice for reform in Convocation.

PROFESSIONAL SERVICE

- **Bencher since 2008**
 - Chair, Audit Committee
 - Past Vice-Chair, Finance
 - Member, Governance Task Force, Priority & Planning Committee
 - Hearing Panel (bilingual, adjudicator on French language hearings)
- **Trustee**, Law Commission of Ontario
- **Adjunct Professor**, Osgoode Hall Law School
- **Past Chair**, OBA Constitutional and Administration Law Sections

COMMUNITY SERVICE

- **Past Chair**, CODE - a charity focused on women's and children's literacy in Africa; Led climbs of Mt. Kilimanjaro 2006 and 2010 that raised over \$1 million for CODE's literacy programs in Tanzania

BACKGROUND

- **Partner**, Borden Ladner Gervais
- **Law Clerk**, Supreme Court of Canada
- **Served as Assistant Deputy Minister** Constitutional Policy for Ontario during the Meech Lake and Charlottetown constitutional negotiations

Governance: Towards Greater Transparency and Accountability

As a member of the Task Force on Governance, I supported changes to the Law Society's governance structure, including term limits, and eliminating the role of life benchers. These are important changes which will increase turnover and permit greater participation in the governance of the Law Society by a younger and more diverse group of lawyers, and will also make Convocation more democratic and accountable to the profession as a whole. Further reforms are necessary to:

- engage the profession by increasing the role of non-benchers on Law Society Committees and hearing panels;
- improve the bencher expense policy and disclose it to the profession;
- disclose bencher compensation to the profession; and
- focus on fiscal prudence - the Law Society needs to concentrate on its core responsibilities.

Equity and Diversity: A More Inclusive Profession

We must expand opportunities for women, minorities and aboriginal peoples so that the profession more closely resembles the face of our society. I supported the recommendations of the Working Group on the Retention of Women in Private Practice. Women continue to leave the profession in numbers far higher than men. We must continue to look for practical solutions to effect change and increase the number of women remaining in the profession.

Access to Justice: Sustainable Legal Aid

Legal Aid Ontario needs to have adequate, stable and secure funding so that lawyers, whether in clinics or retained on certificates, have fair remuneration and the tools they require to do their jobs. The Law Society must be at the forefront of working towards a sustainable Legal Aid program.

Pro Bono: The Importance of Giving Back

I have acted on a *pro bono* basis in a number of constitutional cases, including cases on behalf of the Canadian Civil Liberties Association, on behalf of the gay and lesbian community, and on behalf of adoptive parents. The Law Society must show leadership in encouraging and developing *pro bono* legal programs.

Lawyers in Smaller Firms and Communities: Expand Service

Sole practitioners and lawyers practising in smaller firms and communities face unique challenges. The Law Society must expand its level of service, including support of local libraries and creating accessible continuing education.

With your support, I hope to have the opportunity to continue to work for reform.

For further information, please email me at cbredt@blg.com or visit my website at www.BredtforBencher.com.



Bill Burden

Toronto

My career gives me a unique perspective on the practice of law. I was born in Hamilton and began practising there with a small firm. In the early 1980s, I moved to Toronto and practised with another small firm. In 1985, I joined Cassels Brock. I have been part of the management team at Cassels Brock for most of my career at the firm, including a lengthy term as managing partner and many years as head of the litigation group. I understand both the business of law and the challenges of practising law, both inside and outside of Toronto, at both small and large firms.

CHALLENGES: We live in a world where the only constant is change. The danger for our profession is not that things won't change, but that they won't change quickly enough to keep pace with society.

- Married, three children
- Trial and appellate litigation experience at all levels of the courts; conducted numerous arbitrations
- Executive Committee of Cassels Brock & Blackwell LLP for most of career, including a number of years as Chairman
- Former Chair of the Commercial Litigation Group, Cassels Brock & Blackwell LLP

Career History

- Inch, Easterbrook, Shaker & Crane, Hamilton
- Strathy, Archibald & Seagram, Toronto
- Cassels Brock & Blackwell LLP (since 1985), Toronto

Education

- B.A. (*Cum Laude*), Yale University
- LL.B., University of Toronto

Past Activities and Memberships

- Past Instructor at the Bar Admission Course (Insolvency)
- Written and lectured in the insolvency/litigation area
- Former member of the Executive of the Ontario Insolvency Section of the CBA
- Insolvency Institute of Canada
- International Insolvency Institute
- The Advocates' Society

- **Women in Law:** The Justica Committee has spent many hours addressing issues that face women lawyers. My eldest daughter is a lawyer and a new mom. I see the challenges facing her and other young lawyers as they try to balance the demands of these two roles. This has caused me to appreciate the urgency of moving the Committee's findings from a report to a reality.
- **Unbundling Legal Services:** While unbundling may assist some clients in gaining access to legal services, it is not a substitute for adequately funded legal services. Unbundling should be one part of the larger issue of access to justice. Lawyers providing these services need to do so in a way that enhances their business model without attracting liability.
- **Outsourcing:** There are jurisdictional, ethical and practice management challenges inherent in outsourcing that must be addressed.
- **Technology:** Technology provides the profession with greater options in the provision of legal services and a new set of ethical issues. How can technology assist lawyers in providing legal services and marketing themselves, and what are the ethical dilemmas that go hand-in-hand with it? Is technological competence necessary to be a competent lawyer?
- **Balance:** I am very aware of the increasing desire among young lawyers to achieve a lifestyle balance with an increased focus on family. I am also well aware that lawyers in smaller centres face particular challenges, and that balancing the practice of law as a profession with the business of law is not getting any easier. We ignore these issues at our peril.
- **Legal Aid:** While the efforts of lawyers who do *pro bono* work represent the best tradition of our profession, it is no substitute for a properly funded legal aid system. We must exhort the government to provide the public with access to justice and to fairly compensate lawyers. Self-representation is already an epidemic in family law and is growing in other areas. We need to harness the creativity of our profession and find ways to deliver effective legal services at reasonable rates, including to those who do not qualify for legal aid.
- **CLE:** We must expand programs on practice management, technical and business skills, and do so at a reasonable cost. We cannot ignore the increasing importance of the business aspect of practice.
- **Over-regulation:** Regulatory procedures should be focused on the minority of lawyers whose behaviour is inappropriate and not on the majority who practise diligently and at a high level. Over-regulation burdens the "good guys". Law Society fees and LAWPRO premiums have a disproportionate impact on sole practitioners and small firms.
- **Discipline:** Disputes must be resolved quickly. A lawyer cannot have a complaint hanging over his or her head indefinitely. The public interest is not served by drawn-out hearings, and the reputation of the profession suffers. Mortgage fraud cases have become a particular problem.
- **Demographics:** The "greying effect" in rural Ontario could have a significant impact on those who depend on these lawyers for legal services. These communities must continue to receive the excellent service that they are currently receiving.

SUMMARY: The public has entrusted us with self-governance and the profession must continually demonstrate that it is deserving of that trust. Being a good bencher is ultimately about good judgment and common sense. I seek your support for an opportunity to demonstrate that I can bring these qualities to this important work.



John E. Callaghan

Toronto

A PROUD PROFESSION: I am proud to be a lawyer.

The demands on our professional time are increasing. We now all require mandatory CPD; we are requested to do more *pro bono* work; we have a society requiring more affordable legal services. For sole practitioners and those in small firms, these demands can be even more daunting. Yet we are still trying to raise families, participate in our communities and, all the while, retain some level of sanity!

I have had the privilege to teach aspiring young lawyers, to be involved in most of the civil reforms of the last 15 years (of which there have been many), and to participate in many of our professional organizations. My litigation practice has taken me across our province, with particularly long stints in Cornwall and Walkerton, where I acted as counsel on those important inquiries. My concern for the future of our profession has led me to ask for your support for my candidacy for benchers.

- Married, three children
- Partner, Gowling Lafleur Henderson LLP

Career

- A commercial, civil and regulatory litigator
- Gowlings National Commercial Litigation Practice Group Leader

Current Activities

- Member, Civil Rules Committee for Ontario
- Director, Institute for Civility and Professionalism
- Director, Institute for Clinical Evaluative Sciences
- Co-author, *Class Action, Law and Practice*
- Lecturer on civil procedure, trial advocacy and class actions
- Coach, son's hockey team
- Member: Advocates' Society, Canadian Bar Association, Toronto Lawyers Association, Thomas More Guild

Past Activities

- Clerk, Supreme Court of the Northwest Territories
- Fox Scholar
- Adjunct Professor, University of Toronto Law School
- Chairman, Simplified Rules Review Committee
- Director, Advocates' Society

AN INDEPENDENT PROFESSION: Thankfully our profession has some say in how we govern ourselves. The independence afforded by our self-regulated status is precious and we need to protect it as it allows us to chart a course to ensure that we are responsible not only to the public but also to ourselves. Benchers must govern in a manner that enhances the public's perception of lawyers and engenders pride in our profession. Equally, the profession must stand independent of government. As an example, the efforts of lawyers who provide *pro bono* legal services are a credit to our profession. The Law Society, along with the Law Foundation and *Pro Bono* Law Ontario do an admirable job in creating an environment that permits our profession to give back to our communities. However, these can never be a substitute for a properly funded legal aid system, which we must strive to obtain.

AN AFFORDABLE PROFESSION: An independent profession must also be an affordable profession. Benchers must remain vigilant to ensure future fees, and any fee increases, are manageable for all our members. To ensure this remains the case, we must closely monitor LAWPRO's and the Law Society's operations to ensure that our members receive the best possible value for their money.

A PROFESSION FOR ALL: Sole practitioners and small firms in rural and urban areas are the backbone of our profession and must be supported. That support must emanate from the Law Society. The Law Society needs both innovative and practical tools to permit small firms and those who practise as sole practitioners to thrive. Similarly, efforts to provide mentoring to young and mid-level lawyers practising on their own need to be enhanced.

There also needs to be greater focus on ensuring women remain in the profession. My wife also has a busy legal practice. Trying to balance the needs of our profession and our family is a daunting task. How one practises is an individual choice; nonetheless, the Law Society needs to continue to explore ways to ensure more women continue to practise their chosen profession.

A RESPONSIBLE PROFESSION: In order to avoid government intervention in our profession, the Law Society must continue to deliver a transparent and effective discipline process. But this does not mean that all lawyers must be prosecuted. Instead, we need to consider more diversionary resolutions including mentoring lawyers, particularly young lawyers who fall afoul of our discipline system. This approach will increase public confidence and in the long run, reduce future discipline costs.

MY PLEDGE: I think that those of you who know me would agree that I am receptive to new ideas and, as a benchers, I would be keen to hear your ideas and respond to your concerns. If elected, I pledge to devote my energy and my enthusiasm to making this a better profession for all of us. You have my commitment to work hard on your behalf.



John A. Champion

Toronto

Dear Colleague,

This election represents an opportunity to raise issues of importance to governance of the profession. I invite you to give me your views during the election and during my term. It has been a very fruitful four years since the last election. I look for your support to continue that work.

In my years as benchler and on the Federation of Law Societies, I have been involved in the process of reform: reform of Law Society governance to encourage broader participation in this election; the role of women in the profession; the recreation of CanLII; the “Canadian” project whereby all lawyers in Canada can practise throughout the country; and the advancement of national standards in the regulation of lawyers.

LSUC and Federation of Law Societies

- Elected benchler – 2000 to 2011
- President, Executive, Council Member: Federation – 2007 to 2011
- Federation Projects: National Mobility, Model Code, CanLII
- Chair: Litigation Committee(s) – LSUC, Federation

Professional Experience

- Senior trial, appellate, administrative and arbitration counsel throughout Canada
- Partner, Chair, Litigation and firm Chair, Fasken Martineau
- Adjunct professor of law: Osgoode Hall and University of Toronto Law Schools (1983-1999); Lecturer
- Author: *Professional Liability in Canada*

Community

- Dickson Circle - *pro bono* work for persons with disabilities
- Director, Canadian Broadcasting Corporation
- President, The Empire Club
- Commissioner - Ontario Election Finances Commission
- Arbor Award - “Outstanding Contribution to The University of Toronto”

Firstly, let me emphasize the “independence” issue as it affects the rule of law. It is a right that must be continuously earned by Ontario lawyers through excellence and access to justice for all who require it. Other world jurisdictions (England and Australia) have lost independence through poor regulation.

To justify the Ontario legal profession’s continued independence, the Law Society as a regulator, must be able to justify a cradle to grave continuum of excellence in serving the public to the Attorney-General. Ontario lawyers, through the work of our Law Society and the Federation of Law Societies over the last six years, have made great strides in enhancing excellence. All Ontario lawyers are now “Canadian lawyers”, called to the Ontario Bar. Each Ontario lawyer is now free to practise in every other Canadian jurisdiction, including Quebec. Each lawyer is regulated and insured accordingly.

Canada is the first federal jurisdiction in the world to have its legal profession mobile across the country. As a result of this mobility, our Law Society on its own and through cooperation in the Federation, has made great strides in creating national standards to match the new conception of lawyers as a Canadian profession. These national standards include a Model Code, close to its final form, uniform discipline standards, a move toward national Bar admissions and entrance testing, articling, law school education and competencies required for a student seeking admission to the Bar, admissions of foreign lawyers, diversity in the profession and access to justice to ensure legal service to all of the “publics” in Ontario and elsewhere in Canada.

In aid of all these major initiatives, our Law Society, through the Federation, has moved to reconstitute and invigorate CanLII, the universal and free research tool of Canadian legal precedent, available to every lawyer and every member of the public across Canada.

It has been my privilege to be the President of the Federation last year and prior to that, the Ontario representative on the Federation, and a member of the Executive. In March 2010, I signed the agreement with the Province of Quebec to provide for the final step in creating the pan Canadian mobility of lawyers, ensuring lawyers from Quebec are officially known as “Canadian lawyers”.

As a result of the initiatives toward national standards, lawyers and the Law Society are in a strong position to justify the public confidence in self-governance. Regulation matters and over the last 11 years, the Law Society has adapted to new demands and expectations to ensure excellent service to the Ontario public.

The future contains an equal number of challenges: the retention of women in the profession; the maintenance of articling as law schools expand their total enrolments; the impact of technology on our professional relationships; the role of in-house counsel; the business globalization of our enterprises and culture; the ageing of the profession, particularly in small towns and remote areas where young lawyers are less likely to practise; conflicts of interest policy; diversity; quality of practice life; equality are some of the issues which I look forward to addressing in the next four years.

I have been privileged to serve and worked hard to deserve the privilege. I hope you will consider my candidacy.



Sudha Chandra

Toronto

I am a sole practitioner based in Toronto, Ontario. If elected, this position will allow me to actively canvas the problems faced by new lawyers and sole practitioners including advocating the following:

- Free CLE courses for new lawyers for competency
- Role of title insurance companies for real estate law practitioners
- Financial assistance to small law firms for hiring articling students by matching the stipends paid those students by the law firms
- Regular communications between benchers and the profession.

LL.B. (University of Western Ontario) 1993
Called: 1997

I would be honoured to serve you and ask for your support by voting for me in the 2011 Bencher Election.

Harvard Law School – 2001
Program of Instructions
for Lawyers

Intellectual Property, International
Law and Economic Policy
International Economic Relations,
Tort Reform

Harvard Law School:
Mediation Workshop – 2002
Negotiations Workshop – 2003

Professional Experience:

Acted as a Judge for White &
Case Canadian Philip C. Jessup
International Moot Court
Competition:

- 2009 University of Western Ontario, London
- 2010 Osgoode Hall, Toronto
- March 2011 University of Calgary, Alberta.

Sole Practitioner – Since 2005
1996 – 2004 worked in USA for the
following corporations:

- Colgate-Palmolive, Legal Department, New York
- AT&T (Real Estate and Corporate Division), New Jersey
- Seegar & Weiss, P.C., New York, in a class action suit against insurance companies.

Languages: Hindi, Punjabi, French
(basic)



Mary Louise Dickson

Toronto

I am running for bench because I wish to continue to contribute my experience to Convocation. I have served in Convocation since July 2003 and have served on the Access to Justice, Equity & Aboriginal Issues, Finance & Audit, Law Society Foundation, Proceedings Authorization, Professional Development & Competence and Professional Regulation Committees and served as Summary Disposition Benchers. I am currently on the Access to Justice Committee, the Law Society Foundation and am a vice-chair of the Professional Development & Competence Committee and the Law Society of Upper Canada representative on the Ontario Courts Accessibility Advisory Committee.

MARY LOUISE DICKSON, O.Ont., Q.C., presently a benchers of the Law Society of Upper Canada, serves on the Access to Justice, Law Society Foundation, Professional Development, Competence & Admissions and Ontario Courts Accessibility Advisory Committees. She graduated from Osgoode Hall Law School and is a partner of Dickson, MacGregor, Appell LLP practising in the areas of estate planning, tax and charities and a member of the Law Society of Upper Canada, Canadian Bar Association, Society of Trust and Estate Practitioners, Canadian Tax Foundation, Estate Planning Council of Toronto, American College of Trust and Estate Counsel, and International Academy of Estate and Trust Law, and a former member of the Canadian Human Rights Commission.

I have practiced law from many perspectives in large firms and an all-women small firm. The focus of my practice has been in the areas of will and trust planning, powers of attorney for property and personal care, mental incompetency applications, estate administration, pensions, personal income tax planning and charities. I have acted for large corporate clients and individuals. I was a member of the Canadian Human Rights Commission for six years. The Commission dealt with complaints by ordinary individuals against large government departments, issues of systemic discrimination, pay equity and employment equity and administrative problems resulting from backlogs and resulting delays.

I have also been interested in my many communities and have worked to serve them. I have served on many sections and committees of the Ontario and Canadian Bar Associations. Currently I am a director of Centre for Independent Living in Toronto. I incorporated and was a director and vice-president and secretary of Camp Awakening, a program that provides trip camping experience to disabled children in regular camps, was a member of the Investment Committee of the Office of the Public Guardian and Trustee, the Ontario Advisory Council on the Physically Handicapped, a director of Lyndhurst Hospital, the Canadian Paralegic Association and a director and secretary of Northhill District Home Owner's Association.

I have participated in many legal education seminars and programs and co-authored Ontario Estate Practice, The Wills Book - Benefits, Wills, Trusts and Personal Decisions Involving People with Disabilities in Ontario published by the Ontario Association for Community Living and Consider a Henson Trust sponsored by Reena and The Law Foundation of Ontario.

Through my experiences I have gained an understanding of problems faced by diverse groups - the disabled, the marginalized as well as the more prosperous members of society and practitioners who act for individuals as a result of the erosion of their business base through changes in real estate practice, do-it-yourself will kits and legal work assumed by paralegals. I bring this experience and understanding to identifying the needs of the profession to enable us to continue to provide a high level of competent service to our clients.

If elected I will work to maintain the relevance of the Law Society of Upper Canada to the profession at large and sole practitioners in particular in both rural and urban centers. I will work to promote professional development and support to practitioners.

1. Appointed to the Order of Ontario.
2. Distinguished Service Award of the CBAO.
3. Honoured by STEP for services to the legal profession and the disabled community.
4. Recipient of President's Award from Women's Law Association of Ontario for Work as Mentor and Educator within the Legal Community.
5. Recipient of the first Distinguished Old Girl Award from The Bishop Strachan School.
6. Past Chair CBAO Wills and Trusts Section and of the Wills and Trusts Section (National).
7. Past President Estate Planning Council of Toronto.
8. Co-founder and past Chair of the CBAO Pensions and Benefits Section and past head of Optional Bar Admission Course on Pensions.
9. Co-author of Ontario Estate Practice, The Wills Book - Benefits, Wills, Trusts and Personal Decisions Involving People with Disabilities in Ontario published by the Ontario Association for Community Living and Consider a Henson Trust sponsored by Reena and The Law Foundation of Ontario.
10. Former editor of The Philanthropist.
11. Past President of Canadian Bar Financial Corporation.



Carmen L. Diges

Toronto

Now in my third run for benchner, I have fewer words, and a call to action.

The LSUC mandate has become far too broad. All the studies, all the costs and much of the administrative bureaucracy that burden the LSUC need to be pared down as they serve neither the public interest nor the profession.

The profession has changed and the LSUC needs to change with it.

Bottom line: We need to recast the LSUC mandate and priorities so that they are relevant as an organization whose mandate is to regulate the legal profession in the public interest.

A call to the profession: I need your help to define the mandate for the next Convocation and the changes needed to our governing body.

I invite you to enter into that debate. I will be conducting my campaign entirely through social and electronic media, where I hope to ignite our discussions. Unlike 4 and 8 years ago, mainstream technology can now provide a platform for us to:

- define the blueprint of change required
- identify the issues that Convocation needs to address and prioritize
- make the LSUC more relevant to the profession and the public

How you can contribute:

Follow me on Twitter @cdiges, or **LinkedIn**, where I'll be sending out weekly tweets to provoke discussion and reflection.

Check out my blog, "**LSUC Blogprint 4 Change**" at cdigesforbencher.blog.com where I'll be posting my contributions to the debate and my platform details or email me at cdigesforbencher@hotmail.com. I encourage you to engage, communicate, and be part of the discussion.

Win or lose, I hope that this forum and our collective thoughts will contribute to constructive discussion at Convocation. Let's find out together what the power of the digital word can do.

SELECTED BACKGROUND

Director

- Rider Training Institute (motorcycle training, safety, education) (inception – present)
- Canadian Environmental Defence Fund (1994-1996)
- Three Trilliums (Independent Living Movement) (1994-2001)

Founder

- PinstripeMystic – Life Training Systems

Member

- Illegals Motorcycle Club
- Women in Capital Markets
- Women in Mining

Appointments

- IBA Executive – Mining Committee
- OBA Executive – Natural Resources Group (2002-2005)

Education

- Year of Call 1995
- LL.M. – Osgoode Hall Law School
- LL.B. – Dalhousie University
- B.A. – Philosophy, International Relations, University of Toronto
- CFA Charterholder, CFA Institute

Other

Competitive Cyclist
Personal Trainer and coach
Master Instructor – Mad Dogg Athletics
Nascent DJ



Kevin Doan

Toronto

COMMITMENTS

1. **To improve member services and Law Society culture**
2. **To minimize fees, levies and reduce the costs of the practice of law**
3. **To reduce errors and omissions using free resources**
4. **To hold paralegals accountable to *Law Society Act* standards**

PROFESSIONAL ACTIVITIES:

- Called to the Bar 1996
- B.Sc., U. of T., 1988
- J.D., Osgoode Hall, 1994
- Certified Specialist in Civil Litigation since 2008
- Speaker at CLE conferences on trial advocacy and insurance law
- Practice areas: injury litigation and professional malpractice

COMMUNITY INVOLVEMENT:

- Board of Directors of Ontario Trial Lawyers Association – participated in various committees: Insurance, Rules, CLE, Policy and Research
- Mentor:
 - Law Society of Upper Canada
 - Ontario Trial Lawyers Association
 - Federation of Asian-Canadian Lawyers
- Trial Lawyers for Veterans
- Former member of Board of Directors of Metro Toronto Chinese & Southeast Asian Legal Clinic

MEMBER:

- Ontario Bar Association
- Advocates' Society
- Federation of Asian Canadian Lawyers
- Ontario Trial Lawyers Association

For the last three years, I have had the privilege of serving on the Board of Directors of the Ontario Trial Lawyers Association where I developed and worked with many of the ideas which inform my commitments as bencher today. **I look forward to honouring your vote and confidence with dedication and persistence.**

1. To improve member services and Law Society culture

Pursuing excellent member services by the Law Society is in the best public interest.

An inclusive and genuine culture of service to its members improves all facets of the legal profession. It improves morale, enhances participation, and positions us well to harvest our greatest free resource, namely the collective knowledge, creativity and imagination of 42,000 lawyers of a world-class jurisdiction, as we address our challenges including access to justice, equity, and women retention. To start, new easy to remember email addresses questions@lsuc.on.ca and ideas@lsuc.on.ca should be created to reduce navigation for answers or services, and ease the collection of ideas and creativity 24/7.

2. To minimize fees, levies and reduce the costs of the practice of law

An effective professional calling depends on its viability as a professional business. Benchers must therefore be responsible stewards of members' fees and premiums.

Benchers must also find ways to creatively develop free or low-cost services to support law practices using our economy of scale, and our free volunteer corps of talented practitioners, scholars and judges. The Law Society must also manage and use its extensive substantive knowledge in various areas of law to inexpensively benefit its members in the service of the public.

3. To reduce errors and omissions using free resources

The practice of law does not have to be as unwieldy or haphazard as it can be in several areas of law including family, personal injury, immigration, residential real estate and wills and estates for the average practitioner. We must develop our free resources and through our economy of scale implement **inexpensive** improvements to the practice of law, further reduce errors and omissions, reduce the costs of the practice of law, and improve service to the public concurrently.

The catalyst in mobilizing our generous and talented volunteers is free: the prestige commanded by the Law Society itself. More awards and recognition must be deployed to effectively develop our free and renewable resources.

4. To hold paralegals accountable to *Law Society Act* standards

The *Act* requires that paralegals be "**equally**" competent, knowledgeable and professional as lawyers in the provision of the legal services paralegals provide (section 4.1(b)). The Law Society must actively enforce this legislated standard to maintain quality in legal services and public confidence in the legal profession.



Julian N. Falconer

Toronto

Partner: Falconer Charney LLP
www.falconercharney.com

University of Alberta/
Faculty of Law (1984-1987)

Practice focus: civil/criminal/
administrative proceedings with
an emphasis on public interest
litigation. Prominent clients have
included Maher Arar, who made
Canadian legal history in receiving
the largest human rights settlement
allotted to an individual plaintiff
and the family of Ashley Smith,
who died in custody at Grand
Valley Penitentiary. Julian also
represents lawyers, police officers
and judicial officers.

Publications: Constitutional law,
Racial bias and Inquests.

Honours: Selected: Canada's Top
25 most influential lawyers
(*Canadian Lawyer*, August 2010);
Selected: University of Toronto's
100 most notable graduates
of the twentieth century; the
Distinguished Public Service award
from the Canadian Association of
Black Lawyers; Urban Alliance
Race-Relations Medal

What I Bring to the Table: Personally and professionally, I bring diversity to the table. As a trial lawyer from a small firm, I practise in a broad cross-section of areas. I have enjoyed the privilege of representing key players in the African-Canadian, Aboriginal and Muslim communities as well as other communities whose interests warrant protection. I believe that this background translates to valuable access to colleagues and their perspectives, which enables me to speak as a voice for many. As a new bencher, one has to resist the temptation to fall into a "scatter gun" approach to proposed change but I believe that there are key areas that do call for serious change.

Access + Transparency = True Accountability: I sense a fundamental disconnect between the Law Society and many in the profession, particularly younger lawyers. At Convocation, we make vital decisions that affect members across the profession. In spite of this reality, less than 30% of our members vote in bencher elections, and even fewer follow or understand our work. Paradoxically, while open to the public, Convocation has no public gallery. There is simply no physical room in the historic Convocation boardroom for a soul beyond benchers and staff. Social media and webcasting are important tools to give the general membership opportunities for input and engagement. A logical next step in the 21st century is to webcast the public portions of our proceedings. **It is time to open Convocation's doors.**

Regulation with a Conscience: While the Law Society's statutory mandate is to regulate the profession in the public interest, the question arises as to what the public interest encompasses. Among other imperatives, I say that this must mean "regulation with a conscience". While the Law Society has evinced a commitment to ideals of equity and access to justice through the establishment of the Equity and Aboriginal Issues and the Access to Justice Committees, we lack the infrastructure to actually deliver on these ideals on the ground. I am anxious to participate in making these structural changes a reality.

Support for Our Colleagues: The Law Society and LAWPRO need to commit resources to providing real supports for sole and small firm practitioners who do not have access to the kind of guidance to be found in larger settings. The 2010 Ornstein Law Society Report amply demonstrates that supports in these sectors raise important racial and gender issues within the profession that must be tackled head on. I have endeavoured to make many of these issues my life's work. Since becoming a bencher I have developed a formal mentoring proposal that is directed at the creation of a paid panel of mentors to advise sole and small firm practitioners of all backgrounds who face claim and discipline issues. Given the very substantial increase in payouts in recent years on LAWPRO claims relating to sole and small firms, there is a compelling business case for such a program. I believe that the same can be inferred on the regulatory side.

Furthermore, while Law Society medals should recognize the dedication of those lawyers whose practices suffer due to their work for disadvantaged communities, there needs to be more. In my view reductions in fees and insurance premiums for these lawyers is a good start.

Small Firm Lawyer with Big Ideas: I grew up in a small town in Quebec and went to law school at the University of Alberta. The label "Toronto lawyer" is accurate but fails to capture who I am. Sole and small firms make up the majority of lawyers in the province and yet too often the Law Society is perceived as being weighted towards the larger and more established firms in major city centres. My trial practice takes me to courthouses throughout Ontario, allowing me to appreciate the important regional distinctions that must be taken into account when regulating in respect of the entire profession.

To govern effectively as a bencher, it is important to transcend those issues that divide the profession and search for common goals and interests with a view to uniting us as advocates and solicitors. Ours is a wonderful profession and it is an honour to participate in its governance.



Open Letter to the Membership Regarding Benchers Issues

Benchers have traditionally been looked upon as regulators of the profession on behalf of the public and governments. Who then acts for the benefit of the individual members? One might suggest that the various Associations throughout the province fulfil this function. However, although these Associations provide valuable input and suggestions, they do not have a mechanism to put these inputs and suggestions into effect. Therefore, it is important to have elected benchers who are going to have the interests of the membership as a priority while promoting an environment that advocates access to justice. If elected, I plan to be just such a bencher advocating the following issues:

Sole Practitioner

- Trial Lawyer
- Over 25 years of experience
- Practice extends throughout Ontario

Education

- Graduate of Queen's Law School
- Graduate of University of Toronto
- Graduate of McMaster University

Memberships

- Member of Lawyer Referral Service
- Member of Legal Aid Panel
- Member of Extremely Serious Criminal Charges Panel

Supporter and Sponsor

- Canadian Cancer Society
- Heart and Stroke Foundation
- The Salvation Army
- Make-A-Wish Foundation
- Mental Health Association of Ontario
- Toronto General Western Hospital Foundation
- Society for the Prevention of Cruelty to Animals

Continuing Legal Education

The mandatory continuing education programme should be eliminated and replaced with a self-education programme oriented around a combination of readings, lectures and recorded materials in a chosen area of practice.

LAWPRO

The basic premium for LAWPRO for 2011 has increased by approximately \$400.00 per year. Premiums will undoubtedly continue to increase if steps aren't taken immediately to reduce and control costs. A comprehensive evaluation of LAWPRO must be undertaken so that steps can be initiated to deal with the problem or to seek viable alternatives.

Access to Justice

Benchers have an inherent duty to promote access to Justice. This must be more than a simple cliché. Benchers must use their influence to encourage governments to provide adequate funding and resources to groups and agencies that provide legal services for individuals and groups that are financially challenged.

Legal Aid Ontario

Far too many individuals are unrepresented in legal matters. This extends beyond criminal matters into the areas of civil, family and immigration matters. Consequences for unrepresented individuals can be enormous and are far too numerous to be listed here. The Legal Aid system in Ontario is contracting in access and scope. The reverse should be the norm and benchers should be taking the lead in promoting this direction. Legal Aid eligibility requirements should be expanded to cover individuals of modest or limited means in not only areas of criminal law but also in areas of civil, family and immigration law with extensions into other areas of law not mentioned above and funded by payment agreements or appropriate liens.

Pensions, Health Care and Disability Benefits

Benchers should review the feasibility of the LSUC providing vehicles for sponsored pension, health care and disability benefits. With 40,000 members, there are important synergies that can be utilized in providing various competitive benefits to the membership.

Invitation to the Membership

The above is only a partial list of issues that I feel are important to the membership. There are unquestionably other issues and I would encourage members to contact me with their comments and suggestions:

Telephone: 416-431-1122
Fax: 416-431-1133
Mail: 885 Progress Ave., Suite LPH 5, Toronto, ON M1H 3G3
Email: wbfedunchak@on.aibn.com



Joseph Richard Forget

Toronto

This francophone member is a graduate from the University of Ottawa. He was admitted as a member of the Law Society of Upper Canada in 1991 and, of British Columbia in 1994. He practised law for sixteen years in the District of Thunder Bay after which he relocated to the City of Toronto. He often provides legal services in French.

Ce membre francophone est diplômé de l'Université d'Ottawa. Il a été admis comme membre du Barreau du Haut-Canada en 1991 et de la Colombie-Britannique en 1994. Il a pratiqué le droit pendant seize ans dans le district de Thunder Bay, après quoi il a déménagé dans la ville de Toronto. Il fournit souvent des services juridiques en français.

This member strongly believes and promotes access to justice to all with proper legal representation. Without proper legal representation, the justice system becomes of little, or of no assistance, for many individuals who simply desire to have a legitimate matter determined pursuant to the rule of law. Proper legal representation is not just for the privileged few, or for the qualified few of our society. Rather, this member believes that a just and equitable society must at all times provide the availability of proper legal representation in any court of law to anyone who has a legitimate matter to be heard. If left unchanged, any barrier that prevents individuals to be properly represented, not only acts against the individual's self interest but, also will burden the administration of justice, that will eventually lead to further encumbrances on other institutions of our society outside the justice system. The Law Society must not only ensure that licenced members are competent to render legal representation but, must also further strive to ensure that ultimately the licenced members do in fact render the required legal services for everyone who may have a legitimate matter.

This member also believes and promotes good partnership between lawyer members with paralegal members to assist in providing proper legal representation. The administration of justice can be better served when lawyers and paralegals work collectively as oppose to individually. The Law Society may chose to facilitate lawyers and paralegals that decide to work together within the judicial system. Such a new relationship may eventually result in more individuals having proper legal representation.

Ce membre croit fortement à l'accès à la justice pour tous et favorise une représentation juridique appropriée. Sans représentation juridique appropriée, le système de justice offre peu d'assistance, voire aucune, à beaucoup de personnes qui désirent simplement que soit déterminée une question légitime conformément à la règle de droit. Une représentation juridique appropriée n'est pas réservée à quelques privilégiés ou à quelques personnes ayant droit à l'aide juridique. Au contraire, ce membre estime qu'une société juste et équitable doit en tout temps fournir la disponibilité d'une représentation juridique appropriée devant une cour de justice à toute personne qui veut faire entendre une question légitime. Si cela est inchangé, tout obstacle qui empêche les individus d'être correctement représentés va non seulement contre les intérêts de cette personne, mais constitue également un fardeau pour l'administration de la justice, ce qui pourrait entraîner des surcharges pour les autres institutions de notre société à l'extérieur du système de justice. Le Barreau doit non seulement assurer que les membres sont compétents pour faire de la représentation juridique, mais doit s'efforcer également de veiller à ce que les membres rendent vraiment les services juridiques nécessaires à tous ceux qui peuvent avoir une question légitime.

Ce membre favorise également un bon partenariat entre les membres avocats et les membres parajuristes pour aider à fournir une représentation juridique appropriée. L'administration de la justice peut être mieux servie lorsque les avocats et les parajuristes travaillent collectivement et non individuellement. Le Barreau peut choisir de faciliter la relation des avocats et des parajuristes qui décident de travailler ensemble au sein du système judiciaire. Ce nouveau type de relation pourrait permettre à plus de personnes d'avoir une représentation juridique appropriée.



Henry Gluch

Toronto

Only 31% of the public trusts us.* Lawyers are perceived as self-interested, deceptive, amoral or incompetent. We must change the public's poor perception of our profession and the Law Society must lead the way. Otherwise, we risk losing the privilege of self-regulation.

The rule of law distinguishes our jurisdiction from other less desirable places to live, work and carry on business. More needs to be done to reinforce with the public our role as administrators of the rule of law.

The public interest and the interests of the profession will be served by:

- transparency in the regulation of the profession;
- continued promotion of civility between lawyers: it need not erode zealous representation of clients;
- maintaining high standards for those entering the profession;
- ensuring that affordable continuing legal education is available to lawyers throughout the province;
- facilitating access to justice.

Over 20 years experience as a tax litigator – trial and appellate work

General Counsel, Department of Justice

Professional membership:

- Advocates' Society
- Association of Justice Counsel
- Canadian Tax Foundation

Education:

- McGill University (B.Mus. '84)
- Osgoode Hall (LL.B. '87)

Frequent speaker and instructor on tax law, advocacy and privilege

Former National Professional Development Coordinator for the Department of Justice, Tax Law Division

Leader, Advocats Big Band

I look forward to the opportunity to advance these causes as an elected bencher and to work on the other challenges our profession will face.

Né et élevé à Montréal, le fils d'immigrants, je me débrouille couramment en français et en polonais.

I articulated with a private firm in Kitchener and have been a tax litigator with the Department of Justice in Toronto since being called to the bar in 1989.

I believe in the profession. I am optimistic.

If you elect me as a bencher, I will discharge my duties with integrity.

For more information on my background and my views, please go to www.gluch.ca.

* National poll conducted by Ipsos Reid on behalf of PostMedia News, January 11, 2011



Avvy Yao-Yao Go

Toronto

We've Only Just Begun

If half of success in life is just showing up, then racialized lawyers and lawyers working in legal clinics need to dramatically increase their presence in the halls of the Law Society.

Let's look at some facts and figures based in part on the 2006 Census:

- Call to the Bar (1991)
 - Bencher (2001-2003, Nov 2006 - present)
 - Member of Access to Justice Committee, Equity and Aboriginal Issues Committee and Professional Regulations Committee, Human Rights Monitoring Group, LSUC
 - Clinic Director, Metro Toronto Chinese & Southeast Asian Legal Clinic (1992 – present)
 - Board member, Ontario Justice Education Network (2010 – present)
 - Part-time Adjudicator, Health Professions Appeal and Review Board (2005 – present)
 - Recipient of Women's Law Association of Ontario President's Award (2002) and City of Toronto William Hubbard Race Relations Award (2008)
 - LL.B., University of Toronto (1989)
 - LL.M., Osgoode Hall Law School (1997)
 - Articled at Weir & Foulds
 - Former Vice-Chair, Court Challenges Program
 - Co-founder, Colour of Poverty Campaign
- 214 – The number of years since the Law Society of Upper Canada was founded
 - 60 – The percentage of the newest cohort of lawyers in Ontario who are women
 - 38 – The percentage of all lawyers in Ontario who are women
 - 25 – The percentage of the population in Ontario who are racialized (either Aboriginal or people of colour)
 - 14 – The current number of women elected benchers out of a total of 40
 - 11.5 – The percentage of all Ontario lawyers who are people of colour
 - 5 – The current number of elected benchers from Aboriginal communities and communities of colour
 - 1 – The current number of elected benchers working in a legal clinic
 - 0 – The number of current LSUC initiatives specifically targeting the challenges facing racialized lawyers and lawyers working in the legal aid system

In recent times, the Law Society has made significant strides in promoting gender equity within the legal profession. While women lawyers still have to contend with many systemic barriers in their career, there is no denying that progress has been made. For that, we are indebted to the many women benchers and countless lawyers behind the Justicia Project, among other initiatives. Undoubtedly, the increased proportion of women benchers has made a difference on the gender equity front.

But the struggle for racial equity continues and foundational issues such as access to justice by low income Ontarians are yet to be fully addressed. The 2010 Report by Professor Michael Ornstein commissioned by the LSUC highlights the ever increasing income gaps between racialized lawyers on the one hand and non-racialized lawyers on the other hand.

Racial inequities in the legal profession may well be a reflection of the broader societal problem we all face in Ontario. Members of racialized communities are two to six times more likely to live in poverty – disparities that prevail across all major cities in Ontario. These are also the communities that will most benefit from a well funded and sustainable legal aid system, but are the ones whose needs are most often neglected by those in power.

A related yet distinct challenge that the profession must grapple with, is the apparent over representation of sole practitioners who are being hauled before the Society for disciplinary actions. These lawyers, many of whom happen to be racialized, need more institutional support to succeed.

Thankfully some small steps have been taken to address these issues.

To start, funding for legal aid has increased, due to the dedicated advocacy of lawyers who are committed to promoting access to justice. Yet everyone agrees that even with the increased investment, the legal aid system as a whole remains grossly under-funded and inequitably accessible. With its mandate and influence, the Law Society needs to and should play a much stronger advocacy role in promoting legal aid.

Secondly, the Law Society has recently begun a dialogue on how to address the challenges facing racialized lawyers. As well, the need for a well funded and meaningful mentorship program for all sole and small firm practitioners – racialized or otherwise – is being discussed. Encouragingly, there are benchers who are committed to taking these initiatives to the next stage.

As the Ornstein report concludes, “The future will bring an increasingly diverse legal profession. Profound demographic changes will challenge the profession to achieve corresponding cultural change and equity within the profession.”

The faces of the legal profession are changing everyday, so are the people who depend on its services. Convocation has an obligation to address the above noted challenges head on. The Law Society can ill afford to ignore equity for all Ontarians in general let alone for members of the legal profession in particular. It is now up to all members of the legal profession to make sure that the Law Society finishes what it has just begun.



Alan D. Gold

Toronto

*Alan D. Gold Professional Corporation, Barristers,
20 Adelaide Street East, Suite 210, Toronto, M5C 2T6.*

I am seeking reelection as a benchler. It has been an honour and a pleasure to serve two terms as an elected benchler. During that time I have served on the Litigation Committee, the Professional Regulation Committee, the Sole Practitioner and Small Firm Task Force, as Chair of the Appeal Panel, and most recently as the Chair of the Hearing Panel.

As a practising criminal lawyer operating a small law firm with two associates and two students, I tend to focus on issues of concern to criminal lawyers and sole practitioners or small firms. I understand life in a small law firm and as well as the problems faced by those who have chosen to dedicate themselves to a criminal law practice. Four years as President of the Criminal Lawyers' Association provided a rigorous education in governance and the problems facing the Bar of this Province. Securing proper funding and a healthy future for Legal Aid Ontario remains a crucial issue for the Society and all the Benchers, as does the incorporation of paralegals into the legal landscape and their role in the criminal and quasi-criminal context. As a Benchler, I will deal with these issues in the way that the criminal bar and small firm practitioners have the right to expect.

As a writer and speaker on legal topics, I have an obvious respect for continuing legal education, something that has taken on additional significance since the introduction of mandatory continuing education. I have always appreciated the importance to the Bar of reasonably-priced, high quality educational programs and materials. I have planned and taken part in many dozens of such programs, and will continue this involvement as a benchler. Continuing education is an essential requirement that must be made available to the profession in a variety of convenient modes, along with the necessary research materials and self-education tools. Technology can be ever more effectively harnessed to increase the accessibility and convenience of continuing education resources, whether a lawyer is in downtown Toronto or downtown Pickle Lake. In that way the Law Society working with groups such as the Advocates' Society helps the Bar throughout Ontario be better able to serve clients.

- Called 1973
- Practice restricted to criminal law. Defended major trial matters. Argued several hundred appeals.
- Gold Medalist Queen's University Faculty of Law, 1970
- Frequent CLE lecturer. Authored numerous articles and several books on criminal law, including Alan D. Gold's Criminal Law Netletter, The Practitioner's Annotated Criminal Code (published annually since 2007) and Expert Evidence: The Scientific Approach (2nd edition 2009).
- Past President, Criminal Lawyers Association, November 1997 to November 2001.
- Certified Specialist in Criminal Litigation by Law Society and First Chair of the Law Society's Criminal Litigation Specialty Committee for five years.
- Inductee, American College of Trial Lawyers. Member Advocates' Society and other organizations.
- Honoured in 1997 with the G. Arthur Martin Award for Contribution to Criminal Justice.



Howard Goldblatt

Toronto

I am running for bencher because I believe that the regulation of the profession should reflect the needs of all lawyers in the province.

As my firm has grown from four lawyers to 50, with offices in Ottawa and Toronto, I have experienced the challenges faced by lawyers in both small and mid-sized firms. As the parent of a young lawyer who has recently entered the profession, and as a mentor to associates in our firm, I am also aware of the concerns of new members of our profession. As a bencher, I intend to work to ensure that the Law Society's initiatives, including continuing education requirements and the application of emerging technologies, benefit everyone - from lawyers in large firms in major centres to those in smaller and solo practices across the province.

Many candidates for bencher will campaign on issues of access to justice, equity and diversity. What distinguishes my candidacy is that my firm has been a leader for change on all these fronts. I intend to bring that perspective and experience, and my continuing commitment to advocate for significant improvements in these areas, to my work as a bencher.

- Founding Partner, Sack Goldblatt Mitchell LLP
- Born in Hamilton, Ont.
- Called to the Bar 1976
- Graduate, Osgoode Hall Law School
- B.A. from the University of Toronto; M. Sc. from Cornell University
- Best Lawyers' Labour and Employment Lawyer of the Year 2010
- One of Lexpert's leading 500 lawyers in Canada
- Fellow, Ontario Teachers' Federation
- Meritorious Award for service, Ontario Public School Teachers' Federation
- Married, three children, unabashedly proud grandfather
- Baseball fanatic

Supported by Leading Members of the Bar, including:

Larry Banack
Paul Cavalluzzo
Marlys Edwardh
William Kaplan
The Hon. Bob Rae, MP
Linda Rothstein

Access to Justice

Last year, our firm represented criminal lawyers in their struggle to obtain improved legal aid funding so that they are able to provide affordable legal representation to low and middle income clients. I count myself among those who believe the benchers did not do enough to support the criminal lawyers' legal aid boycott. If elected, I will continue to advocate for improved access to the legal aid system, and for the ability of all members of the public to have access to quality legal representation and justice.

Retention and Advancement of Women

While positive steps have been taken in this direction, much more work is required to ensure the retention and advancement of women in the legal profession. I am proud that our firm has been at the forefront of progressive change in this regard. We have an accommodating maternity and parental leave policy, we have supported flexible work arrangements (for both female and male lawyers) and we are enthusiastic participants in the Law Society's Justicia Project. As a bencher, I will actively promote the adoption of best practices to ensure that women continue to be attracted to the practice of law and are able to remain and thrive in the profession.

Pension Plan for Lawyers

I have litigated pension cases at all levels of the courts, including the Supreme Court of Canada. I understand how pensions work and how important they are to enable individuals to retire with income security and dignity. Yet most lawyers in Ontario do not have access to a pension plan and must instead rely on the RRSP rollercoaster. The 32,000 lawyers in Ontario provide the necessary critical mass to sustain a viable pension plan for the legal profession. As a bencher, I will work to establish a voluntary pension plan for lawyers in the province.

Equality and Diversity

Throughout my career, I have worked to advance the interests of employees with disabilities, women, members of First Nations, and members of the LGBT communities. As a bencher, I will continue to demonstrate my commitment to equality and diversity by pressing for policies to ensure that our profession advances human rights values and reflects the needs of the diverse communities we serve.

Access to the Profession

Skyrocketing tuition fees have negatively affected access to both law schools and the profession. Heavy debt loads have pressed recent graduates to seek out high-paying positions rather than careers in public service or smaller communities. As a bencher, I will advocate for measures to improve access to the profession for all qualified candidates, and will work for enhanced debt relief for those entering the profession. I am also interested in improving access to mentors for young sole practitioners and finding solutions for the growing crisis concerning the placement of articling students in Ontario.

I am hardworking, energetic and a practical problem solver. I would be honoured to represent you.

For more information, email me at: goldblattforbencher@sgmlaw.com, or visit my website: www.sgmlaw.com/GoldblattforBencher or my Facebook page: www.facebook.com/GoldblattforBencher



Monica Goyal

Toronto

What is the future of law?

- Technology innovation is happening at a rapid pace.
- Rising rate of self-representation.
- Legal Outsourcing.
- Many new law graduates and new paralegals licensed every year.

The last ten years have seen numerous changes in the practice of law, most notably in the relationship between law and technology.

The future of law is commoditization, where technology will play a crucial role, not only in the delivery of legal services, but also in practice management, and marketing.

Cloud computing, virtual practices, and legal outsourcing - these will be terms that all lawyers will have some familiarity with in the coming years.

Cloud Computing. Many of us already use web-based services such as Gmail, Facebook and Yahoo, or practice management software such as Clio. Companies are considering moving their information onto the Cloud, because services on the Cloud offer huge cost savings.

Virtual Legal Practices where a lawyer engages clients over the Internet and the client could possibly be anywhere.

Legal Outsourcing. This is seeing traction in the United States and in the UK and is bound to build momentum here.

What impact will these trends have on the legal job market, especially for those just entering the profession? What concerns are there around jurisdiction, client confidentiality, conflicts, and security?

As the Law Society grapples with the implications these changes will have on the practice of law, care will be needed to ensure there is a flexible framework in place to guide lawyers, not over-regulate them, and not tax them so as to discourage innovation. I see great potential in these areas, and a potential role for the Law Society to act as a vanguard of change. But we will need benchers, like me, who understand technology, and have a vision for the future.

During the upcoming provincial and federal elections, we will likely hear more slogans like those used in the recent City of Toronto election, such as "Stop the gravy train". And our client's expectation will be that we provide services in the most efficient and cost-effective manner. Technology is a way to do that, and the effective use of it could be a way for the Law Society to reduce its costs.

My business venture, **My Legal Briefcase**, makes Small Claims Court more accessible and affordable for regular people. I challenge all of us to think about innovations within the legal practice that make it more accessible and affordable to the general public. And if we all do, imagine what the future of law could be.

I am also concerned about the following:

Articling Students will find it harder to find positions. In the interim, they will have invested years of time and money to meet the requirements to be called to the bar. We need to keep revisiting this problem until we have a fair solution for everyone.

Equity in the Legal Profession

Equity to me is synonymous with diversity of representation. We need the right mix of age, ethnic background, gender, disability, and small and large firms as reflected in our community, and to adequately understand and address the barriers faced by lawyers.

Sole Practitioners and Small Firms and New Calls

Law schools are good teachers of the law, but not the business of law. So lawyers starting their own practice turn to the Law Society for assistance, and the resources available falls short for what they need. They are further burdened, as are sole practitioners, and small firms, by high Law Society fees.

I also see Law Society fees as a barrier to diversity in practice, public interest work, and flexible work hours, and something that needs to be curbed at every possible opportunity.

Thank you for your support and trust in me. If elected I will bring a fresh approach to Convocation, one which looks at the future of law, while still maintaining the high ethical standards of the profession. I will be committed to fiscal responsibility, and will continually search for creative solutions to reduce our fees.

Please visit my bencher Facebook page, and share with me your concerns. Together we can work to bring about change.

Monica Goyal is a technology entrepreneur and the brainchild of My Legal Briefcase. After graduating with her undergraduate degree from the University of Waterloo, where she was a Dean's List Scholar, Monica attended Stanford University where she earned her Masters in Electrical Engineering. Monica also holds a law degree from the University of Toronto.

Monica's volunteer work with organizations such as Griffin Centre, Adventure Place, Downtown Legal Services, and Pro Bono Law Canada has given her insight into the accessibility and affordability of legal needs for the marginalized. She developed **My Legal Briefcase** to empower individuals going to Small Claims Court.

- Blog Small Claims Court – www.mylegalbriefcase.com/blog
- Twitter @mgmlb
- Articled at Gowling Lafleur Henderson



Dan Guttman

Toronto

FOUR REASONS TO VOTE FOR DAN:

1) I am a progressive lawyer with a demonstrated record of public service. A bit about me:

2009 Arlene Goss Award Recipient (from the Advocates' Society)

- For distinguished advocacy and contribution to community
- see www.advocates.ca/Advocacy-and-Practice/Awards.html

Chair, Toronto Network, Human Rights Watch (since 2009)

2010 OJEN Great Debate Participant (on the use of airport body scanners)

- See www.ojen.ca/program/134

Successfully argued the recent *Criminal Lawyers Association v. Ontario* in the Supreme Court of Canada

- Six other Supreme Court of Canada constitutional cases including *Hislop v. Canada*
- Successfully argued over 30 appeals in the Ontario Court of Appeal

Clerk to the Hon. Michel Bastarache, Supreme Court of Canada (1999-2000)

Married to Shaun O'Brien (Partner - Cavalluzzo, Hayes) with three children

2) I UNDERSTAND WHAT IT MEANS TO WORK IN THE PUBLIC INTEREST

My entire career has involved working in the public interest (first as a clerk at the Federal Court of Appeal and the Supreme Court of Canada, then at the Ministry of the Attorney General of Ontario). In addition to my public law practice, I teach courses at the University of Windsor and Osgoode Hall Law School, advocacy workshops for the Advocates' Society and am a frequent speaker and commentator on constitutional law issues.

3) I HAVE BROAD EXPERIENCE OUTSIDE TORONTO

Besides teaching constitutional litigation at the University of Windsor for eight years, I have also argued cases in Belleville, Bleinheim, Brampton, Brockville, Chatham-Kent, Cornwall, Guelph, Hamilton, Kenora, Kingston, Kitchener, London, Newmarket, North Bay, Oshawa, Ottawa, St. Catharines, Stratford, Thunder Bay, Whitby and Windsor. I have always been impressed with the professionalism and courtesy of the lawyers I have dealt with in these jurisdictions. From this experience, I understand that lawyers outside Toronto have very different priorities and concerns.

4) I BELIEVE THE DIVERSITY IN THE PROFESSION SHOULD BE REFLECTED IN CONVOCATION

The make-up of Convocation should reflect the diversity in practices, including lawyers from large firms and small, from sole practitioners to in-house counsel. The rich diversity of the lawyers in the profession should also be reflected in Convocation. Please consider this when casting your vote. In particular I believe that lawyers in their first 15 years of practice should have an approachable benchner who can express their perspectives and concerns at Convocation.

ACCESS TO JUSTICE AND THE LAW SOCIETY: THE NEXT FOUR YEARS

I believe in a full and robust Legal Aid system. In the next four years, the Law Society will be faced with other complex access to justice issues. These include the "greying" of the profession, especially outside urban centres, which will dramatically affect the ability of people in these communities to retain a local lawyer; and the increasing number of self-represented people in the courts. The Law Society should also address to the extent possible the current lack of sufficient articling positions for graduating law students. Unfortunately, the pressure on positions will only increase with the possibility of more law schools being opened in Ontario. It is unacceptable that 20-30% of graduating law students cannot find an articling position.

In addition, the Law Society should expand its support of young lawyers. In this regard, the Law Society should consider expanding the Parental Leave Assistance Program for sole practitioners and lawyers at small firms. It should also support young lawyer initiatives like the newly established Young Women in the Law.

For more details, visit my benchner page at DanGuttman.com or on Facebook.

CLOSING STATEMENT

If you are looking for an approachable, progressive and hard-working lawyer to represent you at Convocation please support my candidacy. It truly would be an honour to serve as one of your benchners. Please vote, and encourage others to vote, as this is an extremely important election for the Law Society and all lawyers in Ontario.

Je m'engage à contribuer avec toute mon expérience, mon énergie et mon enthousiasme à promouvoir les efforts du Barreau. Je sollicite respectueusement votre appui.

ENDORSED BY THE ASSOCIATION OF LAW OFFICERS OF THE CROWN

Work Experience:

- Counsel, Constitutional Law Branch, MAG Ontario (2001 - Present)
- Etobicoke Crown Attorney's Office (2010 - Secondment)
- Crown Law Office Criminal, MAG Ontario (2008 - Secondment)
- Summer Student (Media/Public Law), Blakes (1997, 1998)
- Summer Student NHLPA (Salary Arbitrations) (1996)

Community Involvement and Teaching:

- Speaker, HRW Film Festival (2010, 2011)
- Lawyers Feed the Hungry (Bowling Team Captain 2004)
- Adjunct Professor (Constitutional Litigation), University of Windsor
- Adjunct Professor (Trial Advocacy), Osgoode Hall
- Advocacy Instructor, Advocates' Society
- Intensive Trial Advocacy Workshop, Guest Instructor (Osgoode Hall Law School)
- Executive, OBA Constitutional Law Section (2004-6)
- ALOC, Board of Directors 2002-9 (Executive 2004)
- Guest Lecturer University of Toronto and Ottawa

Education:

- LL.M. (Comparative Constitutional Law) UNSW, Sydney, Australia
- LL.B. University of Windsor
- B.S.C. Queen's University



Nabeel Haque

Toronto

*The public interest is best taken care of
by a profession that takes care of its members*

I am a second generation lawyer operating a successful law practice in Toronto. After graduating from the University of Manitoba, I had the privilege of articling under my father and late uncle with whom I was exposed to a wide breadth of the law. With almost 10 years of experience as a sole practitioner, I have gained the relevant experience to truly understand how to run a successful practice. Earning the trust of clients by showing a genuine commitment to protecting their interests, focusing the scope of my practice, and offering useful solutions to legal problems have been the key to my success as a lawyer and as a business man. While I am an experienced lawyer and an entrepreneur, I am young enough to know the challenges faced by new lawyers and the need to address these issues early in their careers.

BACKGROUND:

- Born, Kampala Uganda
- B.A. (Hon) University of Western Ontario, 1996
- LL.B. University of Manitoba
- Called to the Bar, 2002

MEMBERSHIPS AND ASSOCIATIONS:

- Peel Law Association
- CASAL
- Propertyshop.ca

COMMUNITY INVOLVMENT AND RECOGNITION:

- Board member and Legal counsel to the Albion Islington Square Business Improvement Area
- Honoured in 2010 by the Mayor and Toronto City Counsel for service to the local community
- Regular Cooperative Education placement with local high schools since 2005
- Former Ombudsperson – University of Manitoba Law Students Council

What makes a good lawyer

I believe that lawyers perform best when happy and focused. It is fundamental that lawyers must be secure in their own practice before being in a position to effectively protect the public interest. Programs designed to help new lawyers in running their practice as sound businesses should be made available and promoted. Of course the practice of law has and always will be a profession first; however by reducing financial and administrative burdens, members will be able to focus on the law. Lawyers who are fiscally secure would be more likely to do *pro bono* work, charge fees commensurate with the services provided, practice with enthusiasm, and maintain better work/life balance.

It is ironic that members of a profession dedicated to protecting the public sometimes find themselves under protected. The Law Society can do more to safeguard its members by offering a pension plan, work interruption insurance, and parental leave benefits. The economies of scale that come from a large and strong membership will ease the burden on law firms already offering such benefits and will provide affordable access to smaller firms and sole practitioners who may have nothing in place. Many lawyers, female lawyers in particular, should not have to make sacrifices when it comes to decisions about family in order to survive and excel in our profession.

The Law Society should be committed to fostering support structures available to all lawyers particularly those in smaller firms, sole practitioners and lawyers practising in small communities by encouraging specialization and effective cross referrals by creating networks of lawyers in related practice areas and maintaining existing resources such as law libraries, mentoring programs and access to precedents to ensure professional growth.

Mandatory Continuing Legal Education

For 214 years the Law Society has allowed lawyers to set their own agenda for legal education. Continuing legal education must be easily accessible, inexpensive and useful. Now that CLE hours are mandatory the income threshold to be eligible for the bursary should be increased to allow greater accessibility. Moreover, supplementing CLE courses with online discussion forums, workshops, and podcasts are innovative means to spread knowledge and sharpen skills cheaply and efficiently.

Paralegal regulation

In speaking with numerous lawyers I can see that paralegal regulation is still a concern. Paralegals can provide valuable services to the public but there should be no intrusion into the areas of law which demands the experience and judgment of legal practitioners, particularly where the potential ramifications to the public are serious. Your career took years of rigorous training before you became qualified to practice; surely this holds some value to the public.

The public perception

Other professional associations have launched TV ads extolling the virtues of their members. In a similar vein, the Law Society should work hard to change unfair and critical perceptions of lawyers through a public awareness campaign designed to instill trust and respect for the profession since trust is the foundation of the lawyer client relationship.

My promise

I am committed to being available to you **at all times** and if elected **I will remain faithful** to the ideals of my platform. Please **lend me your support and spread the word.**

Find out more at www.haquelaw.com.



Alan Heisey

Toronto

I have been a member of the Law Society for over 30 years. I have worked as a law student in a trade union, in a real estate practice in a 2 person firm, in one of the largest Bay Street law firms in Canada, in the in-house legal department of a large multinational and have been partner in a small law firm.

During that time I have also done significant public service in several roles including the Chair of the Toronto Police Services Board and the Chair of the Toronto Parking Authority. My contributions to our profession have been limited to being an occasional seminar leader in the Public Law course of the Bar Admissions Course and lecturing on legal topics to various legal and other professional organisations.

While the profession has been good to me and I have enjoyed being a lawyer, I would like to make a greater contribution to the profession. I believe that the knowledge and experience I have acquired over 30 years will allow me to contribute to both the Law Society and our profession.

A partner in the firm of Papazian Heisey Myers.

Called to the Bar 1980. Federal Queens Counsel 1993.

Practice focuses on administrative law and civil litigation.

Legal career has included articles at Thompson Rogers, an associate in a 2 person law firm, 4 years as an associate at Blakes and employed in law department of a multinational company.

Member/Chair the Toronto Parking Authority 1992-2001.

Member/Chair the Toronto Police Services Board in 2001-2004.

1988-present Part time Chair Insurance Advisory Board.

Seminar leader Bar Admissions Course in Public Law, guest lecturer at McGill Law School and Ryerson University.

Born in Toronto, age 56, married with 4 children.

Economical Governance

The Law Society has done a good job of controlling costs. My background as a partner in a law firm and my roles in various public commissions have made me very conscious of the need for vigilance in controlling costs. Controlling costs and claims against lawyers would be a major focus.

Disciplinary Hearings of Members of the Law Society

My legal practice has been focussed on the administrative law area before various tribunals. I sit as a part time Chair of the Insurance Advisory Board which is a provincial tribunal under the *Insurance Act* which reviews applications by life insurance agents. As Chair of the Toronto Police Services Board I participated as an adjudicator in hearings under the *Police Act*. These experiences would assist in helping assess the conduct of our fellow lawyers in the difficult role they play.

Technological Innovation

As Chair of the Toronto Parking Authority I played a major role in introducing new technology to the parking industry in North America that saved considerable money for the taxpayers of the city of Toronto. Our profession is still not where it needs to be in the use of technology by our courts and by many members of the profession. As a bencher I would urge the Law Society to take a greater role in assisting the profession in the use of technology and encouraging the court system to move in that direction as well.

Thanks for your consideration.



Julie Jai

Toronto

WHY ME?

Anyone who has heard me speak, or has read my biography, knows that I am committed to serving the public. Public service has taken me on unpredictable and rewarding journeys, including to the Far North where I successfully negotiated land claims and self-government agreements; to the Ontario government where I provided legal advice and developed laws and policies to improve public governance and economic opportunity; and to the federal government where I have been involved in complex cases and landmark litigation to clarify constitutional rights.

I have experience in government at the provincial, territorial and federal levels. As a public sector lawyer, I am used to balancing competing interests and putting myself in the shoes of the members of the public whom we serve. This public service experience will help me to support the Law Society's mandate of regulating in the public interest.

I am a mentor and teacher. I have written and presented in many forums to increase understanding of law and policy and to contribute to the development of the law. I have organized CPD programs on ethics and professionalism.

I have worked in both French and English and have promoted the use of French in our profession. I have worked to resolve Aboriginal issues and promote greater reconciliation and justice.

My life work, and the people and challenges I have encountered along the way, provide me with the professional experience, judgment and appreciation of diverse perspectives which I believe qualify me to serve our profession and the public as a benchers.

WHAT CAN I OFFER?

I can provide a voice for public sector lawyers, who comprise over 30% of the legal profession but only 10% of benchers. Public sector lawyers have unique practice issues and can contribute important perspectives. Through my work with the OBA, I have seen the wide range of essential broader public sector work that is done by our colleagues in organizations such as universities, hospitals, tribunals, legal aid clinics and regulators, in addition to the three levels of government. Convocation should have the full benefit of these perspectives.

When I started in the profession, Chinese-Canadian female lawyers were extremely rare. The increasing diversity of the legal profession is one of Ontario's great success stories. We still have work to do. A more representative body of benchers will provide a greater awareness of the concerns of diverse communities, improve the quality of decision-making, and enhance public confidence in the governance of the legal profession.

In a career at the intersection of law and public policy, I have developed the skills and knowledge to work constructively with other benchers and key stakeholders. My experience in bringing disparate groups together has been honed through Aboriginal negotiations, public and industry consultations, and intergovernmental dialogue. I believe that an open mind, with the ability to listen as well as persuade, will enable me to assist in governing the profession in the public interest.

WHAT ARE MY PRIORITIES?

If elected, I promise to work diligently and co-operatively with other benchers to provide the public and profession with effective governance. The Law Society must develop concrete measures to address the challenges facing our profession. These include:

- giving a voice to public sector lawyers, recognizing the unique aspects of our practice
- ensuring that benchers regulate in the public interest, to promote high ethical standards and to maintain public confidence in the competence and integrity of the profession
- finding work-life balance in a demanding profession where an inordinately large percentage of women leave too soon
- making legal advice more accessible to ordinary people: providing access to justice is essential to achieving fairness and promoting confidence in the justice system
- supporting affordable legal education and providing incentives and support to young lawyers working in underserved areas
- furthering the work of benchers in collaborating with key stakeholders on major policy initiatives affecting our profession and society at large
- promouvoir le français au sein du système judiciaire de l'Ontario et appuyer les efforts des juristes d'expression française à offrir des services en français.

I hope you will support me. Please feel free to contact me at Julie.Jai@gmail.com.

Called 1982

LL.B. (Osgoode), LL.M. (Toronto)

Professional contributions

Chair, OBA Public Sector
Lawyers Section

Executive, OBA Constitutional, Civil
Liberties and Human Rights
Section

Former President, Canadian
Lawyers' Association for
International Human Rights
Mentor - Federation of Asian
Canadian Lawyers and
Justice Canada

Member - Women's Law
Association of Ontario

Justice Canada

General Counsel, 2009-present

Director, Government Law Services,
2008-09

Director, Policy, 2002-08

Yukon Department of Justice

Senior Counsel, Aboriginal Law,
1996-2002

Chief Negotiator, Teslin Tlingit
justice negotiations

Ontario Government

Director, Legal Services, Ontario
Native Affairs Secretariat, 1994-96

Executive Coordinator, Justice
Policy, Cabinet Office, 1990-94

Coordinator, French Language
Services, Ministry of the Attorney
General, 1989-90

Ministry of Financial Institutions,
1986-89

Ministry of Correctional Services,
1984-86

Ministry of Intergovernmental
Affairs, 1982-84



Kathleen Jeanne Kelly

Toronto

I bring a breath of fresh air, a commitment to uphold and protect the values of self-regulation, and a resolve to serve in the public interest. I am concerned about the ongoing issues of governance, diversity, retention of women in the profession, and the greying of the bar. I am also concerned about the image of the profession, public education, and creating and providing more practice resources for lawyers.

Using Larry Banack's "2011 BENCHER ELECTION – SELF ASSESSMENT ANALYSIS", the following is why a vote for me is a vote for a strong and committed bencher.

Born in Calgary, Kathleen graduated from UBC, (Commerce then Law), and Osgoode (Masters of Law, ADR). She is called to both the BC (83) and Ontario (89) Bars.

In addition to being counsel, since 1982 she has arbitrated or mediated hundreds of disputes. She is currently a private arbitrator and mediator, and part-time Vice-Chair, Workplace Safety and Insurance Appeals Tribunal, her third Ontario tribunal appointment.

Kathleen taught Professional Responsibility and Practice Management as a Bar Admission Course Instructor, for over 12 years. She is a frequent speaker, published author, and 2003 recipient of the OBA Award of Excellence in ADR.

Active in the CBA and OBA, Kathleen also actively volunteers in her community.

- **Diversity of Practice** – I have worked in a small law firm, in-house in the legal department of an Ontario Government Ministry, on a team of special legal advisors to the Attorney General and to Cabinet, and for the past 17 years as a sole practitioner. I am also a member of the administrative law community, a growing and increasingly important practice area.
- **Willing to work hard – with enough time to read extensive material and participate diligently, on a regular basis at Convocation meetings, Committee Days and Discipline Hearings.**
 - I control my calendar and workflow. In my adjudicative and ADR practice I am required to read and understand large quantities of material, in tight timelines. I am ready, skilled, and have the time to serve fully in a conscientious and competent manner.
 - As a single parent of a college student, my family obligations are now such that I have the time required (some 600 plus hours a year, according to Larry) to allow me to participate effectively.
- **Leadership skills and a track record of commitment to the Profession – patience, willingness and ability to work with others in group decision making, remaining open minded while I listen to new and opposing views.**
 - Since the early 1990's I have been actively involved with the LSUC, The Advocates' Society, the OBA, and CBA. I have designed and delivered programs; taught the Bar Admission Course; belonged to and led Sections; sat on Provincial and National Council; participated on working groups, task forces, forums, and committees.
 - I often use my dispute resolution skills to overcome impasse and lead difficult conversations to productive outcomes.
- **Leadership skills and experience in financial matters necessary for supervising an \$87 million Law Society Budget.**
 - Although not an \$87 million budget, I am a member of the Board of Management of Moss Park Arena that oversees a budget nearing \$1 million dollars. I can read and understand financial statements, and am not afraid to ask hard questions, such as: if the Law Society Budget repeatedly yields a surplus, why are fees increased?
- **Decision making/adjudicative experience, writing skills, ability to meet deadlines.**
 - As a trained and experienced arbitrator since 1982 and a member of four different administrative tribunals since the early 1990's, I am experienced in making decisions and adjudicating disputes.
 - Particularly relevant is my appointment to the Ontario Council of the Mutual Fund Dealers Association of Canada, the self-regulatory organization for mutual fund dealers in Canada. In that position I chair discipline hearings into the conduct of mutual fund dealers and members.
 - In my role as a Vice-Chair at the Workplace Safety and Insurance Appeals Tribunal, I am required to read large volumes of material in preparation for hearings, conduct hearings, and write well-reasoned decisions in a timely manner.
 - All of the above, transferable skills and experience, will serve me well as a bencher.
- **I understand and accept that the role of the Law Society is to regulate the Profession, in the public interest.**
 - This understanding is paramount to ensure the Society retains its legal status as self-regulator of the profession. It is not that well appreciated by many lawyers or the public at large. A concerted effort needs to be undertaken to get the message across.
 - Elected benchers do not represent a constituency or self interest. Serving in the public interest has been an integral element in each of my appointments to four different administrative tribunals. I really get it!

PLEASE VOTE AND PLEASE VOTE FOR ME!



Mitch Kowalski

Toronto

Sole Practitioner
in Association with Shapiro Cho

Called to the Bar, 1991

LL.M. in Real Estate Law

ICD.D Designation from Institute
of Corporate Directors (Canada)

Former partner at Baker &
McKenzie LLP

Former partner at Aylesworth LLP

Former in-house solicitor at City of
Toronto

Author of *The Profitable Law Firm*,
to be published by the **American
Bar Association** in Fall, 2011

Contributor to The National Post's
Blog, **Legal Post** since 2007

Author and Editor of *Canadian
Forms and Precedents – Commercial
Real Estate Financing*, **LexisNexis
Butterworths**, 2002 - 2004

Chair – ORC Compensation
& HR Committee – 2009 - Present

Vice-Chair – ORC Business
Operations Committee –
2009 - Present

Independent ORC Director –
2007 - Present

I offer a breadth of practice experience that speaks to all members of the Bar: I have practised in one the world's largest law firms, in a mid-sized firm, as in-house counsel and now as a sole practitioner. I understand the concerns of lawyers in all these situations.

As a single father with custody of two children I also fully understand the competing pressures of family and practice.

F. Scott Fitzgerald said, "You don't write because you want to say something, you write because you have something to say."

Similarly, I am not running for bencher because I want to do something.

I am running because I have something to do.

In the 20 years since my call to the bar I have seen a Law Society that has become increasingly disconnected from the average lawyer in this province. A Law Society that reacts at glacial pace, if at all, to matters of real importance to the day-to-day life of lawyers and the public. A Law Society that is obsessed with regulation and ring-fencing at the expense of innovation.

This attitude is no longer sustainable.

As Richard Susskind notes in *The End of Lawyers*, "Law was not created for the benefit of lawyers any more than illness was created for the benefit of the medical profession." The Law Society can no longer operate on the notion that lawyers will always have the exclusive right to deliver legal services.

We need fresh new ideas and bold initiatives to address the changing legal landscape.

The benchers that we elect in 2011 need to have a vision of the future of law. They need to be aware of and embrace legal innovation world-wide.

The benchers that we elect in 2011 will be required to understand the Cloud, SaaS, LPOs, social media, value-based billing, alternative firm structures that allow for outside investment and many other innovations. Many legal governing bodies around the world allow new structures and service delivery models that benefit both the public and lawyers. It is time for us to join them.

My current practice is 90% value-based billing with very few files being billed on an hourly basis. My files are paperless. I will be moving my practice completely to the Cloud by year's end with a SaaS element. I have worked with LPOs and I closely follow innovative ways to deliver legal services which I blog, tweet and write about. The fact that the American Bar Association is publishing my book on innovation in legal practice, *The Profitable Law Firm*, is a strong indication that my ideas are well thought-out and relevant.

But legal innovation is not the only reason I am running for bencher.

My practical board experience with Ontario Realty Corporation (ORC) together with my ICD.D designation in corporate governance, have enhanced my natural drive for better, more efficient and more transparent entities.

Financial transparency is a particular problem at the Law Society; there is no reason why financial information should be hidden from members.

The Law Society has also shown little appetite for finding efficiencies within the organization in order to freeze or even lower annual dues. This needs to be a priority. Increases to annual dues should not be taken as cavalierly as they have in the past. All Law Society initiatives need to prove value for money.

The Law Society seems disinterested in reining in costs at our own captive insurance company. As a result, premiums continue to rise.

The Law Society has also done very little to provide the public with quality, low cost legal representation; again, innovation, not regulation, is the key here.

Being elected bencher is not in itself a personal goal of mine; it is merely a platform from which to effect needed change; a way for me to use my skill and knowledge to make the Law Society accountable to members and to ensure that our profession keeps step with the changing needs of society.

I ask for your vote.

Find out more about my concerns and ideas by visiting my blog:
<http://kowalskiforbencher.blogspot.com/>

Look for me on Facebook. Search: Kowalski for Bencher 2011

Follow me on Twitter on www.twitter.com/mekowalski



Wennie Lee

Toronto

I am asking for your support to be elected as a benchler. I am grateful for the achievements of our past and current benchers, and inspired by their dedication to our profession. I believe that benchers contribute to the betterment of the profession, I am therefore committed to contribute as much as I can to serve our profession.

I have a unique perspective to bring to the Society; not because I am Chinese, or a woman, but rather as a Principal of a small but busy immigration litigation practice, I am acutely aware of the many challenges that most in the profession face. I am also aware that many smaller firms and sole practitioners view the Law Society as a necessary evil and not an ally in their practices. While I understand that perspective, I believe in the Law Society. A strong and vigorous Society that is vigilant in its mandate to protect the public interest, and which ensures high standards in our profession is not only a necessity for continued self-regulation, but a pre-requisite for our profession to continue to flourish and prosper.

I summarize my platform as follows:

1. Ensure the protection of the public interest in a fair, equitable and practical manner which does not result in unnecessary interruptions to practitioners but ensuring equity and fairness to all;
2. Maintaining and raising the reputation of the Bar;
3. Ensuring the Law Society is managed in a cost-effective manner.

1. Ensure the protection of the public interest in a fair, equitable and practical manner which does not result in unnecessary interruptions to practitioners but ensuring equity and fairness to all.

There are varied views of the Law Society within its membership; characterizations by its members run the gamut from bureaucratic, formalistic, conventional, respectable, to obstructionist, or tyrannical. I draw your attention to section 4.2 of the *Law Society Act*, R.S.O. 1990, Chp. L.8 which states:

Principles to be applied by the Society

4.2 In carrying out its functions, duties and powers under this Act, the Society shall have regard to the following principles:

1. The Society has a duty to maintain and advance the cause of justice and the rule of law.
2. The Society has a duty to act so as to facilitate access to justice for the people of Ontario.
3. The Society has a duty to protect the public interest.
4. The Society has a duty to act in a timely, open and efficient manner.
5. Standards of learning, professional competence and professional conduct for licensees and restrictions on who may provide particular legal services should be proportionate to the significance of the regulatory objectives sought to be realized.

Clearly, carrying out its functions with regard to these 5 principles is a *balancing act*. When the Society fails to act in a fair, equitable and practical manner, negative attitudes from its members and the public will inevitably develop.

2. Maintaining and raising the reputation of the Bar.

This is an issue that should concern all lawyers. While there are many processes that necessitate the use of lawyers, a growing number do not. Maintaining the reputation of the profession is fundamental to remaining competitive, so that the public is confident that when they hire a lawyer they are hiring someone with the knowledge and skills to serve their interest in a competent manner. We need to control our reputation (“brand”), to maintain our competitive edge. Upholding our reputation benefits both private practitioners and in-house counsel alike.

3. Ensuring the Law Society is managed in a cost-effective manner.

Cost control is a reality of all our practices, if not our lives. As such, cost control must be a reality in our Law Society. While we do not have a “grave train” at Osgoode Hall, we certainly need to ensure that one is not created, keeping in mind not only that the Law Society’s function is carried out at a reasonable cost, but never sacrificing its effectiveness.

If you give me your support, I am ready to roll up my sleeves to get to work for you and the public we serve.

Sincerely,
Wennie Lee

Called: 1996

B.A. (York);

LL.B. (Western);

LL.M. (Osgoode)

Recipient – Law Society of Upper Canada Education equity awards

Articled – Heenan Blaikie

Practices – immigration advocacy
– litigates immigration cases at the Federal Court

– Over 100+ reported decisions

– Appears at all 3 divisions –

Immigration and Refugee Board

Co-chair – *Practical Guide to Federal Court Advocacy* – Osgoode Professional Development

Speaker – 1st National Catholic Conference on Refugee Sponsorship; Host – Archdiocese of Toronto and London; Sponsor – Assembly of Catholic Bishops of Ontario and CNEWA Canada

Frequent speaker – multicultural radio – preventing immigration fraud, dangers of ghost consultants

Member – CBA, ACCLO
Past President – Ontario Chinese Canadian Association

Married: 2 children (14, 12)
Reside in York Region, Markham



Janet Leiper

Toronto

I am inspired to run for benchers for the first time by the colleagues I have met over the 24 years I have practised law, by the challenges I see ahead for the profession, and by the potential I see for the future of our Bar.

Engaging the Profession

The Law Society of Upper Canada is strengthened when it encourages and welcomes participation from the Bar. We can draw upon the innovative ideas of each new and diverse generation of lawyers to better our profession. Technology can make governance and policy development accessible to the members at large. As benchers, I will strive for greater participation across our profession.

As benchers, I propose we debate the following:

- Broadcasting Convocation and Committee proceedings on the web
- Seeking the participation of the profession in policy development at the Law Society
- Drawing from an increased number of experienced lawyer-adjudicators from the profession to sit with benchers on discipline matters
- Reporting on the new mandatory continuing professional development and how it contributes to a more engaged Bar
- Working together with the Bar to renew Legal Aid and promote a broader Legal Aid mandate from all levels of government

Recapturing Professionalism

In 2000, the Law Society spent 12% of its budget on regulatory matters. Today, 24% of its \$92 million budget is dedicated to regulatory matters. Increases in the number and quantity of claims against lawyers, increased regulatory litigation and calls for increased civility suggest that the profession could benefit from more proactive measures.

We know that the profession of law is complex and stressful. The question that needs to be asked is how can the Law Society pre-empt problems at the start of a legal career, at the beginning stages of a regulatory complaint or when personal adversity first strikes a lawyer?

We need to ask these questions:

- How can the licensing process better instill a sense of practical ethics and a commitment to professionalism in new calls to the Bar?
- How can the Law Society ensure that members have access to experienced advice at the beginning of an investigation into their conduct to minimize loss and risk to the public?
- How can the Law Society engage more members in need/crisis with the services of the Ontario Legal Assistance Plan (OLAP)?
- What early intervention strategies can be developed to decrease the costs of unnecessary regulatory litigation?

I recognize a shared interest of the profession and the Law Society in serving the public. It is important for the Law Society to acknowledge this and treat its members accordingly.

I am looking forward to serving these principles, the profession and the public.

Je considère que tout avocat est en droit de s'engager dans le travail du Barreau. En effet, la technologie actuelle rend la gouvernance ainsi que l'élaboration des politiques accessibles à tout membre du Conseil se trouvant à distance. Ceci permettrait de profiter des idées innovatrices de chacune des nouvelles et diverses générations d'avocats. C'est pourquoi, en tant que membre du Conseil du Barreau, j'encouragerai vivement une plus grande participation de la part de l'ensemble de la profession. Dans le cas où ma candidature serait retenue, c'est avec grand enthousiasme que j'envisage de servir le public et la profession.

Links to more at:

- www.janetleiper.com
- www.facebook.com/JanetLeiper

Sole Practitioner: Administrative/
Criminal Law (24 years in practice)
Integrity Commissioner – City of
Toronto

Alternate Chair, Ontario and
Nunavut Review Boards
Director, Pro Bono Law Ontario

Past Positions

Director, Osgoode Public Interest
Requirement (2007-2009)

Visiting Professor, Osgoode Hall
Law School (2007-2009)

Chair, Legal Aid Ontario
(2004-2007)

Director, Criminal Lawyers'
Association (1993-2001)

Part-time Assistant Crown Attorney
(1987-1993)

Law Society of Upper Canada

Member, Certified Specialist Board
(2008-2010)

Chair, Advance Criminal
Roundtable (2006-2010)

Member, Barrister Advisory Group
(2005-2010)

Bar Admission Course Section
Head, Criminal Law
(1997-2004)

Education/Professional Recognition

LL.M. University of Toronto, 2008
Certified Specialist (Criminal Law),
1995-2011

Call to the Bar, 1987

LL.B. University of Western
Ontario, 1985

2009: Recipient of
Laura Legge Award



Jeffrey Lem

Toronto

EXPERIENCE:

Jeff is a solicitor who practises real estate law and allied disciplines such as secured lending and insolvency. Jeff has been a partner in the Toronto office of Davies Ward Phillips & Vineberg LLP for the past decade. Before that, he was the partner responsible for real estate in the Toronto office of Heenan Blaikie LLP. Jeff began his career with articles at Blake, Cassels & Graydon LLP, where he was hired back and remained as an associate for four years. Although Jeff comes from a big firm background, he has also had experience as in-house counsel in a small-firm working environment -- while at Blakes, Jeff was seconded for over six months with Magna International to assist in re-structuring and corporate matters.

Jeff has been very active in his service to the legal community and the community at large. Jeff has been an editor of the *Real Property Reports* for almost twenty years, and has been a member of the Real Property Executive of the Ontario Bar Association for the past decade. Jeff has also been an advisor to a number of Chinese-Canadian community and professional organizations throughout his career.

In addition to his current role as the Director of the LL.M. Program specializing in Real Property Law at Osgoode Hall Law School, Jeff has also taught in the Bar Admission Course and continues to be very active in continuing legal education. He co-chaired for many years the *Six-Minute Commercial Leasing Lawyer*, the *Six-Minute Real Estate Lawyer*, and the real estate program of the OBA's *Annual Institute*. Jeff has been a speaker at over one hundred continuing legal education programs over the years, for various legal and real estate organizations.

Jeff is also a prolific writer on legal affairs. In addition to research papers for his various speaking engagements and his regular columns on real estate law in *Building Magazine* and *Law Times*, Jeff was also the legal editor for *China Business Monthly*, an Associate Editor of the *Digest of Real Property Law*, and a frequent contributor to *Lawyers Weekly*. Over the course of his career, he has contributed many papers to various law journals and magazines on a variety of legal matters.

ELECTION STATEMENT:

I am hoping that Convocation will benefit from the diversity that I would bring to the bench ranks, both in terms of cultural and ethnic diversity and in terms of diversity in practice.

Many of the incumbent benchers with solicitor practices are now "termed-out" and prevented from running for re-election after sixteen or more years of service. Convocation should reflect the actual balance between barristers and solicitors in practice. If elected, I would bring such a solicitor's perspective to Convocation.

Convocation should also reflect the rich cultural and ethnic diversity inherent in the membership of the Law Society. I am a past president of, and have the support and endorsement of, the Association of Chinese Canadian Lawyers of Ontario (the lawyer division of the Federation of Chinese Canadian Professionals).

Naturally, given my professional background, I have a deep-rooted interest in all issues affecting practice conditions for solicitors, especially those practising in real estate. On a broader scale, I am also concerned about the new Continuing Professional Development requirements recently imposed on all lawyers. While I think that the train has already left the station on the issue of CPD, I am hoping that my extensive hands-on experience with continuing legal education over the past two decades will help to at least improve the quality and relevance of the CPD that will be available, and will help to ensure that such CPD will be delivered efficiently, conveniently and affordably to all of our members, especially those practising in smaller firms or at more remote locations (including the large number of our members practising as in-house counsel or as sole practitioners).

I have had a long history of service to the legal community and wish to continue that service as a bencher. Thank you for your consideration of my candidacy.

PRACTICE

Partner at Davies Ward Phillips & Vineberg LLP since 2001

EDUCATION

- 1984 B.Comm, University of Toronto (Victoria College)
- 1987 LL.B., Osgoode Hall Law School
- 2002 LL.M., Osgoode Hall Law School

AWARDS AND ACHIEVEMENTS

Certified Specialist in Real Estate Law

OBA's Award for Excellence in Real Estate

Martindale-Hubbell rated AV®

Canadian Legal LEXPERT® Directory

Chambers Global's Guide to the World's Leading Lawyers

Best Lawyers in Canada

International Who's Who of Real Estate Lawyers

COMMUNITY AND ACADEMIC

Director, Osgoode Hall Law School LL.M. Program in Real Property Law

OBA Real Property Executive

Past President of the Association of Chinese Canadian Lawyers of Ontario

Advisor to the Mon Sheong Society and the Lem Si Ho Tong



Robert Levan

Toronto

Why I am Running for Bencher:

Any vibrant self-governing professional organization must understand and respond to the needs of all its members. As a new call with a young family; working as a sole practitioner; saddled with the same debt afflicting most young lawyers; immersed in the same extremely competitive job market, not only do I understand the issues facing many of my peers in an objective sense, I am facing them myself.

It is almost trite to say, but the future of the Law Society is to be found within the ranks of those who were called with me, in the years before me and those who will be called in the years to come. As a group we have a special insight into the current process that precedes being called to the Bar having had recent experience with it. We possess the keen sense of awe and humility that comes along with recent entry into such an historical professional organization and have concerns about the proper stewardship of the Society in the years to come. For the Law Society to continue to properly serve the needs of its membership as well as the public interest, decisions must be taken with a view to their long-term impact, which is why we, the newest generation of lawyers, must be represented at the table.

Proven Leadership:

Although I can't point to a lengthy career history within our profession, with memberships on various committees and professional associations, I can provide you with concrete examples of the leadership I have shown throughout my working life.

While I was in the Navy, my leadership abilities were recognized and cultivated by my superiors who gave me additional responsibilities including supervision of up to 20 of my fellow sailors during various shipboard exercises. My military service had a profound effect on me, providing me with discipline and dedication to the performance of the task at hand that continues to be found in my work to this day.

During my undergraduate studies I became involved in politics and was elected to serve as representative of my college on the University of Toronto's Students' Administrative Council (as it was then called). I also became involved in the environmental community and sat on the University's Executive Board of the Environmental Protection Advisory Committee, as a student representative.

Additionally, during my undergraduate studies I developed a passion for the sport of mountain biking and joined the University's team. During my time on the team, although I wasn't the fastest racer on the team, I was given the Sport of Life award two years in a row and took on the role of team manager.

During my first year in the Faculty of Law at the University of Windsor, I was the representative for my year on the Faculty Council Student Disciplinary Committee. As a member of this committee I was responsible for participating in deliberations on academic infractions. While I did not continue my involvement with the Disciplinary Committee after first year, this was primarily because I became more involved with the clinical program at Community Legal Aid of Windsor. In the summer after the first year of law school I was hired on as a summer student and subsequently became a group supervisor during my second year; a role I was tapped to continue by the director of the clinic during my third year. During my involvement with the clinic, in addition to the regular file load, I undertook various projects including the operation and staffing of a satellite clinic at the Downtown Mission of Windsor.

Why I Want Your Vote:

The landscape of the profession is changing. Technological innovation and a shift in demographics means that the Law Society of today does not resemble the Law Society of 20 years ago, and will probably change completely in another 5 years. My aim, should I be elected as a bencher, will be to work with the senior benchers and all members of the Bar to preserve the traditions which have served us well in the past and to facilitate the necessary evolution of the Law Society into an organization that will continue to serve both society and our members in the future.

Robert Levan was born in Toronto and has lived in small towns and cities across Canada. After graduating high school Robert enlisted in the Canadian Navy, serving three years before being honourably discharged.

After completing his military service Robert attended the University of Toronto, where he obtained his B.A.(Hons).

Robert attended the University of Windsor faculty of law where he turned his passion to helping the community through his work at Community Legal Aid of Windsor.

Before being called to the bar in 2010, Robert articulated at the Crown Attorney's office in Newmarket. He is currently a sole practitioner, whose practice is limited to criminal law.



Wendy Matheson

Toronto

For many years, I have been actively involved in serving the profession and the public through continuing legal education and other initiatives. I wish to continue to serve, and believe I can make a significant contribution as a bencher.

I will bring a fresh perspective, and take a practical approach. To learn more about my candidacy, please visit www.mathesonforbencher.com.

The Law Society has made headway in many areas, but more needs to be done:

- **Access to Justice.** Fresh ideas and new programs are needed to improve access to justice. The role of Legal Aid still needs attention, including the question of whether Legal Aid can be restored as a broader solution for Ontarians seeking legal representation.
- **Retention of Women.** I commend the work of the Law Society's Justicia Project and retention of women initiatives such as the Parental Leave Assistance Plan. We continue to need practical solutions to retain more women in the legal profession, and in private practice.
- **Diversity.** The composition of the profession should reflect the public that it serves. Promoting diversity is equitable, improves access to justice and enhances the credibility of the profession across communities.
- **New Lawyers.** I will focus on the concerns of lawyers who have recently joined our profession, and promote opportunities for new lawyers to get involved in the Law Society, its programs and its governance of the profession.
- **Mentoring.** Many new lawyers are concerned that the profession's culture of mentorship has eroded. I benefited from strong mentors in my early professional development and am committed to maintaining and improving the profession's culture of mentorship.
- **Professionalism and Standards of Practice.** Fostering civility and professionalism, and ensuring appropriate standards, are and must continue to be important priorities for the Law Society. Among its objectives, the Law Society must redefine its relationship with law schools and work with them to help graduates get ready to face the evolving challenges of a career in our profession. In addition, the growing divide between the number of law students seeking articling positions and the number of positions available in the province must be addressed.
- **Sole Practitioners and Small Firms.** Sole practitioners and small firms face challenges that are particular to the circumstances of their practice, including greater sensitivity to increases in dues and fees. I am committed to helping this important part of the profession survive and thrive. In rural areas, the North, and other under-served communities, more must be done to attract young lawyers where they are needed, and support the lawyers already serving these areas of Ontario.
- **Mandatory CPD.** Lawyers across the province need affordable, practical and accessible Continuing Professional Development opportunities. The process should be easy to participate in, and the programs must respond to real needs. I have been involved in continuing legal education programs in Hamilton, Ottawa, Toronto, London, Peel, Central East and elsewhere for many years and am committed to encouraging an approach to CPD that makes sense for all Ontario lawyers.

I ask for your support. I am dedicated, enthusiastic and will bring a practical approach to all the issues.

www.mathesonforbencher.com

Education

B. Math, University of Waterloo;
LL.B., Queen's University

Practice

Called to the Bar 1988

Partner, Torys LLP, civil and
administrative litigation

Professional activities

- Long-time advocacy teacher and contributor to continuing legal education initiatives
- Two-term Director of The Advocates' Society and Chair of Education
- Past adjunct professor, Osgoode Hall Law School and guest lecturer at Osgoode and the Universities of Western Ontario, Ottawa and Toronto
- Frequent contributor to initiatives addressing issues for the profession
- Panelist for Networking Conference of Women in Litigation
- Pro bono counsel for The Advocates' Society, CCLA
- Supporter of the Canadian Women's Foundation
- Member of The Toronto Lawyers Association, The Advocates' Society, CBA and OBA



William C. McDowell

Toronto

ME

I grew up in Trenton. When I came to law school in Toronto, I formed a clever plan to get my degree, find articles, get called, and head back to Trenton (or Belleville or Kingston) to practise. Nearly thirty years later, things are not shaping up that way.

As a litigator, I have practised with one of the largest firms in the country, served in Ottawa as Associate Deputy Minister of Justice for Canada (the Department having legitimate claim to the “biggest firm” title), and have now settled into life at Lenczner Slaght, a litigation boutique. My practice has been broad, focusing now on commercial litigation, public law and libel but with extended stops in Commissions of Inquiry and commercial crime. Leaving aside a day here or there, I have thoroughly enjoyed the journey so far.

WHY ME?

From the vantage point of a distant observer, it seems that Convocation always has to overcome its divisions – the Old/New Guard; the Big/Small firm; Toronto/Everybody Else. In my work in different private practices and in Ottawa, I have always worked hard and succeeded in building relationships and finding consensus. I want to help to find common ground at Convocation.

As well, my friends tell me that I have a sense of humour. I don’t know if this will help but it can’t hurt.

SOME ISSUES

Articling and Job-Sharing

There is increasing pressure from different quarters to end articling in its traditional form. I oppose this – the Law Society must protect the public interest by continuing to provide law graduates with the skills (and more important – ethics and values, such as civility) to begin practise at the Bar. At the same time, many smaller firms, particularly those outside Toronto, are finding it difficult to justify hiring an articling student.

The Law Society can help by amending its Rules to promote job-sharing in articling. Convocation should provide funding for a real time online registry to match candidates with firms who can accommodate them for short periods of time. I want to explore ways of assisting articling students in under-serviced areas where firms can provide articles and mentorships but cannot afford to pay students.

LEGAL AID

There has to be more investment both federally and provincially in Legal Aid. You will read violent agreement on this point in candidate statements. Even in these times of austerity, the Legal Aid program deserves to be treated fairly. As I write this, the Government of Ontario has allowed public sector wages to increase by some \$120 million notwithstanding the imposition of a “wage freeze”. It is expedient for governments at both levels to allow funding of Legal Aid to languish for fear of being seen as “soft on crime”. But failure to establish a stable funding model is self-defeating – nothing creates more delay, expense and exposure to appeal than a self-represented accused person or family litigant.

But I would add an additional process point. Convocation debates to establish Society positions in relation to Legal Aid must be held in public – it is unfair to our members who serve Legal Aid clients and to the public at large to have these important discussions held in camera.

GOVERNMENT LAWYERS

Government lawyers practise law that matters. Senior Crown lawyers have made great contributions to the Law Society. I am proud to have served as a Crown lawyer, and want to ensure that public sector issues continue to be well-aired at Convocation. I also want to work to ensure that the Law Society gets the full benefit of the talents of its public sector members. For this reason, I am pleased to support Robert Wadden, Assistant Crown Attorney from Ottawa in his campaign.

SERVICES EN FRANÇAIS

En tant qu’avocat bilingue, qui plaide en français de temps en temps, j’appuie le droit de nos membres francophones de communiquer avec le Barreau et d’être servis par le Barreau en langue française. Il est important que le Barreau accorde les ressources nécessaires et fasse l’offre active de services en français pour donner plein effet à ces droits.

Professional

- **Partner**, Lenczner Slaght Royce Smith Griffin LLP
- **Associate Deputy Minister of Justice** (2005-2008)
- Associate, then **Partner**, McCarthy Tétrault LLP (1989-2005)

Other Activities

- **Vice-Chair**, University of Toronto Academic Disciplinary Tribunal (2010)
- **Federal Lead** on the Tri-level Committee on Gang Crime (2006-2008)
- **Co-Founder** of the University of Toronto Summer Institute on Advocacy (2009)
- **Director**, The Advocates’ Society (2006-2010)
- **Membre, Conseil d’administration** de l’Alliance française de Toronto (2001-2004)
- **Instructor in Advocacy**, University of Toronto, Osgoode, Queen’s (1999-present)
- **Counsel** to the Chief Justice of Ontario for the Truth and Reconciliation Commission (2008)

Awards

- Arbor Award for volunteer contributions, University of Toronto (1999)
- Department of Justice National Award (2007)



Malcolm M. Mercer

Toronto

We are fortunate to live in a society governed by the rule of law and supported by the independence of the legal profession. These principles are fundamental to our freedom and prosperity. However, as events have shown in Britain and Australia, self-regulation should not be taken for granted. We must strive to improve the profession in the public interest and for its own sake.

As one of the few law firm general counsel in Canada, I have acquired significant experience and expertise in legal ethics and professional responsibility.

Nationally, I serve as a member of the CBA Task Force on Conflicts of Interest and as Vice-Chair of the CBA Ethics and Professional Responsibility Committee. I am a member of the joint CBA/Auditing and Assurance Standards Board committee responsible for the development of audit guidance for lawyers and auditors.

In Ontario, I have worked with other lawyers to provide input to the Law Society with respect to record retention and client identification and verification protocols.

I have also been invited to assist benchers in another province regarding potential amendments to their code of professional conduct, and I have been a presenter on legal ethics at the invitation of a third law society.

I have been involved in law firm management for many years. I have also assisted lawyers in small and new firms and in-house over the years. I understand and am interested in the challenges faced by lawyers of all backgrounds.

I understand the professional, ethical, technological and commercial realities of legal practice, the importance of the administration of justice, and the need to improve access to justice and to legal advice. I believe that independence, competence and ethical practice depend on lawyers enjoying economically sustainable practices free from unnecessary financial and regulatory burdens.

Access to justice is a central responsibility of the Law Society. In that context, I believe it is important that lawyers who provide legal aid receive fair compensation for their services. In the same context, paralegals have a role to play but expansion of that jurisdiction, (and the case has not been made for it) should only be on a cautious and thoughtful basis to ensure the fundamental requirement of competence in the delivery of legal services.

Retention of women and diversity in the profession are important to all of us. I have long been involved with mentoring and supporting women in practice. Recently, I was asked by the Justicia Project to assist with the development of one of its projects by contributing my expertise in law firm management.

I would also like to assist the Law Society, LAWPRO and LibraryCo in managing their affairs on a responsive and financially prudent basis, and, along with other providers, to assist in delivering CPD that is excellent, accessible and affordable.

Natif d'Ottawa, je défendrai vigoureusement les intérêts de nos membres francophones.

In my view, a strong, healthy, independent and self-regulated legal profession is very much in the public interest. The role of bencher is vital in this regard. I would like to contribute the experience and expertise I have gained to the Law Society and to the profession.

I respectfully ask for your support. Thank you. C'est avec humilité que je sollicite votre appui. Merci de votre attention.

Raised in Ottawa

B.A.Sc. in Engineering, University of Waterloo, 1977

LL.B., University of Toronto, 1982

Called to the Bar in 1984

Joined McCarthy Tétrault, Toronto, in 1984

Member of firm Executive Committee 1997-2002

National Litigation Practice Group Leader 2002-2006

General Counsel since 2007

Member of CBA Task Force on Conflicts of Interest

Vice-Chair of CBA Ethics and Professional Responsibility Committee

Member of the TLA, OBA and Advocates' Society



Born and educated in England where he was first called to the Bar, Graeme has lived and worked in Toronto for 26 years. Law degrees from Kingston University and the University of Windsor. Called in Ontario in 1987. Also admitted in B.C.

Although he started out prosecuting shoplifters, Graeme now practises civil litigation, with an emphasis on insurance, professional liability and sports law. *Pro bono* adviser to Rugby Canada. Counsel to Nicholl Paskell-Mede LLP's Toronto office (10 lawyers).

Extensive experience as an arbitrator and mediator. Arbitrator, Court of Arbitration for Sport and Sport Dispute Resolution Centre of Canada. Member at ADR Chambers.

President, Commonwealth Lawyers Association 2005-2007.

Longer ago than I care to remember, I was part of a group of idealistic law students who got together to advocate change at the Law Society. Back then, meetings of Convocation were held in private, minutes were not made publicly available and information about benchers' voting behaviour in Convocation was non-existent. The vast majority of benchers were senior male members of the profession. It was largely a good old boys' club.

We were quite successful and much has changed (not just due to our group, but we played our part). Governance of the Law Society is far more transparent now. Election as a bencher is not just sought by the great and the good (the irony that I myself would now fit the profile of a "good old boy" is not lost on me, but nonetheless I hope you will find other redeeming qualities that justify your supporting me).

Why am I standing now?

Because self-governance of the legal profession is under threat.

We take an awful lot for granted in Ontario. Law Societies in Canada have been able to preserve the right to self-governance by making the case that the public is best served by an independent and efficient legal profession committed to the highest standards of ethics and integrity.

Sometimes lawyers and paralegals don't fully understand this. They think that they are over-regulated and that the Law Society should be doing more to look after its members (a.k.a. "licensees").

For the past decade I have been active in the Commonwealth Lawyers Association ("CLA"). I served as the CLA's President from 2005-7. Through the CLA I have seen what happens when the government loses confidence in the legal profession to regulate itself. In some places, like Fiji and Zimbabwe, government interference in the legal profession is anything but subtle. But even in the UK, self-governance of the profession has been severely limited. Solicitors in England & Wales used to be regulated by the Law Society, much as they are here. Not any longer. The Law Society has been replaced by the "Solicitors Regulatory Authority" which is an "Approved Regulator" overseen by a Legal Services Board, appointed by the government and consisting of a majority of non-lawyers. The cost of this over-regulation is largely borne by the profession and, although it is early days, the obvious concern is that the governance of the profession will be influenced by government objectives which, in the UK, currently include the decimation of publicly funded legal services.

It could happen here too.

Many observers think that the failure of the Law Society in England to effectively deal with complaints against lawyers was the catalyst for government intervention. That is why it is right that in Ontario we have a comprehensive process for complaints against lawyers, with independent review of those complaints. It is why the Law Society should stay the course on education, training (including keeping articling), ethics, standards and continuing professional education. But these requirements must be reasonable and defensible. It is important that they are not seen as protectionist.

Because much of the talk is about globalisation these days, it is easy to forget the important work done by our colleagues in smaller communities. The Law Society's educational and practice support programmes must meet their needs.

Although I live in Toronto, I've been lucky to have worked from one end of the province to the other. I've also practised in big firms and small firms. Because some of my work continues to be done in other jurisdictions, I have a global perspective. The next four years will see more foreign firms setting up in Ontario and more demand for cross-border legal services. While embracing globalisation because it is good for business, we need to manage it in a way that ensures that appropriate levels of service and professionalism are maintained for the benefit of the Ontario public.

I believe that my experience puts me in a good place to serve the profession and the public wisely and pragmatically. If you agree, please support me and other like-minded candidates in this bencher election.



Janet E. Minor

Toronto

It has been a privilege to serve the profession as a bencher. That experience has reinforced my belief that it is important that benchers reflect both the diversity of people in our profession and the diversity of practices: private, public, in-house, large and small. This diversity better serves both the profession and the public interest.

Self-governance is fundamental to the independence of our profession. Continued self-governance depends on continued public confidence that the Law Society promotes the public interest, particularly in the way we govern ourselves, how we regulate admission and discipline, how we promote equity in the profession and how we improve access to justice for the public.

My over 30 years of experience in analyzing public policy, both as a litigator and advisor to 9 different provincial governments, have taught me the need to take care when balancing interests. I have endeavoured to bring that judgment to Convocation to serve the public and the profession.

I have been fortunate to have been given the opportunity to develop experience across the Society's mandate, to help bring about change and to participate in progressive initiatives. More needs to be done.

As a **Hearing and Appeal Panel** member, I am aware of the need to continue to improve our discipline process.

As member of the **Finance Committee**, I have carefully balanced the need to fund important programs with awareness of the financial burden fees can place on lawyers.

As a member of the **Governance Task Force**, I helped develop the needed reform in our governance structure. One aspect I supported, term limits, will contribute to the election of new benchers and enable renewal.

As Chair of the **Equity and Aboriginal Issues Committee**, I am encouraged by the increased participation of women, minorities and persons with disabilities in our profession. There are still barriers and difficulties in working conditions, earnings and attitudes. I contributed to our significant initiatives to assist the retention of women in the profession. While this work continues, we need to focus next on assisting other equity seeking groups. We have completed important consultations on the needs of Aboriginal lawyers and begun consultations with racialized lawyers about issues they face. We need to build on the advice we have received and to develop initiatives to ensure these groups advance in our profession and are not marginalized.

As a member of the **Licensing and Accreditation Task Force**, and the **Professional Development and Competence Committee**, I know there are challenges for individuals and for the profession as a whole. Increased numbers of graduates, especially those from equity groups, face difficulty in obtaining articling positions. I am convinced of the importance of mentoring. We need to improve the availability of appropriate mentoring for new lawyers, especially those in small and sole practices. We also need to ensure the public has access to legal services, particularly in rural and remote areas and amongst linguistic communities. I am committed to working on effective measures to address these problems.

As Trustee of the **Law Foundation of Ontario**, I have had an opportunity to improve access to justice by funding organizations and groups who pursue public interest mandates. I am also a member of its **Class Proceedings Committee**, funding class actions in the public interest.

As a Board member of the **Ontario Justice Education Network**, I have worked towards fostering public understanding of the justice system and providing public legal education, particularly for elementary and secondary students.

As a Board member of the **Ontario Lawyers' Assistance Program**, I have been committed to developing a strong organization to help lawyers when they need it. Both the public and the profession are at risk when lawyers face serious personal, work and family issues without assistance.

I ask for your support for re-election so that I may continue to bring my experience, energy and enthusiasm to the important work of Convocation.

Elected Bencher

2001-2003

2006-Present

LL.B. (U of T)

LL.M. (Osgoode)

Called 1975

General Counsel

Ministry of the Attorney General,
Constitutional Law Branch

2010 Tom Marshall Award

Ontario Bar Association

2003 President's Award

Women's Law Association

Associate Chair

University of Toronto Tribunal &
Discipline Appeals Board

Board Member

Centre for the Legal Profession
Law Foundation of Ontario
Ontario Lawyers' Assistance Program
Ontario Justice Education Network

Past Chair

Sir William Campbell Foundation
University of Toronto Law
Alumni Association

Member and Past Director

Advocates' Society

Member

Toronto Lawyers Association
Lawyers Club of Toronto
Women's Law Association
Supreme Court Advocacy Institute
OBA

Past Adjunct

University of Toronto
Osgoode Hall

Founding Director and Endorsed By:

Association of Law Officers
of the Crown



Barbara Murchie

Toronto

A small-town, Northern Ontario upbringing gave me strong values; 10 years' experience in the television industry made me a real producer; 25 years as a lawyer, in large and small firms, showed me the realities of practice; not-for-profit experience taught me good governance and to listen to, and balance, competing interests. This is the background that I believe will make me an effective bench.

In considering the issues and in speaking to lawyers across the province to prepare to run for this office, two common concerns have emerged: the need for more relevant training for recent graduates and the continuing lack of access to justice. In addition, lawyers from outside of Toronto want to be heard. Those in small firms do not want unnecessary regulation. Those in smaller communities face the greying of the bar without a succession plan. Many are concerned about the role of women.

If elected, I will:

- **support initiatives to increase entry-level skills.**
- **actively work on increasing funding to legal aid and support limited retainers.**
- **be responsive to lawyers from all areas and practices in the province.**
- **support opportunities to introduce lawyers to small-town practices and take active steps to retain women in private practice.**
- **be wary of over-regulation.**

Background

Public and high school in New Liskeard, Ontario

B.A. University of Toronto

Producer/director CITY-TV, CFTO TV, CTV prior to and during Osgoode Hall Law School

Called 1986

Practised litigation in small and large firms

Partner, Bennett Jones LLP since 2005

Professional Service

Regional Co-Chair, Court House Series 2005-2011

Thunder Bay, Windsor, London, Hamilton, Kitchener, Ottawa, Toronto

Duty Counsel, Law Society hearings

Trustee and President, The Lawyers Club 1994-2001

Director, The Advocates' Society 2002-2005

Member, IPIC, CBA, OBA, TLA and WLAO

Community Service

Chair and Director
Casey House Foundation
(HIV/AIDS Hospice 1996-1999)

Chair and Director
Ovarian Cancer Canada
(1999 – 2010)

Ensuring Competence

Too many graduates emerge from law school without the substantive skills required to practise law. The Law Society's licensing process, disciplinary proceedings and mandatory CLE support a competent profession. But the Law Society, and the law schools, must take additional steps to ensure a minimum standard of competence in the profession starting from the initial stages of a lawyer's career. Basic skills training should not be left to the employing law firm or to new lawyers themselves. The current hit-and-miss approach does not serve the interests of graduates, who have spent considerable time and money obtaining their degrees; it does not address the interests of the profession and it puts the public at risk. Higher standards are a must.

Providing Access to Justice through Legal Aid and Limited Retainers

Most middle and low-income people cannot afford lawyers. With self-represented litigants, the hearings are typically longer and more costly to the system and the opposing party than if another lawyer had been involved. The Law Society must continue to create and encourage opportunities for *pro bono* representation. Most importantly, it must work to increase funding to legal aid to avoid the costs, delay and injustice that too often accompany self-representation. I have had requests to work on limited retainers and have successfully defended a professional on that basis. I support limited retainers, with appropriate safeguards for lawyers who undertake them, as another means to increase access to justice.

Fostering an Inclusive Approach

With small town roots, I understand the sense of marginalization that can come when those outside the affected community make the decisions. Our profession serves a broad range of clients in towns and cities throughout the province. I have seen this diversity in practices through: helping to bring to cities across Ontario an Advocates' Society/local law association CLE programme (Court House Series); volunteering as *pro bono* legal counsel for the Law Society; and working in small and large firms. The effects of the Law Society's decisions are as varied as the affected practices and I will consider them in every instance.

Greying of the Bar

The greying of the bar is an access to justice issue in smaller communities. Law Society efforts, such as the recent job fairs, to introduce young lawyers to lifestyle and career opportunities in these smaller towns are a good start. I welcome the opportunity to work with local benchers to identify further initiatives to address this problem.

Retaining the Disappearing Sex

I have sadly watched the departure of too many good women lawyers from practice for a variety of reasons. I applaud the work of our Treasurer, Laurie Pawlitzka, and her fellow benchers in producing the recommendations for the Retention of Women in Private Practice. I look forward to being part of the implementation of those recommendations.

* * *

If you share my concerns, if you want a benchner who will respond, vote Barb Murchie.

Contact me at <http://electmurchie.wordpress.com/>



Kimberly R. Murray

Toronto

Respectful Relations

I wish to acknowledge the ancestral lands of the Mississaugas of the New Credit First Nation, where Osgoode Hall is situated on. My primary reason for wanting to be a bencher is to further the work that the Law Society has begun in improving access to the legal system for Aboriginal people.

As the current Executive Director of the Truth and Reconciliation Commission of Canada (TRC), it is an enormous honour for me to sit with, and learn from, First Nation, Métis and Inuit people across Canada. The relationship between Aboriginal communities and the legal system has been marred by serious injustices. For example, the government's residential school policy permitted, in law, the abduction of Aboriginal children from their homes, families and communities and had them placed in state and church run schools with the main goal to "kill the Indian in the child." When Aboriginal parents, communities and governments attempted to stop the apprehension of their children, the law was used against them. The law made it illegal for Aboriginal people to hire lawyers without the consent of the federal government, and required them to relinquish their Aboriginal rights if they themselves wanted to become lawyers. I note this sordid history to explain some of the reasons why the Aboriginal community may mistrust the law, lawyers and the Canadian justice system. Reconciliation between Aboriginal and non-Aboriginal people, institutions, and governments is vital.

Prior to my appointment to the TRC, I worked as a staff lawyer and Executive Director of Aboriginal Legal Services of Toronto (ALST). For 15 years, I worked on behalf of the most marginalized members of the Aboriginal community. I learned first hand the importance of maintaining and improving our legal aid system. As a young lawyer, I was fortunate to have several mentors from the legal profession and I often relied on the *pro bono* services of lawyers in various firms and law faculties across the province.

Drawing on these experiences, if elected bencher, I am committed to enhancing the following key relationships:

a) The Law Society of Upper Canada and Legal Aid Ontario

Our legal aid system in Ontario is the best in Canada. We should be proud of our progress in developing a system that attempts to respond to the various legal needs of low income Ontarians. As good as our system is, more work can be done. The establishment of Aboriginal Legal Service Corporations is necessary to better serve the Aboriginal community, proper compensation for lawyers receiving legal aid certificates is essential, and improved support for legal aid clinics is required.

b) Experienced Counsel and the Junior Bar

Mentorship is an important and valuable process that all lawyers in Ontario should have access to, regardless of where they practice. Connecting senior counsel with recent calls can reduce the number of complaints received by the regulatory arm of the Law Society and help foster public confidence in the legal profession.

c) Marginalized Communities and *Pro Bono* Legal Services

Far too many people cannot afford to hire lawyers to assist them with their legal needs and fall between the cracks of legal aid. These individuals can benefit the most from enhanced *pro bono* legal services. Our profession has made great strides in developing a *pro bono* culture in Ontario. However, I remain concerned that inexperienced, often unsupervised, lawyers are practising on the poor. I believe that the Law Society needs to issue guidelines on *pro bono* legal services to remind counsel that the rules of professional conduct apply equally to *pro bono* clients as to those that can afford to pay for legal assistance.

d) Families and the Practice of Law

More needs to be done to support parents in the legal profession. Through my 16 years of practising law, seven have been as an only parent of two children. The legal profession has not always been accommodating to my family status. If elected bencher, I am committed to furthering the work of the Retention of Women Task Force and to implementing supports for lawyers with children.

I thank you for considering my candidacy. Please feel free to contact me at kim.murray@trc.ca if you have any questions.

- Member of Kanesatake Mohawk Nation
- Called to the Bar in 1995
- 15 years at Aboriginal Legal Services of Toronto as lawyer and Executive Director (1995-2010)
- Member, Aboriginal Working Group – Law Society of Upper Canada
- Recipient of 2009 City of Toronto Aboriginal Affairs – Access, Equity, Human Rights Award
- Community Leadership in Justice Fellowship – Law Foundation of Ontario (2007)
- Member, Aboriginal Advisory Committee Legal Aid Ontario
- Member, Director's Resource Committee Special Investigations Unit
- Member, City of Toronto Aboriginal Affairs Committee
- Member, Board of Directors - Association in Defence of the Wrongly Convicted
- Adjunct Professor, Osgoode Hall – Co-Director of Aboriginal Intensive Program
- LL.B. Osgoode Hall 1993
- Mother of two daughters



Gina Papageorgiou

Toronto

I firmly believe we need more diverse representation at Convocation. Because of my experience as a former partner with a large law firm, crown attorney, in-house counsel and my current work as a sole-practitioner working in the non-profit sector, I have a broad and valuable perspective on the profession.

Access to Justice: Studies document the increasing inability of Ontarians to access affordable legal services, as well as the growing problem of the unrepresented litigant. In its next term the Law Society will be devoting increasing attention to these important issues. For many years my practice has focussed almost exclusively on matters involving access to justice. As President of the Schlifer Clinic and Director of the Human Rights Legal Support Centre, I have directed organizations which improve access to justice for some of the most marginalized and vulnerable people in our society, many of whom do not speak English. During my Presidency, the Schlifer Clinic received the prestigious Guthrie Award for its outstanding contribution to access to justice in Ontario. As a Deputy Judge of the Small Claims Court, I am continually grappling with the problems faced by our system, as well as by litigants who cannot afford legal representation and are forced to represent themselves. As counsel to the Class Proceedings Committee and the Law Foundation of Ontario, I work to advance access to justice daily. I have a unique and important “on the ground” perspective and expertise which the Law Society needs.

Working Conditions for Lawyers: Surprisingly, while more and more Ontarians cannot afford lawyers, more and more lawyers cannot find jobs. Studies continue to recommend increases to the legal aid tariff. Complaints about incivility have increased by 50% over the last ten years. Mentorship continues its downward trajectory. Billable hour expectations preclude the work-life balance which many lawyers want. We must address these critical issues.

Diversity: In order to maintain and advance justice and the rule of law, we must be a profession which internally supports and promotes equality and diversity. In the past several years the legal profession has studied and identified issues faced by women and minorities; many measures now address these issues. However, there is still much to do; all of the latest studies still show that women and minorities continue to face barriers in terms of status and satisfaction within the practice of law. In 2004 I left private practice for a short time to study barriers facing women lawyers from an academic perspective. I have much to offer as a woman with a lived experience and a proven commitment.

Benchers Need to Reflect the Changing Face of the Profession: Democracy works best when all groups have a voice. The 2009 LSUC Annual Report shows that approximately 58% of the lawyers in Ontario represent a demographic group which is under 50 years of age. Yet only a handful of elected benchers is from this group. 2009 Membership data also shows that lawyers practising in sole or small settings account for 98% of firms and 63% of all practitioners. These groups, as well as women and minorities, need more representation among elected benchers.

Independence of the Profession: Self-regulation is a privilege which we need to safeguard. Ongoing issues like increasing incivility, declining access to justice, and continued barriers to equality undermine the public confidence in the legal profession. While law certainly is a business in many respects, justice should not be a commodity for sale.

I put my heart and soul into everything I do and I have a proven track record of success. As a bencher, I will work tirelessly to improve the legal profession, remove barriers to equality, promote the public interest, and improve access to justice.

I ask for your support and encourage everyone to contribute to ongoing discussions and debates about the profession.

“Be the change you want to see.” – Mahatma Gandhi

Married with two children
Called to the Bar: 1991
LL.M.: 2006

Deputy Judge

Small Claims Court

Counsel

Class Proceedings Committee
and Law Foundation of Ontario

Vice Chair

Human Rights Legal
Support Centre

Past positions and appointments

- 1) Partner, McCarthy Tétrault
- 2) Board President, Barbra Schlifer Clinic
- 3) Special Investigator of Sexual Harassment, York University
- 4) Assistant General Counsel, York University
- 5) Assistant Crown Attorney
- 6) Member, Commercial Court Users Committee
- 7) Lecturer, Business Law, U of T
- 8) Instructor, Bar Admissions Course

Community Involvement including

United Way Speaker,
Humbercrest Nursery School
President, various publications
and conferences regarding the
legal profession, diversity, and
access to justice

Awards including

Achievement of Excellence Award,
Ministry of Attorney General, and
Dean Ivan Rand Award



Laurie H. Pawlitza

Toronto

I was elected Treasurer by my benchers colleagues in June, 2010. Many of them have encouraged me to serve a second term as Treasurer. Under the *Law Society Act*, I can only do so if I run and am elected as a bencher in this election.

I am proud to be a lawyer. And I am proud to be a bencher.

Since my 2003 election, I have had the opportunity to both lead and support many positive changes in our profession.

Governance: I supported the introduction of term limits for benchers.

Civil Legal Needs Report & Legal Aid: A healthy legal aid system is the backbone of access to justice for low income Ontarians. Our legal system remains overburdened. The Law Society is a leading participant in the Alliance for Sustainable Legal Aid. We must continue this work, especially for those who do not qualify for legal aid. The Law Society recognizes that we must assist Ontarians with access to justice. As of 2010, the Society's Lawyer Referral Service is toll free. We now receive 12,000 calls a month.

Competence: As Chair of Professional Development and Competence, I led the introduction of our new Continuing Professional Development ("CPD") requirement. CPD must be affordable and accessible. I am pleased that the annual CPD requirements can be met without the lawyer paying a program fee. Study groups, mentoring, teaching and writing all qualify for credit.

Sole Firms And Small Practices: The Greying Of The Bar: Outside the urban areas, the bar is greying. In many communities the small town practitioner may disappear altogether. This year, we held the first articling symposium for sole practitioners and small firms, at which 130 small firms met with 300 law students. This is one of the new initiatives we have started to address and assist the aging bar.

Women In The Profession: Women now enter the profession in numbers greater than men, but they leave private practice almost three times more often than their male counterparts. As Co-Chair of the Retention of Women in Private Practice project, I introduced the first comprehensive approach by a Law Society to assist both small and large firms to keep women in private practice. Our implementation (including the Justicia project and the Parental Leave Assistance Plan) is under way and has been well-received.

Future Challenges: If I am elected, there are a number of issues facing the bar that I intend to address:

Articling: The number of students seeking articles has increased by 50% over the past ten years. Not surprisingly, the number of unplaced students has also risen dramatically. There are few articling positions outside of our major urban areas, and in certain practice areas such as criminal defence.

Mentoring: Over the years, mentoring of young lawyers has waned. Young practitioners, especially those starting practice as sole practitioners or in small firms, need good mentors. A co-ordinated approach is required.

The Self-Represented: The number of self-represented litigants continues to rise. Neither courts nor lawyers are well equipped to deal with the unrepresented. This issue is particularly acute in family law.

Reflecting the Face of Ontario: The face of our profession does not yet mirror Ontario's diversity. While the Society has begun to address this, we can do more. This is an important access to justice issue.

Meeting You: Since 2003, I have had the chance to meet lawyers from all over the province. These meetings have been the best part of my benchers work so far. You have helped me recognize our differences - and our similarities. I have learned a great deal, both about you and about your work. You have shaped my opinions. I thank you for that.

I hope to continue to serve the profession and meet many more of you in the time ahead. You can learn more about me and what I stand for at:

- www.youtube.com/ReElectPawlitza
- www.facebook.com/laurie.pawlitza
- Twitter - @ReElectPawlitza
- www.torkinmanes.com/ReElectPawlitza/pawlitza.html

Please feel free to e-mail me at ReElectPawlitza@torkinmanes.com.

LSUC Positions Held

Currently, Treasurer, Law Society of Upper Canada

Elected Bencher since 2003

Prior to being elected Treasurer:

- Chair, Professional Development and Competence
- Co-Chair, Retention of Women in Private Practice
- Vice-Chair, Government Relations
- Director, LAWPRO

Other Professional Activities

Family Law Rules Committee (2001-2007)

Trustee, The Lawyers Club (2000-2007)

OBA Family Law Section Executive (1999-2003)

Other Volunteer Activities

Former Chair and Director, Casey House Foundation (supports HIV/AIDS Hospice) (1998-2003)

Volunteer, YMCA (1988-2002)

Biographical Background

Born and raised on a Saskatchewan farm

B.A., 1980, LL.B., 1983

University of Saskatchewan

Called in Ontario, 1986

Partner, Torkin Manes LLP

Named a 'Best Family Lawyer'

by *Best Lawyers in Canada*

Live in Toronto with my husband, a Newfoundland dog and three cats



Julian Porter

Toronto

My practice has touched on almost every aspect of non-commercial litigation. I have defended murder cases (not good results), obscenity cases (bad results) and run-of-the-mill criminal cases. For years I acted for many health professions and appeared before countless administrative tribunals. I now mostly do libel, slander, copyright and interference with economic relations and I am often fencing with human rights tribunals. I have appeared before a parade of juries and enjoy bringing the tingle of theatre to the Court.

I've been in big law firms, a small criminal law firm, then building a solo practice to a 12 person firm; then moving to a mega firm and for the past eleven years, a sole practitioner. My past partners have included a leader of a national political party and a long term visitor to jail.

When I'm not being a bencher or a litigator I am writing a book, *133 Paintings to See Before you Die*, from Giotto to Picasso. You can see some excerpts on my web site: www.julianporterqc.com. It won't hurt to have a bencher who knows his art.

Sole practitioner since 2000.

Julian Porter, Q.C., has been a barrister since he was called to the Bar. His first 8 years were with John Sopinka at Faskens. Julian has been involved in a variety of civil and criminal cases. He has given numerous lectures on cross-examination and libel. He is co-author of *Canadian Libel Practice*. He has been Chairman of the Toronto Transit Commission, President of the CNE and on the Boards of the Cancer Research Foundation and the Stratford Festival.

He is a member of The Advocates' Society, Ontario Bar Association, a Fellow of the American College of Trial Lawyers and recipient of an honorary LL.D. from Queen's University.

Julian is married to Anna Porter.

Convocation is composed of a large number of benchers with a vast variety of experience. At times Convocation has the crackle of Westminster, people standing, the roll call of votes, the narrowness of margins of defeat. Always the debate widens your scope, often you become allies on an issue with former opponents. This is the splendour of the job, and civility is the cement of the institution.

I have been a bencher since 1999. I have headed the Litigation Committee, the Government Relations and Public Affairs Committee, Ontario Lawyers Gazette Advisory Board and I am currently Chair of the Proceedings Authorization Committee which processes the discipline cases.

I wish to note four extraordinary candidates for bencher:

Carol Hartman: from Sudbury, she is a most able Chair of Finance, which is a complex committee;

Janet Leiper: wise with a quiet determination, running for the first time;

Wendy Matheson: a Toronto litigator both energetic and practical, running for the first time;

Laurie Pawlitz: our Treasurer, whose talent is astounding.

I am painfully aware of the uncertainties of a law practice, clients come and to my grief, they go. Our profession is a valley of potholes. As a bencher I won't do anything foolish. I've looked out for the practitioners' interests since 1999 and I want to continue. I am reliable and we have a need for reliability in the face of the unforeseen challenges which will arise.

I have seen much as a bencher, all of it an education. I believe I bring common sense to debate and a dollop of humour which doesn't hurt.

Come on, it won't spoil some vast eternal plan if you vote for me!



A. Michael Rothe

Toronto

Friends and Colleagues,

I am proud to stand as a candidate for the 2011 Benchers Election. At the same time that we have witnessed remarkable progress from our Law Society we have also witnessed the loss of this privilege in other jurisdictions. We cannot take our self-governance, the basis for a strong and independent Bar, for granted. There remains considerable work to be done. The Law Society must therefore balance fair regulation in the public interest while at the same time minimizing unnecessary disruptions and red tape for the profession.

As benchers, I will bring over a decade of experience as in-house counsel in the public and regulatory sector to bear in my new role, to ensure that the Law Society governs effectively in the public interest while working cooperatively with its members.

Married, with one daughter

Practice

Director, Legal Services
Department
Ontario Motor Vehicle Industry
Council

Education

- Osgoode Hall: LL.M. in Administrative Law
- Osgoode Hall: Post-Graduate Diploma in Justice Administration
- University of New Brunswick: LL. B.
- Wilfrid Laurier University: Hons. B.A.
- International Studies: Universität Heidelberg; Universität Mannheim; and Moscow State University

Community Service

- Speaker at various seminars and conferences on administrative and regulatory issues
- Past-Instructor: Law Clerk Program, Seneca College
- Past-Board Member: Varley Gallery
- Past-Board Member: Ontario Chinese Canadian Association

Membership

- Law Society of Upper Canada
- Ontario Bar Association
- The Advocates' Society
- The Prosecutors' Association of Ontario

Communication

It is my desire to continue to build upon the efforts of other benchers to ensure that we, along with the Law Society, communicate and consult with the profession about the current issues and challenges facing our profession. **Benchers must be available, accountable and engage with the profession regarding the decisions and actions of Convocation.**

Perspective

It is the responsibility of benchers to represent the interests and present the perspectives of the entire profession and not just a select few. As in-house counsel I am uniquely positioned to provide a complementary perspective to the traditional private practice practitioner. I have also appeared before all levels of court and tribunals across Ontario from the Court of Appeal in Toronto to the Licence Appeal Tribunal in Thunder Bay. This experience has given me insight into the unique perspectives and challenges facing those of us who practise outside of the GTA and in smaller communities. Finally, having lived, worked and studied in Europe and Asia, as well as having returned to Ontario from a law school outside the province, I can empathise with the challenges facing prospective students and lawyers from outside of Ontario and Canada who are seeking to practise in Ontario.

As a benchers I will bring a complementary perspective to those traditionally presented to the Law Society and I will strive to work for the betterment of all sectors of our profession—barrister and solicitor; in-house, large/medium/small firm and sole practitioner; rural and urban practices.

Continuing Professional Development

While it is important to ensure that all lawyers meet and maintain the same standards, to ensure a competent and ethical Bar, the Law Society must ensure that all CPD programs are accessible, relevant to local legal markets and affordable. The Law Society must work with other legal organizations to **ensure that the CPD programs offered to the profession are cost-efficient, and provide substantive practice management skills available throughout the province**, that reflect the diversity of the composition and practice types of all members, whether in large firms or small, in-house or private practice.

Access to Justice

Increasingly, ever more litigants appear before Ontario's courts and tribunals without representation. This is not only a fundamental access to justice issue but a significant issue facing counsel representing the opposing litigants. There are many self-represented litigants who qualify for a legal aid certificate but cannot find a lawyer willing or able to accept the retainer. **The Law Society must take a leading role in working to resolve this issue so that lawyers who accept Legal Aid Certificates are fairly compensated** and litigants who require representation receive it.



Linda Rothstein

Toronto

In April 2007 I was privileged to be elected for the first time as a benchers. It gave me the opportunity to become engaged in the many challenges that confront our profession and to take steps to address them.

I am proud of my work, as a member of the Governance Task Force, bringing much needed reforms to the composition of Convocation. It was a long and tough fight but we eventually brought about changes, including a much needed term limit of 12 years for benchers. I hope this will foster renewal in our ranks. But Convocation is still too large, our decision making processes are often cumbersome, and it is time for our work to be more transparent. We should consider webcasts of Convocation.

There are many pressing issues that must be addressed by the next Convocation. My two priorities are access to justice and the discipline process.

In 2010, the Access to Justice committee persuaded Convocation to support the Civil Legal Needs Study so that we can identify how best to deploy resources to address the under-representation of middle and lower income Ontarians in the judicial system. I supported funding for this important project. This long overdue initiative is but one small step. It is time for the Law Society to take a leadership role, by partnering with Legal Aid Ontario, the Law Foundation of Ontario, Pro Bono Law Ontario and others to address the legal needs of Ontarians. If we don't, four years from now little will have changed and the public will stop believing that our profession cares about the lack of affordability of legal services.

The discipline process is one of the Law Society's core functions. Much time and many resources are devoted to it. But for members who find themselves practising in a vacuum, and struggling with their practice and professional responsibilities, there are not enough ways to address the Law Society's concerns quickly and affordably. We need to consider innovative approaches: access to duty counsel early in the investigative process, increased use of alternative dispute mechanisms, and more experienced lawyer-adjudicators from the profession to sit with benchers on discipline.

I practised happily in a large firm for almost 20 years and, for the last 10 years, in a small one. I have been lucky to travel frequently across the province to meet with local members of the Bar. I believe I have come to understand the problems lawyers face inside and outside of Toronto, in large firms and in small ones. I will continue to press for change. I am prepared to push hard for reform. It takes energy, enthusiasm and just plain doggedness.

I would like to commit that energy to the work of the Society for 4 more years. I would appreciate your support.

For more information please visit www.lindarothsteinforbencher.com

- Married with four children
- Called to the Bar of Ontario (1982)
- Managing Partner, Paliare Roland Rosenberg Rothstein
- Member, Governance Task Force (2007-2011)
- Member, Retention of Women Working Group (2007-2008)
- Co-chair, Justicia Project -Medium Firms (2008-2011)
- Chair, Professional Regulation Committee (2008-2010)
- Co-chair, Tribunals Committee (2010-2011)
- Vice-Chair, Finance Committee (2010-2011)
- Past President, The Advocates' Society (2005-2006)
- Awarded Law Society Medal (2005)
- Awarded Toronto Lawyers Association Award of Distinction (2008)
- Fellow, American College of Trial Lawyers
- Fellow, International Academy of Trial Lawyers
- Commission Counsel, Inquiry into Pediatric Forensic Pathology
- Best Lawyers in Canada: Bet the Company Litigation, Corporate and Commercial Litigation, Administrative and Public Law, Labour and Employment Law



Mark J. Sandler

Toronto

I am seeking your support for a 3rd term as an elected bencher. I have worked very hard as a bencher – for example, in 2010 alone, I was engaged in bencher work on 111 days.

I believe that my experience as a bencher (particularly as a Chair and member of multiple committees), and as a small firm practitioner, appellate and trial criminal litigator, Chair of the Law Foundation of Ontario, adjudicator, professor and community volunteer enables me to better serve the legal profession and the public.

Partner, Cooper & Sandler LLP; Appellate and trial criminal litigator for 31 years; Elected bencher (two terms); Chair, Law Foundation of Ontario; Chair, Appeals Panel; Co-Chair, Tribunals Committee; Elected Fellow, American College of Trial Lawyers; Counsel to seven inquiries or reviews, including Goudge Inquiry (Pediatric Forensic Pathology); Guy Paul Morin Inquiry; Counsel to Minister of Justice (assisting Justice Kaufman) respecting Steven Truscott application; Adjunct Professor, Osgoode Hall Law School 1994 to 2005; Outstanding Pro Bono Legal Services Award; former Member, Human Rights Tribunal of Ontario; Co-Author, *Criminal Procedure: Cases, Notes and Materials*, 2nd Edition; Member, Advocates' Society, Criminal Lawyers' Association; Ontario Bar Association; Toronto Lawyers Association; York Region Law Association; Faculty, Federation of Law Societies National Criminal Law Programme.

Discipline and Professional Conduct – I am Chair of the Appeals Panel, Co-Chair of the Tribunals Committee, Chaired the Tribunals Composition Task Force and was a member of the Investigations Task Force. It is important that complaints be investigated, and, if necessary, adjudicated upon in a timely, consistent and fair way. I have worked hard on enhancing the professionalism of our tribunal: supporting the selection of qualified non-bencher adjudicators; providing Adjudicator Education at Convocation; working on improved Rules of Practice and an Adjudicator's Code of Conduct. I have authored over 50 reported appeal judgments, as well as numerous hearing decisions.

Mentoring – Many lawyers do not have ready access to a mentor and are reluctant to contact the Law Society to facilitate access to such a mentor. Ongoing mentoring reduces the likelihood that members of the profession will face the discipline process, which is frequently the result of practice difficulties, rather than dishonesty. I support greater initiatives to enhance access to senior mentors.

Sole and Small Firm Practitioners – We need to do more to provide support for sole and small firm practitioners in dealing with the difficult issues they face on a daily basis. I supported the initiatives in this area in the last term, but this has to be given significant priority in the upcoming term.

Legal Aid Ontario – I regard an independent, vital and properly financed Ontario Legal Aid Plan to be of critical importance to the profession and the community it serves. Legal aid clinics also play a vital role that cannot be overlooked. I will continue to be heard loudly and clearly on this issue in the upcoming term.

Equity and Diversity – I am strongly committed to diversity within, and accessibility to, the legal profession. I have served as a member of the Equity and Aboriginal Issues Committee, and am supportive of the Society's equity and diversity initiatives (particularly those to promote the retention of women in our profession) during the last term.

Articling Students and New Lawyers – The number of students seeking articling positions and ultimately employment as lawyers has dramatically increased. The Law Society must play a greater role in addressing the issues associated with this growth, such as the impact on the profession as a whole; employment opportunities; and the financial burdens of legal education.

Continuing Legal Education – We now have mandatory CLE – but the true challenge remains – ensuring accessible and affordable CLE for practitioners throughout Ontario. I have committed to this goal. I also frequently participate in CLE as a lecturer, panellist, and author in educational programmes offered by the LSUC, Criminal Lawyers' Association, Federation of Law Societies, Advocates' Society, National Judicial Institute, Ontario Bar Association, etc.

Pro Bono Services – Early in my career, I was proud to be a recipient of the Pro Bono Legal Services Award, and have continued to serve in many volunteer positions in the community. I am the Chair of the Law Foundation of Ontario, and am proud of our contribution to access to justice in this province – especially in difficult economic times. I am equally proud of those members of the profession who provide *pro bono* services, and continue to lend my support to their activities.

Highlights of Work as an Elected Bencher: Chair, Appeals Panel; Chair, Tribunals Committee; Chair, Law Foundation of Ontario; Chair, Tribunal Composition Task Force; Member or Former Member, Equity and Aboriginal Issues; Human Rights Monitoring Group; Working Group on Anti-Semitism and other forms of Hatred and Discrimination based on Religion; Professional Regulation; Government Relations.

Member, Criminal Lawyers' Association; Toronto Lawyers Association; Ontario Bar Association; Advocates' Society; York Region Law Association.

I would be grateful for your continued support.



Paul B. Schabas

Toronto

The Law Society must continue to move forward and confront the challenging issues facing the profession – access to justice, access to the profession, education and discipline, retention of women and the “graying” of the Bar outside Toronto. My experience as a bencher since 2007 has been challenging and rewarding, but also frustrating. We need to do more to make the Law Society work effectively and efficiently.

My varied litigation practice - media, civil and criminal law - (I started in criminal defence and still keep my hand in it), and my role as a Trustee of the Law Foundation, keeps me in touch with many lawyers – in small and large firms, the public sector, clinics and in-house counsel. My experience in public law, in leading legal organizations, and now as a bencher, has given me the tools to push hard to make the Law Society work better for the profession, and the public.

- Married with three children
- Called to the Bar of Ontario (1986)
- Partner, Blake Cassels & Graydon LLP
- Bencher, served as:
 - Co-chair, Access to Justice Committee
 - Chair, Human Rights Monitoring Group
 - Member, Equity and Aboriginal, Tribunals and Finance Committees
- Trustee, Law Foundation of Ontario
- Past President
 - Pro Bono Law Ontario
 - Canadian Media Lawyers Association
- Adjunct Professor, U of T (media law)
- Director
 - Canadian Civil Liberties Association
 - Osgoode Society
- Former Director
 - Advocates’ Society
 - Family Service Toronto
 - National Youth Orchestra
- Fellow, American College of Trial Lawyers
- Past Chair
 - OBA Constitutional and Civil Liberties

LAW SOCIETY REFORM: The Law Society continues to need change and renewal.

The governance reforms, including much-needed term limits to increase turnover among the benchers, was a huge step which I was pleased to support – the only surprise was the degree of opposition to it, which highlighted the need for change. There is still much to be done. Convocation is a large and cumbersome body; approval of new initiatives can be slow and difficult. If we are to be successful in addressing the challenges faced by the profession, the Law Society needs to be more transparent, efficient and responsive to our members and the public.

ACCESS TO JUSTICE: It’s time for the Law Society to take a leadership role,

partnering with LAO, LFO, PBLO and others, to develop innovative ways to improve access to justice. As Co-Chair of the Access to Justice Committee I was an initiator of the Civil Legal Needs Study. This long-overdue empirical look at civil legal needs provided important information so that we can address legal needs effectively and where they are needed most. *Pro bono* initiatives are great, but must never be a substitute for a well-funded legal aid system. We must do more, and pursue new initiatives, to benefit the public.

ACCESS TO THE PROFESSION, EDUCATION AND DISCIPLINE: The profession is facing big challenges.

There are not enough articling positions available for those seeking them. Women join, but also leave the profession in higher numbers than men. New requirements, like mandatory CPD, put an added burden on all of us. The Discipline process also needs to improve. We need to confront these issues. This includes looking at the future of articling and our licensing process, being more pro-active in providing support to lawyers who need it – especially new lawyers and lawyers in sole and small firm practices. We need to meet the legal needs of smaller communities. Huge resources are dedicated to discipline, and rightly so to protect the public, but we must be more innovative and efficient. Convocation recently adopted an early resolution process, but we must also look at other forms of ADR and early intervention to avoid lengthy (and costly) investigations and hearings.

If re-elected, I’ll work hard to serve the profession, and address these challenges. Thanks for your support.

Member: AIDWYC Advisory Committee, Friends of the Community Clinics Committee, OBA, TLA, The Advocates’ Society, Criminal Lawyers Association

Robert Shawyer

Toronto



Call 2006

Windsor Law 2005

Principal, Shawyer Family Lawyers

Practice restricted to Family Law
and Child Protection

Board of Directors of the Family
Lawyers Association and Solo, Small
Firm and General Practice Forum

Member of the Ontario Bar
Association Family Law Section and
the Solo, Small Firm and General
Practice Forum

Presenter at continuing legal
education programs

robert@shawyerlaw.ca

I am standing for election as a bencher in my fifth year of practice because I believe it is important that younger members of our profession be involved in the direction and governance of our Law Society as it evolves.

Access to Justice: Since I began practising law in 2006, I have been a sole practitioner. As a result, I appreciate and understand the unique role the sole and small firm lawyer plays in ensuring the public's access to justice. In order that the public continues to have access to our justice system the Law Society must ensure that the services lawyers can provide evolve, otherwise the number of self-represented litigants will continue to grow, especially in the area of family law where approximately 70% of litigants are self-represented, and our court system will become overburdened. In order to avoid this situation lawyers must be able to offer services such as drafting and swearing affidavits for clients involved in litigation through limited scope retainers. It also means that the Law Society must play a role in helping lawyers understand and adapt to the changing needs of the public we serve. We need benchers who recognize the changes taking place, who are connected with the business of running a law practice and who will look ahead and anticipate the coming challenges in providing legal services.

Changing Nature of Providing legal services: The internet has been with us for quite sometime; however in the last couple of years its use by the public has increased exponentially, especially in terms of accessing services to meet their needs. The Law Society must deal with the issue of legal advice over the internet and create a comprehensive policy in this regard. Benchers with the ability to understand the unique challenges presented by the internet and its effect on the practice of law and the provision of legal services are needed.

Growing the profession: At the present time approximately 1,650 law school graduates and approximately 185 foreign trained lawyers per year are applying to be licensed by the Law Society; however there are approximately only 1,450 articling positions, which means that approximately 385 applicants per year are unable to secure articling positions. This threatens the stability of the licensing process and threatens to drive young people from the profession. At present only 33% of all licensed lawyers in Ontario are under the age of 40. The Law Society must take action over the next four years to deal with this situation and come up with and implement a plan to ensure that young people have the ability to be licensed.



Beth Symes

Toronto

I have practised as a sole practitioner, in a small firm, a large firm, as Chair of a tribunal, and now as a partner in a litigation boutique, working on some of the most challenging and important public law cases in our community.

I am dedicated to equity within the profession and affordable high quality legal services for the public. Equity, excellence and affordability can be achieved while ensuring that our members are financially vibrant.

The profession has changed: more than 50% of new lawyers are women and more than 20% are racialized. It is exciting that lawyers now more closely reflect the community they serve. But the profession does not provide equal opportunities for all.

Young women lawyers are leaving the practice in large numbers. Although most new graduates begin their legal careers in similar positions, five years after their call, there is a significant gap in where lawyers practice and what they earn. After 15 years, women earn 27% less than white men and racialized lawyers earn 38% less. This gap is significant and troubling. In addition, I have observed that racialized lawyers are over represented in the discipline process. These are challenges which the Law Society and the profession must address.

We share a common vision of an excellent, strong and inclusive bar.

To govern in the public interest, Convocation must represent the diversity in the professions: men, women, racialized lawyers and lawyers with disabilities.

I have focused my past eight years at the Law Society on equity, discipline and money, key issues for self-regulation. If I am re-elected as a benchler, I will work hard on behalf of the entire profession. I will contribute my experience, my vision of equity, and my goal of excellence.

Partner, Symes & Street
Called to the Bar 1978
LL.B. Queen's University
Practises administrative law,
civil litigation, labour law and
equality rights

Order of Canada December 2010
LEAF Founder's Award 2010
WLAO President's Award 2004
Gordon Henderson Lecturer
in Human Rights 2003
Law Society Medal 1996

First Chair, Pay Equity
Hearings Tribunal

Lectured Trial Advocacy,
Economic Regulation and
Constitutional Litigation

Elected Benchler 2003
Served as VC Proceedings
Authorization Committee, Chair
Audit Committee, VC Finance,
member of Compensation, Equity,
Tribunals Committees and
Co-Chair of the Return to
Practice Working Group

1st VP Canadian Institute for
the Administration of Justice

Founder of Women's Legal
Education and Action Fund
Founder of Feminist History
Society
Founder of Society of Adjudicators
and Regulators



Anita Szigeti

Toronto

Dear Colleague,

Vote for me and join a conservationist effort! Let's prevent the extinction of a recently endangered species: the legal aid lawyer.

The only way that the most marginalized and vulnerable citizens can afford to be represented in Court and before tribunals is by way of Legal Aid certificates. Senior members of the bar have, historically, provided first-class representation to such clients. In recent years, we have seen an exodus of experienced counsel from Legal Aid. In addition to being marked by chronic underfunding and appallingly low hourly rates of pay, Legal Aid is increasingly micro-managed in its day-to-day operations in the name of "efficiency." This approach restricts the ability of legal aid lawyers to provide zealous advocacy for their clients, especially in the criminal defence context, where most of LAO's budget is spent on services. Legal Aid's focus on quality of services and support for lawyers who provide those services must not be compromised in the pursuit of saving the Attorney General money wherever and however possible. I am keenly interested in ensuring that due process and trial fairness do not fall victim to an over-enthusiastic approach to cost-cutting.

ENDORSED BY THE MENTAL HEALTH LEGAL COMMITTEE

- Called to the Bar (1992)
- U of T Law grad (1990)
- Sole practitioner (8 years)
- Partner in small law firm (Hiltz Szigeti) since 2002
- Mom to two astonishing kids, Scarlett (8) and Sebastian (5)
- (Founding) Chair of Mental Health Legal Committee for nine years (1997 to 2006)
- Counsel to clients with serious mental health issues before administrative tribunals and on appeals
- Former Chair, current member of LAO's mental health law advisory committee
- Educator, lecturer, widely published author (including text book on consent and capacity law)
- Fifteen years' experience as counsel to almost exclusively legally aided clients
- Frequently appointed *amicus curiae*
- Fearless advocate
- Not entirely humourless

I have been puzzled as to why these issues do not appear to be on the radar of Law Society business. They tend to get addressed mostly through advocacy by Lawyers' Associations and occasional bouts of boycotting. However, the problem of defence counsel being impeded in their ability to defend clients because of limitations imposed on their budgets, or of good lawyers refusing to accept legal aid certificates altogether, are not lawyer compensation issues. Rather, they become access-to-justice issues that adversely affect poor people's chances of getting a truly fair trial. As our Court of Appeal has noted:

Effective assistance by counsel also enhances the adjudicative fairness of the process in that it provides to an accused a champion who has the same skills as the prosecutor and who can use those skills to ensure that the accused receives the full benefit of the panoply of procedural protections available to an accused.¹

A defence lawyer who is not funded to obtain transcripts of a preliminary inquiry to put to witnesses at trial is a "champion" whose wings have been clipped. In my opinion, these issues fall squarely within the mandate of the Law Society, which is the following:

The Law Society governs legal service providers in the public interest by ensuring that the people of Ontario are served by lawyers and paralegals who meet high standards of learning, competence and professional conduct, and by upholding the independence, integrity and honour of the legal professions for the purpose of advancing the cause of justice and the rule of law.

I don't know why the Law Society has not examined the state of Legal Aid in this province. As a bencher, I will find out. I will work very hard to ensure that low-income Ontarians continue to be able to access justice in our Courts.

It is not the case that I only care about this one issue, to the exclusion of all others. My primary focus is on the legal aid crisis because I see it as having a domino effect that exacerbates all other issues facing the profession: articling positions, foreign-trained lawyers, graying of the bar, equity and diversity at the bar – success on many of these fronts ultimately depends on a healthy and vibrant legal aid plan. At the very least, more stable funding of legal aid would improve the plight of not only clients of legally aided services but also those lawyers prepared and willing to work hard on behalf of marginalized and diverse client populations.

Here is why I'd make a good bencher: I have a healthy dose of common sense. I like to get things done. I would be a fair but firm adjudicator on discipline matters. My professional track-record reflects principled and reasonable positions taken on policy matters and fearless advocacy on behalf of clients.*

For more information please see: <http://anitaszigeti.wordpress.com/> and <http://on.fb.me/eQZFtd>

Thank you for voting for a progressive, polite but firm voice at Convocation.

Anita Szigeti

*Plus, I could organize that bencher car-pool in a jiffy.

¹ R. v. Joannis; R. v. G.D.B



M. Philip Tunley

Toronto

You have an opportunity to shape Convocation and its agenda for the coming years. I want to build on recent improvements in the regulation of our profession in a way that respects and strengthens the growing diversity of legal practice today. I ask for your support.

Representation of our diversity in Convocation is a challenge I can help meet. I have practised in large full-service firms, in the Ontario Ministry of the Attorney General, and now in a small, 17-lawyer boutique. The cases I take on frequently involve working closely with instructing solicitors in various practice specialties and settings, or with in-house counsel in corporations, tribunals, and all levels of government. I have acted in civil, criminal and public law matters. My clients have ranged from large corporations to Aboriginal communities, and spanned Ontario's regional and multicultural spectra. This has equipped me to understand the practice concerns of lawyers across the province, and to balance them with the public interests engaged by our system of self-regulation. I commit to work to improve members' access to information, and increased input and involvement in the important work of the Society by all members, in both official languages, and especially those currently under-represented in Convocation.

"Access to Justice" is a rallying cry among lawyers, judges, and all those concerned about our system of justice. Yet a major retrograde step in that arena occurred last year, with the extension of provincial HST to legal billings. No policy rationale was offered for this added burden on the private bar, and on the cost of legal services to clients, rich and poor. It may be too late to reverse this decision. However, I will work with Convocation to press provincial party leaders to commit the proceeds of this regressive tax to the Legal Aid Plan and to new access to justice initiatives. Your support will strengthen that lobby in the coming provincial election. Your input will improve the design of these new initiatives. With your support and input, I believe this mis-step can still be turned into a highly progressive set of outcomes.

Standards of practice, both for entry and to ensure continuing competency in the profession, are a core function of the Society. Our articling system has ensured highly qualified new entrants, well-positioned to compete for jobs both outside Ontario and within. We need to refine that system to preserve its strength, to better meet the needs, particularly of smaller firms, and to expand its capacity to accommodate the increasing numbers of qualified graduates seeking a position. Our fledgling mandatory CLE system is a good beginning, but also a continuing challenge. It too needs refinement, to improve accessibility and relevance to members, to better serve new members in sole practice who lack mentorship and other practice supports, and to support improvements to our system of specialist certification.

Discipline of members is another, closely related core function. Our profession has an effective discipline process. I believe it deserves an exemplary one. It should command greater respect from members and greater deference from courts on appeal or review. Discipline Committee work is a significant part of the time commitment expected of all benchers, and I can make an immediate and effective contribution here. Having acted for both prosecution and defence, and as independent legal counsel to discipline tribunals before various professional bodies, including work as discipline counsel for the Society, I am well equipped for this task. I also commit to work with the Society's discipline staff and other stakeholders to improve the fairness, timeliness, and cost-effectiveness of our discipline process for lawyers and paralegals.

Convocation faces other important issues. If elected, I will support those pressing the Society to focus on its core functions, and for greater financial transparency and accountability from the Society and from benchers. Within the Society's mandate, I will support its leadership role in addressing diversity and disadvantage in our profession, and join those seeking practical responses to the findings of the *Ornstein Report on Racialization and Gender of Lawyers*.

I ask for your support in the coming Bencher Election to address these issues.

Stockwoods LLP
Trial and Appellate Advocacy
Partner, 2006-present

Called to the Ontario Bar, 1986
LL.B. (University of Toronto)

Member, CBA, OBA, Toronto
Lawyers' Association, Advocates'
Society, Canadian Media Lawyers'
Association

Adjunct Faculty, U. of T. Faculty of
Law Trial Advocacy course

Instructor and Team Leader,
Osgoode Hall Law School, Intensive
Trial Advocacy Workshop

Frequent CLE presenter on
Advocacy, Commercial Litigation,
and Public Law topics

Director, Canadian Journalists for
Free Expression

Associate, McMillan LLP, 1986-1990
Counsel, Ministry of the Attorney
General of Ontario, 1990-1994
Partner, McCarthy Tétrault LLP,
1994-2006

Elected Director, Association
of Law Officers of the Crown,
1991-1994

Member, Judicial Appointments
Advisory Committee (Federal),
2004-2009



Peter C. Wardle

Toronto

Why I am Running

I believe passionately that an independent, self-regulating profession best serves the interests of the people of this Province. I also believe that self-regulation is a privilege which we cannot take for granted. The LSUC plays a critical role in ensuring that the profession continues to earn the public's trust.

My background and experience will allow me to contribute to four key areas of the LSUC's mandate: access to justice; the needs of young lawyers; the challenges facing sole practitioners and small law firms; and professionalism standards and discipline.

My Background and Experience

I have practised civil litigation for the last 26 years. Over half of that experience has been in a small law firm. In 2003, I founded my present law firm, which now has 7 lawyers. The process of managing a small law firm is all-encompassing; like many of you I've had to develop skills in many different fields. That background will help me serve your interests as your representative.

Although my core practice areas are commercial litigation and professional liability, I've developed many other interests over the years, including criminal law, policing, and discipline. I was privileged to act for a number of families tragically affected by the failures in pediatric pathology in the Province at the Goudge Inquiry. I also have experience as a mediator and arbitrator. I believe those experiences have given me a broader perspective of the issues that face the profession.

I have been involved in teaching and mentoring activities almost continuously since my call to the Bar. Those activities have included teaching at law schools, writing academic articles, presenting on practice and advocacy topics at many CLE events, teaching courtroom skills to young advocates, and organizing mentoring events for young lawyers. I was involved in a number of law reform initiatives as a director of The Advocates' Society, and later participated in the work of the Civil Justice Reform Project. All of these activities will assist me as a benchler.

I can contribute in four key areas:

Access to Justice: Some lawyers don't see this as an LSUC issue. I disagree. If we cannot make legal services available to the public at a reasonable cost, we risk losing public trust. That means more than supporting the Ontario Legal Aid Plan. It means continuing to support and widen existing *pro bono* initiatives. It also means encouraging further civil and criminal justice reform and promoting efficiencies within the court system.

Young Lawyers: These are challenging times for lawyers just entering practice, some of whom will have difficulty finding work. At the same time, in the large-firm environment young lawyers face escalating pressures to increase billable hours at the expense of family and personal time. How can we assist young lawyers with these and many other issues? What more can we do to promote diversity within the profession?

Sole Practitioners and Small Law Firms: The profession must continue to serve small communities across the Province and has to provide incentives for young lawyers to practise in those communities. It is also essential that LSUC exercise prudent financial management to lighten the burden on sole practitioners and small firms.

Professional Standards and Discipline: Critical to the maintenance of public trust is a transparent and effective standards and discipline system. I believe my background as an adjudicator and litigator can be helpful in helping us pursue these goals.

Partner, Wardle Daley
Bernstein LLP
Certified Specialist in
Civil Litigation
Hons. B.A. (Laurier, 1979)
LL.B. (Queens, 1984)
Called to Bar 1986

Past Activities:

- Lecturer, Advanced Civil Procedure, Queens University, 2003-2006
- Director, The Advocates' Society, 2001-2006
- Chair, Education Committee, The Advocates' Society, 2005-6
- Member, Toronto Advisory Committee, Civil Justice Reform Project, 2007
- Guest Instructor, Osgoode Hall Law School Trial Advocacy Program
- Speaker, numerous CLE programs for LSUC, The Advocates' Society, OBA, and other organizations
- Published articles in Canadian Bar Review, Ottawa Law Journal, Canadian Business Law Journal and other national and international publications

Memberships:

- Advocates' Society
- Ontario Bar Association
- Toronto Law Association

Personal:

- Married, two children
- Director, Oakville Chamber Orchestra



Tracy Wynne

Toronto

You should take part in the actions and passions of your time, or you will be at risk, at peril of being judged not to have lived at all.

-- Oliver Wendell Holmes

An organization that represents lawyers in the public interest today must *be* and *do* many things:

Learn. Participate. Engage. Lead. These tenets are central to a lawyer's duties to the profession and to the public at large. For me, meeting these obligations is not an abstraction, but a lived and consequential thing . . . and it is the impetus behind my candidacy in the Bencher Election.

Practice:

Partner,
Lax O'Sullivan Scott Lisus LLP
in Toronto

Commercial/civil/
public law litigation

Credentials:

B.A., McMaster University 1990
LL.B., Osgoode Hall 1993
Called to the Bar, 1995
Birth weight: 8lbs 12ozs

Involvement:

- A robust record of volunteer/public service both inside and outside the practice of law.
- An active member of the OBA, TLA, and WLAO.
- A recent past Director of The Advocates' Society ("TAS").
- Board Chair of BCFD (a 75 year old inner city nursery school/resource centre for low income/at risk pre-school children).
- Director and Governance Chair of the Stratford Chef's School (marrying my interests in local gastronomy and youth education).
- A long time volunteer for Second Harvest (a local food recovery and redistribution program).

Learn. While born and raised in Toronto, I studied in two smaller Ontario cities, where I learned to respect the concerns that are unique to those communities. While my life as a lawyer was first nurtured at a large firm, my career has matured in a small litigation boutique that I was invited to join at its founding moment. I have thus enjoyed the best--and met the challenges--of both worlds. In my broad-based practice, I have toiled in a variety of courts, tribunals, inquests and inquiries around Ontario. Beyond building my legal strengths, I have learned that our practices are wonderfully diverse and that our relationship to the law and to the profession differs in ways that must be acknowledged and affirmed. Being immersed in the legal world has also taught me the importance of honouring the principles of collegiality and professionalism. Legal education—in the largest sense of the term—is a quintessential example of "life-long learning."

Participate. You can watch the parade or be in it. I choose the latter. I became part of the profession by giving it everything that I have. My mentors modeled for me the importance of such engagement, the result being that I actively teach, lecture and mentor colleagues through programming offered by TAS, the OBA, and the LSUC. As a recent director of TAS, I was involved in strategy planning, policy development, and the implementation of a number of initiatives relevant to the profession. But what of my experience in the not-for-profit world outside the profession? What does early childhood education, culinary training for youth, and developing equitable food recovery/distribution networks have to do with the good governance of our profession? As both a Board member and an on-the-ground volunteer in these three arenas, I have grappled with financial, social, and political issues. With considerable Board experience, I can bring real-world perspectives to Convocation, and real-time solutions to the urgent questions that the LSUC, the public, and lawyers face.

Engage. The array of initiatives actively pursued by the LSUC testifies to its relevance to legal practice. Because improving the public's confidence in the profession secures our right to govern ourselves, I remain committed to the ongoing work of the LSUC. Here are four ways: 1) To foster professionalism and civility, qualities that are central not only to our practices, but also to the perception of lawyers by our clients, our colleagues, and the public; 2) To improve services to and provide opportunities for communities seeking equity within the profession; 3) To ensure that the LSUC's governance reflects its diverse membership; and 4) To enhance access for those seeking representation in the judicial system. On this last point, let me say this: To do justice to those seeking justice, we must find ways to address the deleterious consequences of both the high cost of good legal representation and the threat of increasing lack of service in smaller communities. To this end, I want to be an active part of the work of exploring the use of limited scope retainers.

Lead. In my seventeenth year of practice, but still young at heart, I will work hard to create meaningful connections between the best of the legal profession's traditions and the issues and interests of the bright young lawyers that increasingly make up our ranks.

Learn. Participate. Engage. Lead. Such worthwhile objectives call not only for competence but also character--character best exemplified by those who have the courage to act and the wisdom to act well. I am committed to being a trustworthy, capacious, and energetic bencher. It's a Wynne-Win situation!



Carl S. Zeliger

Toronto

For integrity, fairness, commitment, civility, open mindedness, accountability, availability, common sense, and a new perspective I ask for your support. I believe I can make a significant contribution and difference as a benchner by applying these attributes I have tried to live by for over 29 years of practise as a sole practitioner and in a small law firm. My insights are varied, from my beginnings as a sole practitioner on Bay Street to my predominant concentration in the family, employment and estate law and civil litigation areas out of North York offices, and with a daughter who recently graduated from Osgoode Hall Law School.

Here is how I see it:

Carl was born to hard working holocaust survivors. He was raised in multi-cultural downtown Toronto. He obtained his Bachelor degree from the University of Toronto. Carl spent three memorable years at Windsor Law.

Carl was called to the Bar in 1979. He operates both as a sole practitioner and as the litigation associate in the firm of Wisebrod/ Zeliger Associates.

Carl has been a volunteer with the Meals on Wheels and Feed the Hungry Programs, and a boy's soccer coach. He remains active in community volunteer services for the elderly, and disadvantaged, through his B'nai Brith Lodge where he has held executive positions including two terms as President.

Carl has been happily married for 29 years and has three adult children.

- The legal profession has experienced an erosion of public confidence and respect. The profession of law is not just about increasing billings. It is about service, caring, and a sympathetic ear for a client, and civility and decency in dealing with peers.
- The perspective of Convocation as a private country club must change. It needs to be viewed as a reasonable and practical governing body established to serve the public and the members of the Bar.
- There should be no animosity between the lawyers in the large downtown Toronto law firms and the lawyers who practise as sole practitioners or in small law office firms. They both have their niche and serve well the needs of their respective clients.
- The survival of sole practitioners and small law firms in both urban and rural areas is of vital importance to both the public and the profession. Our strength can largely be gauged by the success of sole practitioners and small law firms.
- Benchers must demonstrate financial accountability. Benchers must stick to core Law Society functions and be cost effective.
- We must look for ways to reduce membership fees and levies and insurance costs.
- Although there is a need to properly regulate that small minority of lawyers whose practice and behavior may be inappropriate, the majority of hard working, well intended and conscientious lawyers must be saved from overregulation.
- There must be a balanced, consistent, fair, effectual and timely manner to deal with disciplinary matters.
- There must be a better way to prepare our future lawyers for education, articling, and work in the legal profession. With a daughter presently articling with a large downtown Toronto law firm I am keenly aware of these concerns.
- A healthy vibrant Bar is one that ensures that everyone has an equal opportunity to enter and prosper in the profession.
- Our inability to ensure access to justice strikes at the very heart of our profession. Legal Aid, *pro bono* work availability, and other avenues require improvement and further development.
- There is a place for paralegals but the system must properly consider fairness and the protection of the public's interest. The implemented system must be at minimal cost to the Law Society.
- Self-regulation is a privilege afforded to us as members of the Law Society and is worthy of preservation. We must be able to demonstrate from our deeds that we have properly accepted the incumbent responsibilities and are deserving of this privilege.
- Continuing legal education and the materials they generate can be of great assistance to the members of the Bar but must be meaningful, readily available, and affordable.
- I have tried my best to return all calls from clients within one business day if not sooner and if elected would extend that same courtesy to you. I would want to hear from you and I would remain responsive and accessible. Here is my email address: czeliger@wza.ca.

Real change starts with your vote.



David A. Zuber

Toronto

Since I became a lawyer 20 years ago, the practice of law has changed in many ways. The practice has changed in that it has become more business-like in the worst sense of the expression. Overhead, expenses, billable hours, and lines of credit have become part of the new reality of the practice of law. The people have also changed in both the gender and cultural diversity. Young lawyers are increasingly under the pressure of increased productivity, less support, and ever changing technology. Some of the anecdotal stories of a collegial bar seem very removed from modern practice. At the center of our profession, in that mysterious wing of Osgoode Hall, is our Law Society with which most of us have very little contact.

I completed my Bachelor of Law in 1989 at Osgoode Hall Law School. Upon being admitted to the Bar in 1991, I made partner in 1993, and was certified by the Law Society as a Specialist in Civil Litigation in 1998. I was the youngest ever to receive the civil litigation specialist designation having completed the requirement for trials, appeals, and reported cases in the minimum seven year period. I founded Zuber & Company LLP in 1999. I was a member of several committees including Civility in the Justice System, and Bill 59 Auto Reform. I am married to Lisa and we have five sons. I spend most of the winter months at minor hockey games and the summer riding motorcycles.

I have been following with interest the debates among the existing benchers about changing the By-law so that benchers may not serve more than 16 years. It struck me as a great way to introduce some measure of change into the Law Society in a subtle, but real way. Create an influx of new benchers, who will bring with them a new perspective and new ideas. I have never run to be a bencher before this year.

I have been fortunate in my career to have practised as an associate at an established firm and a partner at that same firm. In 1999, I left that firm and started my own firm from nothing. I had one associate, one law clerk and an assistant. I had to set up and run a very small law firm. I do not believe that anyone can appreciate the hurdles and difficulties of being a sole practitioner or at a small firm until you have actually done it. I did the court filings, set up the bank accounts, and ordered supplies. My firm has grown, and I now have the different perspective of being managing partner at a nineteen lawyer firm. I can unequivocally say that I have seen the challenges lawyers and law firms face from both perspectives. I hope to bring this varied perspective to that of a bencher.

My practice over the past 20 years has taken me to virtually every jurisdiction in Ontario. I have had trials in most of the county towns and regularly attend motions, discoveries and pre-trials Province wide. The practice of law varies greatly from jurisdiction to jurisdiction and is quite different from what happens in the larger centers, and very different from what happens in Toronto. There are different challenges and accordingly different solutions. I am a lawyer with an office in downtown Toronto; however spend half of my time outside of Toronto. I have two brothers who are lawyers. We each practise different areas of law and in different geographic locations. My father after many years on the bench has returned to practise in Windsor. I believe that I have insight to both the regional practice and the Toronto practice.

I am a current and active member of the Advocates' Society, the Medical Legal Society, CDL, and the Thomas More Lawyers Guild. I was the treasurer of the CDL for 5 years.

Lastly, it is with the support of my law partners, and my wife and family that I have decided to run for bencher. I thank you for taking the time to read my election statement and hope to have your support in the 2011 Bencher Election.

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Remember to vote by April 29, 2011
N'oubliez pas de voter d'ici le 29 avril 2011



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