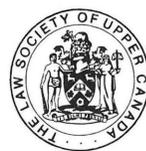


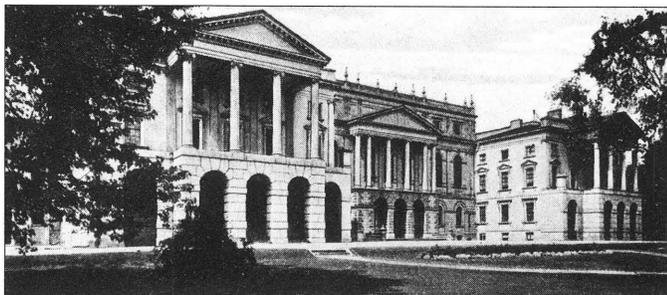
Candidate Guide
to the
Bencher Elections

of

The Law Society of Upper Canada



Spring 1991



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to the
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This booklet is published by The Law Society of Upper Canada for the assistance of its members in voting to elect the benchers of the Society in 1991. It is divided into two sections, the first being the list of candidates outside Metropolitan Toronto and the second being the list of candidates within Metropolitan Toronto.

The Society does not accept any responsibility for the accuracy of the biographical information or election statements contained herein which were provided by the candidates.

Candidates
Outside
Metropolitan
Toronto

RINO C. BRAGAGNOLO, Q.C. (Timmins)

I am standing for re-election for a fourth term as one of the twenty Benchers outside of Metropolitan Toronto.

Many changes have occurred in our profession since I was first elected a Bencher, most of them during the past four-year term.

Discipline Hearings and Meetings of Convocation are now open, not only to the members of the profession, but to the media and the public at large. As a result, a great deal of the mystery surrounding the Law Society has disappeared and the work of the Benchers is better understood and in most cases better appreciated by the profession.

Our Legal Aid Plan is second to none in Canada. Those in need of legal representation or advice have access to competent legal services through the Legal Aid Plan and the clinics.

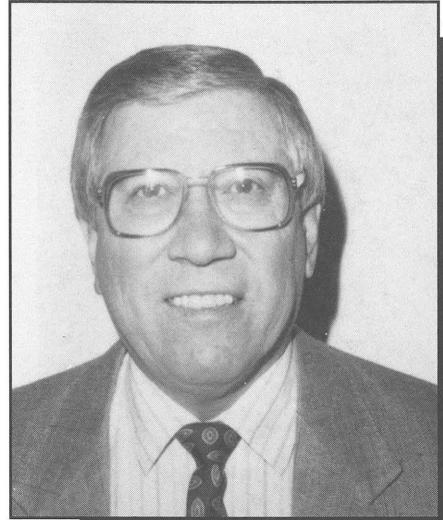
The right to advertise has been introduced without any significant abuse or deterioration in the quality of legal services being delivered. Important changes have been initiated in the discipline process, including the manner in which complaints are investigated and processed. The role of the Lay Benchers has been expanded and the profession owes each a debt of gratitude for their important contribution to the progress which has been achieved.

The Bar Admission Course has seen some radical changes. More emphasis is being directed towards the development of practical skills necessary to prepare the graduates as they begin their professional careers.

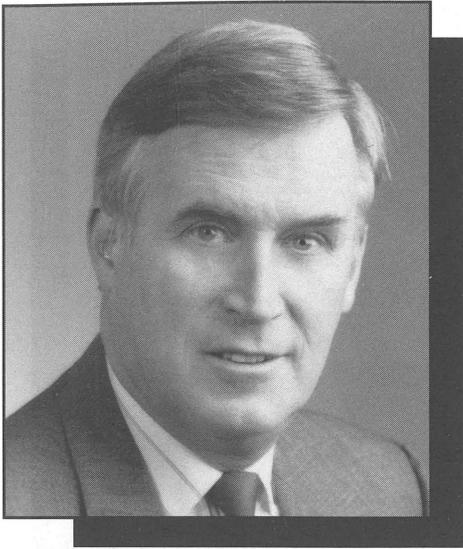
Areas of specialization have been designated and specialists in those areas of practice have been recognized by the Law Society. Nevertheless there is still an important need for the "General Practitioner" particularly in the smaller communities.

The work of the Benchers has increased substantially over the past terms, when one considers attendances for Committee and Sub-Committee Meetings, Discipline Panels, Convocation, Special Convocation as well as travel time for Benchers outside of Metro. I would estimate that a Bencher should be prepared to devote 4 to 5 days a month, not including travel time, to the work of Convocation.

I am standing for re-election notwithstanding the time demands on my partners and family because of the important and challenging issues facing our profession at this time. I would like to make some modest contribution to the resolution of those issues and I solicit your continued support.



(Timmins) - Graduated University of Toronto, St. Michael's College 1953; Osgoode Hall, 1957. Presently a senior partner of Evans, Bragnolo & Sullivan; Appointed Queen's Counsel, 1971. Past Director, Advocates' Society 1978-1981; presently a member of the Board of Governors of the Advocates' Society Institute; Past President, Cochrane District Law Association; Honorary Vice-Consul of Italy for the Districts of Cochrane and Temiskaming. Member of the Fund Raising Committee of the New Timmins and District Hospital, member C.B.A. and C.B.A.O. Elected a Bencher in 1980 and presently a member of the following committees: Libraries and Reporting (vice-chair); Insurance (vice-chair); Research and Policy. Married, three children. Endorsed by the Cochrane Law Association.



LLOYD BRENNAN, Q.C. (Ottawa)

Exciting challenges face the benchers who will be chosen this May. The profession must be forward looking, enthusiastic, free. Benchers should lead in improving the public's access to legal services and in improving the profession's media image. The Bogart-Vidmar survey done in 1988 (at the time of the Access to Justice conference) confirmed that members of the public had very high opinions of their own lawyers, and great confidence in them. The profession can put this goodwill to good use, to instil that confidence in the public as a whole.

Benchers should be pro-active, anticipating opportunities and heading off difficulties for lawyers, especially for those of us who serve primarily clients of ordinary economic means. Access to legal services is already limited for such clients, and threatened further by hard economics. Improving their access to Justice is the job of our profession; we must ensure better access to lawyers for all members of the society. Our legal aid system must be vigorously defended. Moderation of the cost of all legal services is a challenge to be taken up at once.

New efficiencies must be brought to our law offices and to the administration of justice. Benchers and Law Society staff should take the lead by establishing a Research and Development facility. Lawyers across the province, in large firms and small, could contribute to and benefit from such a facility, to the ultimate benefit of their clients.

The Law Society can and should take a more active part in shaping the profession's future. We must plan that future, seek legislation where necessary, direct our own destiny. It is clearly in the interest of the public that lawyers remain free of government control, independent, and self-directed. A healthy, independent bar is essential to a healthy, democratic society, and the Law Society should say so loudly and proudly.

I have been active in serving the profession in a number of capacities. I would welcome the opportunity to do so as a bencher.

Endorsed by County of Carleton Law Association. Called 1966, Q.C. 1978. Certified specialist in Civil Litigation 1988. Past Chair (1986-88) of County and District Law Presidents' Association, member of CBA-O Council, Joint Committee on Court Reform, several Law Society and CBA committees, with focus on Access to Justice. Advocates' Society Director and Institute skills coach, instructor at Bar Admission Course, U. of O. law school, C.L.E. programs. County of Carleton Law Association trustee 1975-1984, president 1983. Co-founder of Mont Ste.-Marie conference (civil litigation), and Medical-Legal Society. Director of Thomas More Lawyers' Guild, member of Defence Counsel Association. Member of the National Disability Rights Council, board member of Christie Lake Camp for Boys and Girls. 1990 recipient of the CBA-O Award for Distinguished Service to the profession.

THOMAS J. CAREY (Mississauga)

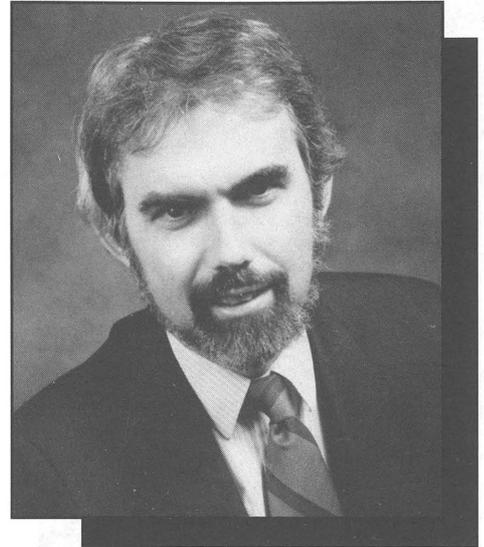
Openness, accountability and reform. These are the principles that I have attempted to apply as I have discharged my duties as a Bencher. Moreover I deeply believe that these are the overriding attitudes with which the Law Society must face the challenges of the future. They represent the foundation upon which our continuance as a self-governing profession will depend. But, to be meaningful to the profession and to the public these must be more than abstract concepts. They must permeate all that we do at the Law Society. The principles of openness, accountability and reform must be brought to bear on the very real issues facing the legal community.

OPENNESS: The process by which lawyers govern themselves must be open, and understandable to both the profession and the public. As a Bencher I have spoken and voted in favour of resolutions which have moved the Law Society in this direction, including public convocation, publication of Bencher attendance records and recorded votes. I believe that we must increase our efforts to get our message across to the public - the message of what we do and how we do it. The Law Society performs a crucial function in our Province. It must be seen to discharge this function openly and fairly.

ACCOUNTABILITY: As a Bencher, I have been a proponent of considering ways and means of improving Bencher accountability to both the profession and the public. I endorse the recommendations of the Special Committee on Benchers' Elections and particularly those relating to regional representation and publication of candidates policy views. The special interests of the bar in certain geographic regions of the Province must be recognized. For this reason I favour a move to more direct regional representation. Convocation and its committees should meet outside of Toronto in other centres from time to time. Better ways in non-election years can be found to improve communications between Benchers and their constituents. This dialogue is essential if Benchers are to remain responsive to the needs and views of the profession. Marking a ballot every four years is simply not good enough. I support greater dissemination of Discipline cases and professional conduct committee rulings to the profession for their assistance.

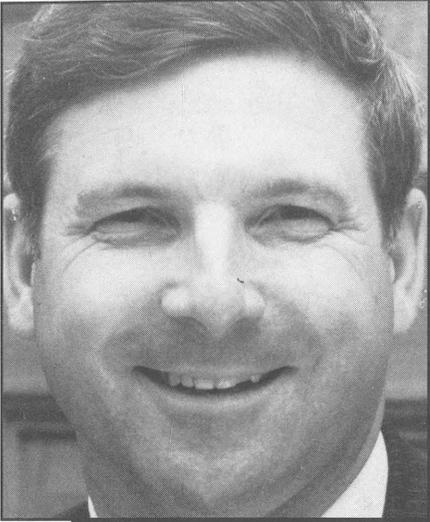
REFORM: As a Bencher I have tried to be a reformer. The days when the status quo was good enough are far behind us. The profession, government and the public at large are constantly challenging us to improve what we do at the Law Society and how we do it. We must do more than respond to these challenges. We, as Benchers must be proactive in the reform process. We must recognize the increased diversity of our society and encourage new lawyers who will reflect that diversity. The Benchers themselves should be reflecting that diversity. I am presently the youngest elected Bencher at 38 years of age; yet over half of the practising bar is that age or younger. I believe that I bring a voice to Convocation on behalf of younger lawyers, lawyers practising in smaller firms and members who practise in the criminal courts. I stand ready to continue to contribute a significant amount of my time and energy to the satisfying work of being a Bencher. I am honoured to have received the endorsement of the Peel Law Association, once again and the Peel Criminal Lawyers Association.

If you share my views as set out above, I invite you to cast one of your votes for me.



Bencher since 1988. Born 1953. Education, Michael Power H.S., University of Western Ontario, University of Windsor, LL.B., 1977. Called 1979. Carey & Froud, Mississauga, Criminal Specialist since 1989. Active in Criminal Lawyers Assoc., Peel Criminal Lawyers Assoc. (Past Pres.), Peel Law Assoc., Madiera Counselling Services (Past Pres.), Peel Multicultural Council (Past Chair). LSUC Committees: Unauthorized Practise (Vice Chair), Professional Conduct, Compensation, County & District, Heritage, Discipline Policy, Complaints, Bencher Accountability Liaison (Chair). Memberships: CBAO, Thomas More Guild, Foster Parents Plan, Amnesty International, C.C.L.A., Peel Memorial Hospital, John Howard Society. Endorsed by Peel Law Association and Peel Criminal Lawyers Association. Married, 2 daughters.

SAM L. CUREATZ (Bowmanville)



Home: 8640 Dell Rd., R.R. #1, Kendal, Ontario L0A 1E0 (416)983-5433 Born: 1948; B.A., Victoria College, U. of Toronto; L.L.B. Queen's; Called to the Bar, 1975; entered firm Lovekin (later Mr. Justice) & Cureatz; Member of Provincial Parliament: Queen's Park, 1977 to resignation 1990; Married, 3 sons, Anglican. Identified with conservation movements; Junior athletics & various service clubs. Interested in using experience to encourage communication between the 3 parts of the profession: urban practice, rural practice and Queen's Park. Concerned that youth in Ontario have no clear channel to form an understanding of this legal system.

This will be a crucial time for our Society. With a change in Provincial Government, unprecedented in the history of Ontario, our organization could be hard pressed to make accommodations that might very well not reflect the direction in which all of us, as lawyers, would like to proceed. It is imperative that new government policy is closely examined, especially in this economic climate.

Keeping this in mind, the co-operative Legislative experience that I have managed, as is evidenced by my role as Deputy Speaker, will allow me to have an understanding with the new government so that our legal concerns will be adequately addressed.

As a rural practitioner, I have some understanding of concerns from new lawyers and their orientation to various careers and life styles that our Society should consider. At the same time, my practice is close enough to Toronto that I would be able to attend regular and special called meetings of the Society.

It is imperative that we remain a viable self governing profession.

E. SUSAN ELLIOTT (Kingston)

I have decided to run for the office of Bencher of the Law Society of Upper Canada because I am encouraged by the changes I have observed recently. In the ten years I have been practising law, the Law Society, in addition to its essential function of regulating and disciplining the profession, has begun to develop a stronger leadership role. I believe change should occur from within. If elected to the office of Bencher I will work towards having our governing body set realistic standards for the practise of law and then provide us with programmes and information which enables us to reach those standards.

For the sake of the profession, and the clients it serves, I believe the Law Society should encourage and promote excellence in the practise of law. It should provide us with information which will make us better lawyers in a practical way. We need information about technology, hardware and software; about time and stress management, and I welcome the programme the Law Society has started in this regard. It will help us be more efficient in our day to day practice. I have become experienced in computer and technology applications, and would like to work with government and other bodies to implement improved legal systems using them. The Law Society could use them to disseminate information in an organized fashion, and as a Bencher, I could contribute greatly to this process.

We the lawyers, as well as the public, need to feel good about our profession. Brochures and pamphlets for our offices, guidance as to how to respond to, and use the media for comments to promote the profession, would be relatively inexpensive ways of gaining positive publicity.

I have been encouraged by the recent movement in the Law Society to make Convocations open to the public, and to publish minutes in the *Ontario Reports*. I hope this open door policy will continue and be expanded. It will help us gain the confidence of the public and encourage our members to participate.

Continuing education should be a right of every member of the bar and not a privilege for those who can afford it. Therefore, the Continuing Education Programmes should be available at cost and that cost should be monitored to be sure it is realistic and reasonable. I also believe that Continuing Legal Education programmes should cover a broad array of topics ranging from general administration and personnel matters to very specific, detailed specialty fields. A good base exists already in the CLE Department to achieve these goals, and I am eager and willing to tackle the question of delivering CLE to lawyers in Ontario.

The Law Society represents all lawyers in the province, and I believe that a cross-section of Benchers makes for a healthy organization. We need Benchers from outside Toronto as well as within, from non-litigation as well as litigation backgrounds, and from small firms. While I do not feel age and gender are as important as the type of practise from which the Bencher comes, I think Benchers representing the younger members of the profession need to be elected. We all bring a different perspective but our goal is probably the same, a strong, vibrant profession.

Neither collectively nor individually can the Benchers bring great change overnight within our profession. But I believe that through hard work, determination, and a willingness to listen to each other, we can vastly improve a system which is already changing for the better. As your representative, I would like to take part as a Bencher in that process.



- Born 08/08/53, Kingston, Ontario.
- Called to Ontario Bar in 1981.
- B.Comm (Hons.) - Queen's University, Kingston in 1975.
- LL.B. - University of Ottawa in 1979.
- Partner in Good & Elliott, 153 Brock Street, P.O. Box 1253, Kingston, Ontario, K7L 4Y8.
- General practitioner with emphasis on real estate, corporate/commercial matters, wills and estates.
- Past Chairperson of the Frontenac Law Association Library Committee, current Chairperson of the Frontenac Law Association Continuing Education Committee. Editor and publisher of the Frontenac Law Association monthly *Newsletter*.
- Participation in various Law Society and CBAO continuing education seminars and workshops.
- Computer literate and very interested in technology and its applications within the legal profession.



Called to the Bar in 1965; Partner in the law firm of Soloway, Wright; Past President, County of Carleton Law Association; Founding Director of the County and District Law Presidents' Association; Lecturer for Law Society of Upper Canada, Canadian Bar Association, University of Ottawa Law Faculty; Immediate Past Chairman of Committee of Adjustment of the City of Ottawa; Founding Director and Honourary Life Member of the Centretown Citizens (Ottawa) Non-Profit Housing Corp.; Vice-President of the Ottawa YM-YWCA; Director of the Ottawa Jewish Community Foundation. One of the Bencher candidates elected and endorsed by the County of Carleton Law Association.

ABRAHAM FEINSTEIN (Ottawa)

My purposes in running for Bencher are:

1. To help improve the public perception of the legal profession.
2. To promote the idea of regional elections.
3. To encourage the adoption of a discipline procedure which will be more accountable to both the members of the public and the members of the Law Society.
4. To formulate mechanisms for making the Society more receptive to the concerns of individual practitioners and members of small- to medium-sized law firms.
5. To encourage the Society to devise strategies whereby practitioners are able to deliver quality legal services on a more cost-effective basis.

I believe that my long involvement in the professional and educational activities of the legal community will be of considerable assistance in promoting these objectives and in actively and effectively representing your views in the day-to-day management of the Society.

FRED GRAHAM (Barrie)

I believe that our profession is best served by a diverse group of benchers. We need representation from as many different areas of practice as possible in order to achieve a balanced perspective on the various issues confronting the profession.

Given my age, my community involvement and my experience as a bilingual crown attorney, I believe that I can contribute to this diversity.

The Law Society should do more to promote public awareness of legal services through the media. Identifiable market groups, such as the elderly, should be encouraged to seek legal advice. Even though many members of such groups can easily afford the legal services they require (e.g. estate planning) they continue to stay away from lawyers' offices due to misconceptions about fees. Even a minimal amount of generic advertising would attract such clients.

We should ensure that paralegals are well trained and carefully regulated. Neither the profession nor the public will be well served otherwise.

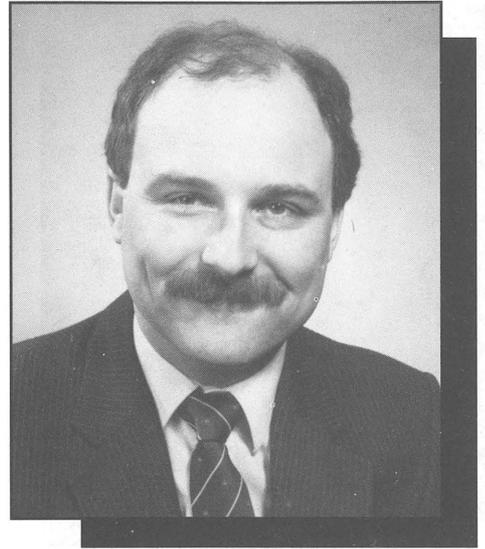
We need to continue to decentralize our continuing education programmes. Live presentations should be encouraged at regional locations in order to stimulate interest and to facilitate questions and discussion. Local members with expertise in given areas should be encouraged to share their knowledge at such forums. Practical matters, such as retirement planning, should be addressed.

The Annual Meeting can be "decentralized" as well. Rather than requiring attendance at Osgoode Hall to vote on matters affecting the profession, such voting should be carried out regionally. A proxy system should also be instituted in order to encourage greater voter participation.

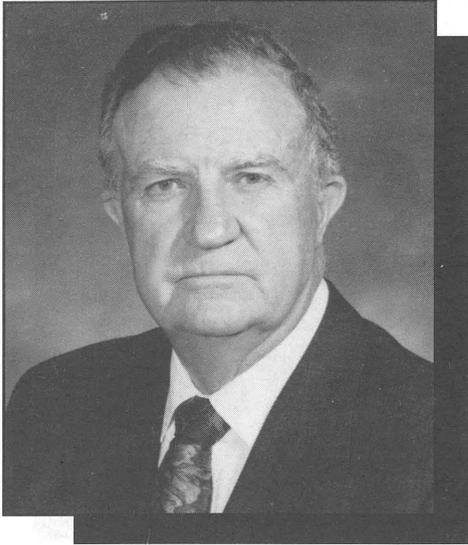
We must be prepared to respond flexibly to contemporary areas of concern. Issues surrounding native justice and the treatment of child witnesses in court are examples. On an environmental (and practical) level we should reduce the number of bulk mailings sent to our members.

Committee work that interests me includes admissions, legal aid, discipline, clinic funding, continuing education, specialist certification and french language services.

I see nothing wrong with the common practice of procuring endorsements and pledging mutual support for selected candidates in bencher elections but I have decided not to ask any particular group for its endorsement - instead I am directly asking for yours.



Age 36, LL.B. (U.W.O. 1978); Articled in Cornwall with a general practitioner; Bar Ads in Ottawa; Called at Toronto in 1980; very brief period in private practice at Toronto; Assistant Crown Attorney at Toronto (Aug. 1980 - April 1984); A.C.A. at Barrie (April 1984 - present); Substitut pour le procureur-général at Montreal (trial work) (July 1988); Designated as bi-lingual A.C.A. in 1989; Counsel at the Crown Law Office (Criminal) at Toronto (appellate work) (Nov. 1989 - May 1990); Director and Treasurer of Big Sisters of Barrie and District (Feb. 1986 - Feb. 1989); Director of United Way of Barrie/South Simcoe (Feb. 1989 - Feb. 1991).



THOMAS H. GREER, Q.C. (Oshawa)

I believe that there are two main immediate issues confronting the Law Society of Upper Canada:

- (a) The ramifications of the Ianni Report on independent paralegals;
- (b) The recent Law Society report on minorities.

The ramifications of the Ianni Report require that the profession see to it that independent paralegals are properly regulated to protect the public interest. Regulation should be by permission, not by prohibition.

The Law Society must also be certain that equitable access to the profession is given to all responsible qualified minority groups.

I feel that the Law Society must supervise and properly administer the legal profession in Ontario and equitably protect the interests of not only the public, but also the profession itself.

Born Thunder Bay, Ontario; Served overseas during World War II as pilot in RCAF; Graduate Honours Business Administration, University of Western Ontario, 1949; Osgoode Hall Law School, 1953. Has practised mainly in field of civil litigation in City of Oshawa to date. Appointed Queen's Counsel in 1974. Past President South Durham Unit Canadian Cancer Society; Past President Durham Region Law Association. Has served on various municipal and provincial committees and boards. Endorsed by the Durham Region Law Association as candidate for Bencher. Member of Canadian Bar Association and The Advocates' Society.

HUGH GUTHRIE, Q.C. (Guelph)

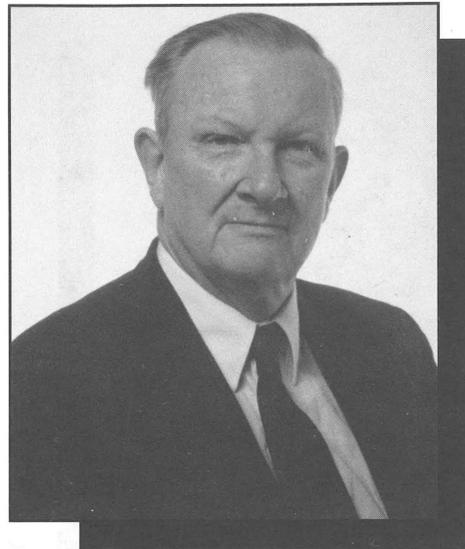
Having served the Society and the public as a Bencher for a number of years I am concerned with the future of our profession.

As a first priority, the profession needs to maintain its right to self governance. This can only be achieved by maintaining the high integrity of the Bar as it serves the public.

The profession must be pro-active to the needs of society and its access to justice. Legal Aid and the clinic system must continue to work to the advantage of the public without undermining the private Bar. In the interest of the public, the need for a regulated paralegal structure and a pre-paid legal plan operated by the Law Society cannot be overlooked.

As to the profession itself, communication between it and the Society must be strengthened. Without question the concerns of the smaller law firms must be addressed, particularly in the areas of specialization, and the standards of practice.

I believe that my experience as a small firm practitioner assists in dealing with the problems of the public and the Bar in the working of the Society.



Born in Toronto, 1931; educated Guelph public and secondary schools; graduate University of Toronto B. Comm. 1952; called to the Bar 1956; married; two children; Past President Guelph YM-YWCA; Past President Wellington Law Association; Past Chairman Guelph Arthritis Society; sometime lecturer real estate law University of Guelph extension courses; director several public corporations; engaged in general practice in Guelph in partnership with Joseph Berry, as Hungerford, Guthrie & Berry.

Incumbent Bencher since 1980; presently Vice-Chair Finance and Building Committees; Chair of Investments and Fee Guidelines.



Paul Hermiston is a graduate of Queen's Law School, 1965; he was called to the Bar in 1967; he is a litigation partner with Stewart, Esten, Barrister & Solicitors in Barrie, Ontario where he has practised continuously since 1967; he received his Q.C. in 1979; he was certified by the Law Society of Upper Canada as a specialist in both criminal and civil litigation in 1988.

Paul is a former executive of the Barrie Mental Health Association and former Chairman of the Barrie Social Planning Council and Chairman of the Salvation Army Red Shield Campaign.

Paul is Past President of the Simcoe County Law Association and the Simcoe Centre P.C. Association.

Paul's campaign for Bencher originated at the request of the executive of the Simcoe County Law Association and he has received the support of its entire membership.

PAUL HERMISTON, Q.C. (Barrie)

Paul Hermiston's position on issues facing the Legal Profession:

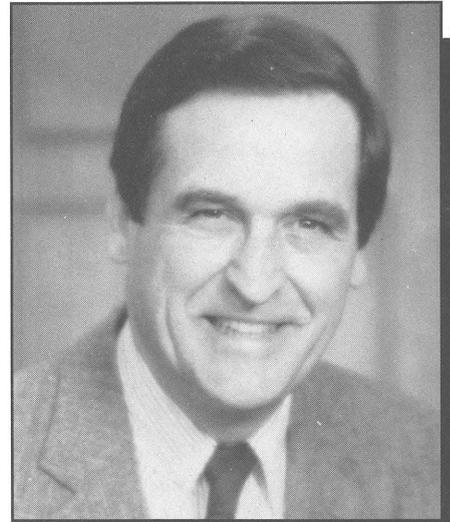
1. Benchers should be elected by regions so that judicial districts outside of Toronto are well represented.
2. The Bar should remain independent of government and the Law Society should continue to be self-governing.
3. The Law Society should be ever vigilant of government encroachment and cognizant of its duties to the public and to provide adequate legal services.
4. Benchers should listen to the concerns of the County and District Law Associations as expressed by their Presidents.
5. The Legal Aid tariff should be increased.
6. The legal profession should be consulted and have more input into court reform.
7. That the Law Society should appoint a practice advisor whose assistance should eliminate a lot of unnecessary errors and omissions claims.
8. The dues paid by Ontario lawyers working outside the Province should be reduced.

MICHAEL G. HICKEY, Q.C. (Kingston)

Under the Law Society Act the Benchers are charged with the responsibility of governing the profession in the public interest. It is implicit in this mandate that adequate legal services be readily available to the public at affordable costs, in default of which the privilege of self-government may be lost to the profession.

With the growing numbers and demographic changes of women and minorities in the profession the issues facing the Benchers in discharging their responsibilities are correspondingly increasing in numbers and complexity. Without attempting to be exhaustive or assigning priorities, these include:

- self-governance of the profession, including the representative election and role of Benchers
- discipline and complaints procedures
- professional standards
- insuring availability of adequate legal services to the public through the Legal Aid Plan, Clinics, legal information services such as the Lawyer Referral plan and Dial-A-Law, and approved pre-paid legal services plans, etc.
- continuing legal education and availability of programs in areas outside Toronto, London and Ottawa
- improvement of county and district library and research facilities
- professional liability insurance program
- structuring of annual fees and levies
- specialization and the certification of specialists
- relationship with authorized para-legals
- research and planning.



Elected Bencher 1983 and 1987; Member Unauthorized Practice Committee, Libraries and Reporting Committee, Insurance Committee and Certification Board, Chair Heritage Committee; Endorsed by Frontenac Law Association. Graduate of Queen's University, 1948, and Osgoode Hall, 1951. Appointed Queen's Counsel, 1965. Partner, Hickey & Hickey, Kingston. Past Director Advocates' Society, member Canadian Bar Association, Defense Research Institute, Phi Delta Phi Legal Fraternity; past president Frontenac Law Association, director Medical-Legal Society of Kingston, Hotel Dieu Hospital Board, member University Club of Toronto.

VERN C. KRISHNA, Q.C. (Ottawa)



Educator, Practitioner and Author.

Professor of Common Law, University of Ottawa;

Of Counsel: Koskie & Minsky (Toronto) and Beament Green (Ottawa) -Practice Restricted to Income Tax.

Formerly, Chief of Tax Policy, Dept. of Finance (Canada).

Of the Bars of Ontario, Alberta and Nova Scotia. Queen's Counsel (Canada); Fellow of Certified General Accountants.

Education: B. Comm. (Manchester); M.B.A.; LLB (Alberta); LL.M. (Harvard); Dipl. Law (Cambridge); FCGA (Canada)

Author and regular contributor to *Canadian Current Tax*, *The Law Times* and *Ontario Lawyer's Weekly*; Author of *Fundamentals of Canadian Income Tax* and *Tax Avoidance*.

Governor and Treasurer: Certified General Accountants of Ontario, Member of Canadian Tax Foundation and American Bar; Executive Secretary of Joint Committee on Accreditation.

The issues that the legal profession and society face in the '90s are quite different from those of an earlier era when it was comprised of a much smaller fraternal population with common interests. The size and character of the legal community has shifted towards a larger and more diversified population and its members now practice in many areas of the law and non-traditional forums. As the governing body of all lawyers in Ontario, the Benchers of the Law Society should be representative of the entire profession and, as such, should be selected from diverse groups within the legal community: practitioners, academics, in-house counsel, community and government lawyers.

The Law Society's responsibilities for the profession include professional standards, admissions, education, professional development and continuing education, service to community groups and coordination with law schools in the preparation of law students for admission to the Bar. These diverse tasks can only be properly addressed if the governing body that is responsible for them is comprised of a group of persons with experience and professional interests in these areas.

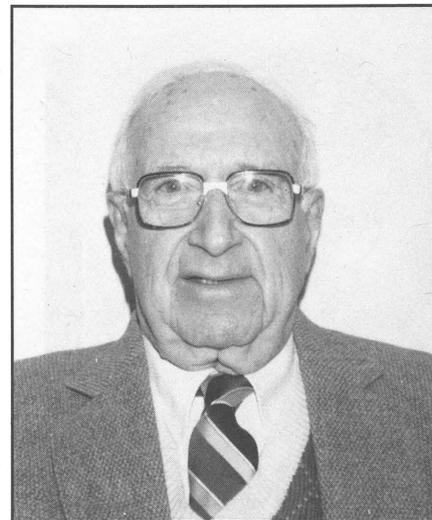
SAMUEL LERNER, Q.C. (London)

Statement of Priorities - Benchers' Election

I have a fundamental concern about the future of The Law Society. It should remain the governing body of the profession, without interference by the Government, but rather with its support and understanding of our problems.

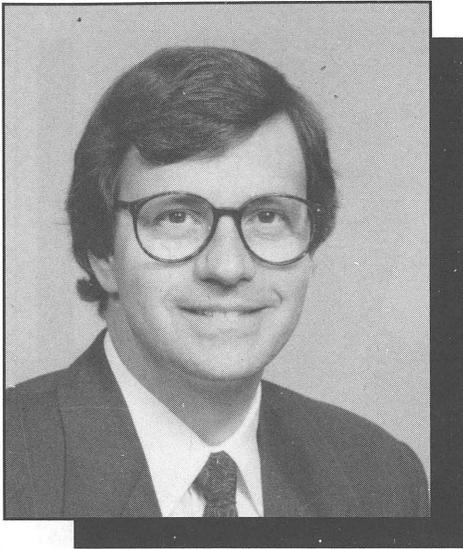
These are special issues which concern me vis:

- a) Paralegals - There is no doubt a need for some basic services. Whether the Society should set the standards and monitor the licences is a matter for dialogue.
- b) Rights of minorities to proper legal representation - both visible and non visible minorities.
- c) Dial-a-law, Lawyer Referral, open Convocation (except in confidential matters) and other means of communication.
- d) Legal Education - Standard requirements prior to entering the Bar Ad Course.
- e) Making available electronic research at reasonable rates for the small firms.
- f) Maintaining the fee and levies at reasonable costs.
- g) Discipline Hearings: Complaints Procedure:
"Early Warnings" - Responsibility of management to report problems of professional misconduct at once.
- h) Regionalization - Benchers Elections. Present proposal unfair.



Born London, Ontario, 1916. B.A. University of Western Ontario, 1936; Osgoode Hall Law School; called to Bar 1939; Queen's Counsel, 1967; elected bencher 1979, 1983 and 1987; presently: Vice-Chair - Legislation and Rules Committee, Honours Committee; Committee Member - Compensation Fund, Discipline - Policy Section, Finance; Law Society Representative - Canadian Law Information Council

(CLIC), Chair - Audit Committee (CLIC). Military service World War II with The Royal Canadian Regiment in Canada, UK, Mediterranean and N.W. Europe. Past president, Middlesex County Law Association; Life member, Advocates' Society. Deputy Judge, Small Claims Court; Adjudicator, Canada Labour Code; Member, Ontario Assessment Review Board.



COLIN D. McKINNON, Q.C. (Ottawa)

Bencher, elected 1987. Called to the bar 1970. Queen's Counsel, 1983. Partner, Beament Green in Ottawa. Chairman, County and District Law Presidents' Association, 1983-1985. President, County of Carleton Law Association, 1981. Officer & Trustee, County of Carleton Law Association, 1974-1982. Associate Professor, University of Ottawa Law School, 1983-1987. Instructor & Lecturer, Bar Admission and Continuing Legal Education Courses, L.S.U.C., Advocates' Society, Criminal Lawyers' Association and others since 1972. Assistant Crown Attorney, 1970-72, part-time 1973-80. Counsel to the Board of Inquiry into R.C.M.P. activities (Cogger Inquiry). Director, Thomas More Lawyers' Guild since 1983, Medical Legal Society, 1985-90, Housing and Urban Development Association of Canada, 1976-1979, Osgoode Society, since 1988. Member, Canadian Bar Association, Advocates' Society, County of Carleton Law Association, Civil Liberties Association. Certified as a specialist in Civil and Criminal Litigation.

Colin D. McKinnon has been endorsed for re-election as Bencher following a run-off election sponsored by the County of Carleton Law Association. He has been actively engaged in issues facing the legal profession since 1974. He was a leader in the movement for Court Reform since 1979, encouraging regionalization and merger of the High Court of Justice and the County and District Courts of Ontario. Following election he served as Vice-Chair of the Unauthorized Practice Committee. He was the first Chair of the Standing Committee on French Language Services, and steered passage of the French Language Services Policy and secured its funding. He is currently Chair of Communications, responsible for all aspects of the Law Society's communications with its members and the public, including its Dial-A-Law and Lawyer Referral Programs and has been working hard to build bridges of understanding between the Society, the media and its own members. He is a member of the Special Committee on Reform Implementation, an umbrella committee of the Law Society charged with ensuring implementation of the recommendations of all other Special Committees dealing with reform. He is also a member of the Special Committees on Committee Responsibilities Review, Court Reform, Paralegal Activity, Complaints Procedure and Bencher Elections. He is a member of the Discipline Committee and Professional Conduct Committee. Colin McKinnon is dedicated to reform and dealing seriously with the issues of urgency facing the profession.

"Once again, I seek your vote in the Benchers' Election.

When I sought your vote in 1987, I promised that I would work hard to reform the Society and make it accountable to its members and the public.

I have not avoided the hard work and commitment expected of me in doing Bencher's work and representing the views of our profession. The pride I have felt in doing this work cannot be overstated. I have been truly honoured to serve you.

But there is much to be done. The issues facing our profession are varied and complex: the systemic barriers facing women in the profession; the general image of lawyers in society; the need to decentralize the functions of the Law Society; the necessity to continue the reform of the Discipline, Complaints and Bencher Election processes, the difficulty posed by the ever increasing cost of legal services at a time when the economy is shrinking; the challenge of dealing with those who would take away our right to be a self-governing profession for fear that we do not always act in the public interest; the criticism of members who see the Society as overbearing, or irrelevant to their lives; the challenge of the Ianni Report recommending the licensing of paralegal activity; the problems attendant upon increased specialization and its impact on smaller firms. The list goes on.

As Chair of the Communications Committee and a member of the Reform Implementation Committee, I feel I am strategically placed to make a real difference on these and other issues.

Please honour me with your vote. I promise that I shall continue to serve you with total commitment."

G. GARY McNEELY (Oshawa)

Ladies and Gentlemen of the Bar of Ontario

When first we were called to the Bar many of us thought our only obligations were: to be honest, to work hard and to become good (and ever better) lawyers. We assumed naively that everyone else was doing the same. The rest of it would look after itself.

Time and experience teach us otherwise. In recent years it sometimes seems we are a Profession under siege. Our numbers have grown uncontrollably and apparently in no relationship to forces of supply and demand. We are being flooded with change: new courts, new laws, new rules appear daily. New technology in the form of "Fax" machines, cellular phones, computers, new law texts and "tons" of paper threaten occasionally to bury us; and always, to leave us behind.

Our public image has been slipping badly with many well publicised examples of misconduct by some of our brothers and sisters. We have even been accused of "cover-up" in the ranks of our governing body. Perhaps not surprisingly the public are demanding to have more control over our business.

Recently we are facing a new challenge. How can we protect the public from the "paralegals": who wish to practice Law without professional training: without professional standards; without a system of professional government to guide and control them.

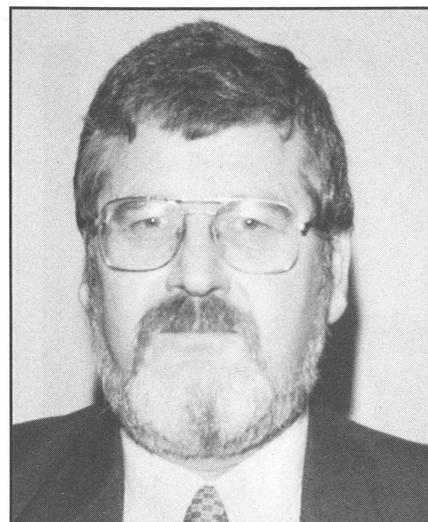
In my opinion there are many areas of the law in which they should only function on referral from lawyers. I do believe that there are some areas, such as provincial offenses where we seem historically to be too busy to work, in which paralegals could find a place.

On the other hand, we must ensure that the Government hears from us that we have an effective voice in the shaping of any legislation in this regard.

I further believe that we must devote a great deal more time and effort ensuring that we more effectively communicate with the public, at large. Many of our current problems are simply the result of failure in basic public relations.

There are other issues and challenges that space obviously does not permit further discussion of. I believe the major focus for dealing with these is, and should be, in our professional government. To my mind, participation in that process is as important as for any other public office.

I have the background experience, the ability and the will to serve you well as a Benchler. I ask for your confidence and your support in this endeavour.



- 1964 Graduated Queen's Law School.
- 1966 Called to Bar of Ontario
- 1966-82 Practiced Law Peterborough. While in Peterborough, Co-founder Free Legal Assistance Clinic. Chairman Troubled Child Conference (2 yrs.). Director on numerous boards, including Hard of Hearing Assn., Symphony Orchestra, etc.; President Peterborough Progressive Conservatives.
- 1969-72 Vice President Ontario Progressive Conservative Assn.
- 1976-79 Director Criminal Lawyers Assn. Ont.
- 1979-83 Vice Pres. Criminal Lawyers Assn. Ont.
- 1982 to present, Practicing Law Oshawa.
- 1989 Certified as a Specialist in Criminal Law.
- 1989 Member of sub-committee of Professional Standards Committee of Law Society, (practice of Criminal Law).



Born and raised in Toronto; matriculated UTS; graduate Harvard College, with interlude in USNR; graduated Osgoode Hall; called to bar 1953; in general practice since then except for ten years as the Crown Attorney for Halton; former President of Halton County Law Assn.; Chairman of Library Committee; former bencher of LSUC for two terms; author of *Canadian Criminal Evidence*, *Rambling Tales of a Country Lawyer*; engaged in varied and extensive civil and criminal litigation. I am a sole practitioner with my office on the ground level of Main Street in the Town of Milton.

PETER K. McWILLIAMS, Q.C. (Milton)

I offer my experience, integrity and independence. I am in favour of:

- 1) electoral reform to emphasize voting by and for geographical districts as is the norm in the democratic process;
- 2) legislation to permit incorporation of law practices for tax purposes;
- 3) some measure and control of paralegals by the Law Society;
- 4) conduct of discipline procedure without fear, favour or affection but with fairness;
- 5) generally, measures to maintain the independence of the profession and to deserve the respect of the public for it.

I am concerned that paralegals be controlled preferably by the Law Society to ensure that they are qualified, responsible and fit to render the services they affect.

I am committed to supporting the Legal Aid system. My name has been and is on the Legal Aid panel and although my practice does not depend on legal aid certificates, I accept them.

FATIMA MOHIDEEN (Brantford)

Public confidence in the legal system is in large measure commensurate with the public's access to justice.

Over the last thirty years the poor's access to justice has been safeguarded through the development of the Ontario Legal Aid Plan. This access for the poor has increased dramatically in the last fifteen years. However, development of such access for those whose income makes them ineligible for legal aid services has progressed at a much slower rate. In fact, middle income individuals can find it difficult, if not impossible, to assert or defend their legal rights because of the high cost of legal services. Increased efforts must be made to ensure equal access for all members of society.

Some efforts have commenced to address this problem and the answer may lie in one or a combination of these initiatives. One proposal is increased pro bono legal services in the province. A subcommittee of the Law Society is presently conducting a study into this.

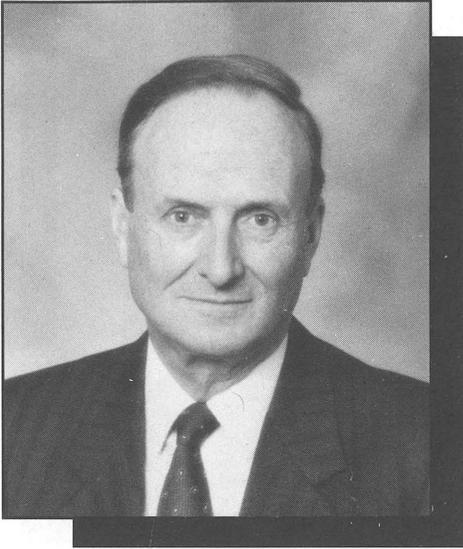
Similarly, Alternative Dispute Resolution is another attempt to reduce the cost of litigation. Again, the Law Society is attempting to determine what role it should play in the development of Alternative Dispute Resolution practice.

Other suggestions for dealing with the access problem are prepaid legal services and the use of paralegals to provide at least some types of legal services. The Attorney General has expressed interest in exploring both these alternatives but it is essential that the Law Society play an active role in seeing that adequate regulations be present to ensure the quality of legal services provided.

As a practitioner in the legal clinic system, which has as one of its mandates the encouragement of access to legal services, I believe I bring with me a special perspective that will be useful in addressing these issues and options that face all members of the profession.



Undergraduate degree from the University of California at Berkeley. Law degree from the University of Windsor. Lawyer/Director at Brant Community Legal Clinic practising in the area of poverty law since 1987. Previously staff lawyer with Hamilton legal clinics 1980-1986 and in private practice for two years 1978-1980. Member of the Subcommittee of the Rules Committee dealing with Small Claims Court Rules. Volunteer with the Canadian Cancer Society and Epilepsy Ontario.



(Goderich) - Elected a Bencher in 1983 and 1987. Chair of Libraries and Reporting Committee, member Legal Aid Committee, Legislation and Rules Committee, Special Committee on Paralegals. Born Mount Forest, Ontario; Member, St. Peter's Roman Catholic Church. Partner, Donnelly & Murphy, Goderich. Graduate St. Michael's College, University of Toronto 1951, Osgoode Hall 1956. Appointed Queen's Counsel 1969; certified by the L.S.U.C. as a specialist in Criminal and Civil Litigation. Charter member, Goderich Rotary Club; charter member Brother Nagle Council Knights of Columbus. President's Committee University of Toronto. Member Council Canadian Bar Association, Advocates' Society. President Huron Law Association 1979 - 1981. Endorsed by Huron and Grey Law Associations.

DANIEL J. MURPHY, Q.C. (Goderich)

There are many substantial issues facing the Law Society and I only intend to address three in connection with Committees I presently serve on:

1. I am the Chair of the Libraries & Reporting Committee and have been a member of the Committee since I was first elected a Bencher in 1983. I have a special interest in County & District Libraries and am committed to see that they are properly funded. While I haven't achieved as much as I would like, I do take some modest credit for substantial increases in the grants to County Libraries, both for annual operating purposes, and for equipment upgrading (copiers, fax machines, computer equipment etc..). As a partner in a small firm, I am very aware of the increasing cost of maintaining your own library and the increasing dependence we all have on the County Library. I promise to use my best efforts to maintain all of the libraries in the Province, at an acceptable level, in connection with both resources and staff.

I also have a strong belief in the value of the *Ontario Reports*, both as a professional service and a communication vehicle. We have just concluded a new agreement with Butterworths and Q.L. Systems which provides substantial benefits to the Law Society and its members.

2. I am a member of the Legal Aid Committee. All four lawyers in my firm, including myself, do Legal Aid work and I am keenly aware of the deficiencies in the tariff, and in particular the inadequacy of the Family Law tariff. I can assure you that, if elected, I will continue to use my best efforts to seek improvements in this area and other areas that affect lawyers doing Legal Aid work.
3. I am also a member of a special committee reviewing the question of paralegals in order that we can respond to the government's initiative in this area. I can see real danger in some of the government proposals and I can assure you that I will do my best to protect the integrity of our profession.

I practise in a Town of 9,000 people in a law firm with four lawyers. The majority of lawyers practising in Ontario practise in small firms and for the most part are generalists. I believe it is important that these interests continue to be represented at the Law Society.

There are four Counties in my immediate area that do not have a sitting Bencher. These Counties have relatively small Bars, and as a result, I must depend on outside support to be elected.

I thank you for your support in the past and would appreciate your vote in this election.

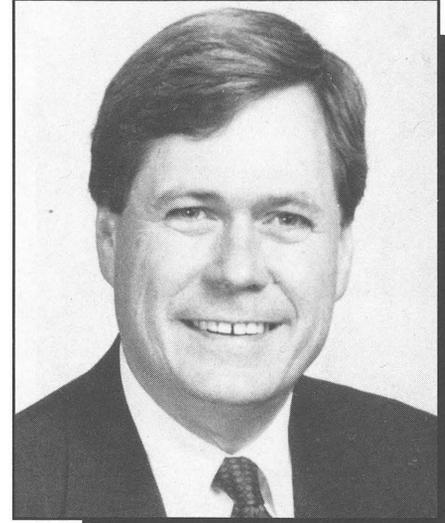
ROSS W. MURRAY (Thunder Bay)

I believe that my legal, business, and community experience qualifies me to be an effective Bencher representing the interest of lawyers in all parts of Ontario. I am interested and active in the areas of case management, law office economics, regional representation, and court reform. As a Bencher I would hope to work on issues such as expanding the practise advisory service, control of the paralegal business, continuing legal education, improving public access to the legal profession, the independence of the judiciary, and self governance of our profession.

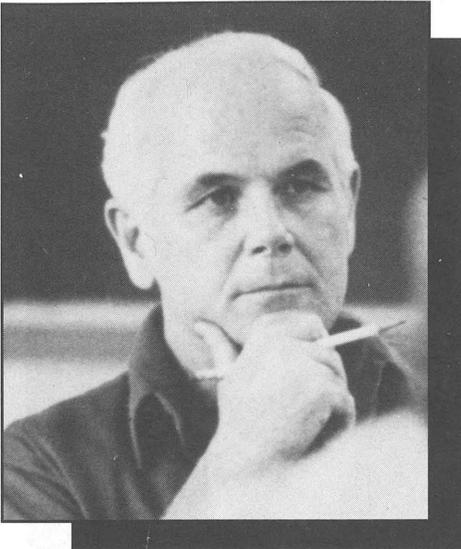
After graduating from York with an M.B.A., I spent four years in the money market and venture capital areas before starting at U of T Law School. I practise as a general practitioner in Thunder Bay primarily in corporate and commercial law, prosecution of drug cases, and civil litigation. I am the founding partner of our law firm, which now consists of four lawyers and twelve staff. I also set up our two regional offices, in Marathon and Terrace Bay where I perceived there was a growing need for legal services.

Since beginning my legal practice, I have served as President of the Thunder Bay Law Association and have been an active director for the past nine years. Also I am a member of the Joint Committee on Court Reform, and helped establish a separate region for Northwestern Ontario. Recently I was appointed to the Northwest Region Courts Management Advisory Committee.

In the community I have actively served in a number of organizations. I was director and treasurer of both the Thunder Bay Historical Museum Society and the National Exhibition Centre when our new building to house the National Centre for Indian Art was first planned. I did most of the corporate fundraising for the project. Later I served as chairman of McKellar General Hospital, Northwestern Ontario's regional referral trauma centre. I also chaired the Executive, Personnel, Finance, and Joint Conference committees of the hospital over a ten year period.



Born in Dryden, Ontario, 1945. Admitted to the bar, 1977. Partner: Murray and Courtis, Thunder Bay. Education: B.Comm., Queen's, 1967; M.B.A., York University, 1968; LL.B., University of Toronto, 1975. Winner of Davies, Ward and Beck prize in Contracts. Articled at Osler, Hoskin and Harcourt. Part time assistant Crown Attorney and Standing Agent, Department of Justice. Member: Association of Trial Lawyers of America, Canadian Bar Association, Thunder Bay Law Association (past president and director), County and District Law Presidents' Association (past member), Advocates' Society, Criminal Lawyers' Association, Joint Committee on Court Reform, Northwest Region Courts Management Advisory Committee, and several community organizations. Married with three children.



Attended Malvern Collegiate, Toronto; Royal Roads Naval College; Toronto Normal School; Queen's University; University of Toronto; Osgoode Hall. Admitted 1959. Delegate to Cambridge Lectures of Canadian Institute of Advance Legal Studies, 1979-81-83-89. Member of Hanover Town Council, 1976-77. Member of the Advocates' Society, former member Canadian Bar Association (member of Council 1980-81-82-83), Bruce County Law Association and the City of York Law Association. Life member of St. Andrew Society, Toronto and Royal Military College Club of Canada. Active in practice at Hanover since 1960, a sole practitioner since 1963.

DONALD R. NEILSON (Hanover)

Spenser in his Prothalamion wrote:

".... Those bricky towers
The which on Thames' broad aged back do ride,
Where now the studious lawyers have their bowers,
There whilome wont the Templar Knights to bide
Till they decayed through pride...."

Is the same fate in store for our profession and our Society? It need not be.

The whole world is undergoing great change, we are in a renaissance. We are capable, with God's help, to find our true position for the 21st century. We will have to put off many of our old ways and find new ways, or we will be unable to continue to serve our communities and country or even feed ourselves.

Are we looking in the wrong direction - to material technology, human devices and resources to sustain our Society and profession as a servant of the community and country in which we live? If so, our direction should be toward "moral and spiritual values and the rule of law" found in the second paragraph of the preamble to the Canadian Bill of Rights, S.C. 1960, Chapter 44; R.S.C.1970, Appendix III p. 457 (not consolidated in R.S.C.1985) and not fail to recognize the principles of the first paragraph of the preamble. This preamble and its principles may be "the stone" that our leaders have rejected, but essential for our welfare and better understanding of the Charter of Rights and Freedoms and its preamble:

"Whereas Canada is founded upon principles that recognize the supremacy of God and the rule of law."

Warren E. Burger, former Chief Justice of the U.S.A., in his speech on February 12, 1984 said:

"We lawyers are creatures - even slaves - of precedent which is habit. We tend to do things in a certain way "because we have always done it that way."..."

"The entire legal profession - lawyers, judges, law teachers - have become so mesmerized with the stimulation of the courtroom contest that we tend to forget that we ought to be healers - healers of conflicts...."

"Should lawyers not be healers? Healers, not warriors? Healers, not procurers? Healers not hired guns?"

We continue from problem to problem in lock-step processes, procedures and thinking, rather than from solution to solution. We should bear in mind that the solution is never in the problem (which is history when it appears) but in our thinking, as we advance and progress out of the problem, which is only a false imprisoning belief.

Are we discharging the burdens (problems, traditions, suspicions, superstitions, "time honoured conventions", doctrines, theories, creeds, concepts and status) which have accumulated over the years of our existence as a Society, which may have served us in the past; which we continue to worship slavishly and in so doing, impede our progress into a re-birth which is necessary to prevent us from finding ourselves and helping others. In the renaissance going on in the world today, many of these imprisoning burdens could be jettisoned, along with the would be leaders who have been working with them.

Many times, when faced with a problem, it is best to start with a clean sheet of paper, be calm and let the solution unfold. Is it time for our Society to start with a clean slate of benchers, give them our support, so we can find the agenda which will carry us safely into the 21st Century? Rotation in office can bring freshness of thought and prevent stagnation. Let this Benchers' Election be a new beginning for our profession and Society, individually and collectively. Let neither politics nor personalities enter in!

I am prepared to serve you and our Society for the next 4 years as a Bencher, along the lines indicated, and would ask for your vote in the upcoming election.

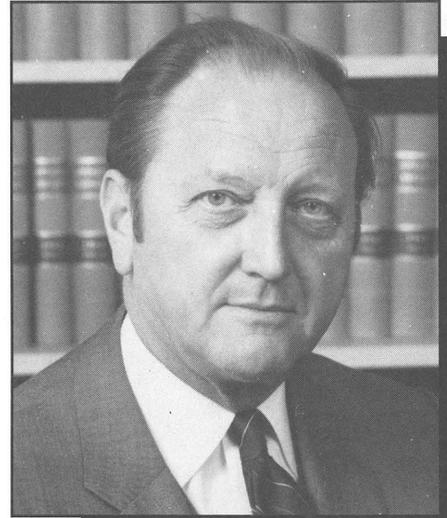
If any person would like to discuss with me the tenor of this election statement, I would be pleased to do so. All calls and letters will be acknowledged, appreciated and answered as best as I can. Leave your number if I should be out. As a Bencher I would continue this practice and be your representative to put your questions forward until the right answers are obtained. How else can one serve another if he does not listen and help seek and find right solutions, which are true not only for the individual but for everyone, as in science or mathematics.

May we all be guided and directed in our selection of those who are to serve us in the coming 4 years.

**THOUGHT - TRUTH - UNITY - PROGRESS - VICTORY
FREEDOM FOR ALL.**

C. BRUCE NOBLE, Q.C. (Sault Ste. Marie)

By reason of his appointment to the Ontario Court (General Division), Mr. Noble is not eligible to serve as Bencher of the Law Society of Upper Canada.



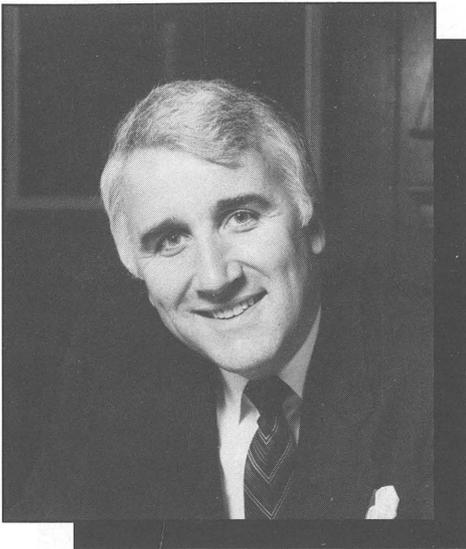
BORN: London, Ontario, 1929

GRADUATED: University of Toronto, Victoria College and Osgoode Hall Law School - Called to the Bar 1956.

PRACTICE: Senior Partner in Wishart, Noble, a seven lawyer firm in Sault Ste. Marie, Ontario.

OFFICES:

- (1) President, Algoma District Law Association, 1964.
- (2) Director, Advocates' Society 1973.
- (3) Bencher, Law Society of Upper Canada 1979-1990
- (4) Chairman, The Ontario Legal Aid Plan, 1983-85
- (5) Chairman, Legislation & Rules Committee of the Law Society of Upper Canada, 1986 -
- (6) Member of Insurance & Practice, Discipline and Investment Committees.
- (7) Vice-President, Algoma University College 1978-1985
- (8) Member Ontario Lieutenant Governor's Review Board 1990
- (9) Chairman of various community charitable organizations
- (10) Chairman of Plummer Memorial Public Hospital 1980



Age 43. LL.B. University of Ottawa. Called 1975. Partner, Nolan, Nolan, McLean & Associates. Certified specialist in Civil Litigation. President, Hamilton Law Association, 1988-89. County Presidents' representative, LSUC fee guidelines committee. Director, Ontario Trial Lawyers' Association. Led successful campaign for new Hamilton Criminal Court facility. Organized opposition to auto insurance bill, testified before Osborne Commission, arranged participation of Ralph Nader as spokesperson for P.A.I.N. (People Against the Insurance Nightmare). Coordinated production of current Hamilton Solicitors' Standards Guide. Served as counsel to LSUC in discipline and unauthorized practice proceedings. Former President, St. Thomas More Lawyers' Guild. Member, Advocates' Society. Former trustee, Hamilton Board of Education. Former Chairman, Hamilton Public Library Board. Married, four children. Endorsed by Hamilton Law Association.

DERMOT P. NOLAN (Hamilton)

Recently, the members of the Hamilton area bar voted, in a "run-off" election, to endorse my candidacy for bencher. This is an endorsement which I am honoured to carry.

Our bar is well-organized and used to getting things done. Some of the local initiatives which I have had the privilege of undertaking include:

- a long and successful fight for a new criminal court facility in Hamilton
- the development and production of a comprehensive solicitors' standards guide
- the preservation of Hamilton's Unified Family Court in the court reform process
- the organization of an effective campaign against the "no-fault" auto insurance scheme.

Ours is a profoundly changing profession that requires open, energetic leadership and fresh ideas to deal with the issues of the 90's. It is to that kind of leadership that I am committed as a candidate for bencher.

I offer more an attitude than an agenda. Fundamental to that attitude is a firm belief in the importance of a strong and independent bar within the framework of the justice system. I believe that the Law Society has a mandate to take a stand whenever that independence is threatened. It can be eroded for example by:

- Legislation which deprives the citizen of access to the courts.
- Some forms of case management which usurp the role of counsel.
- Pre-paid legal plans that restrict the participants' choice of lawyer, or,
- Attitudes that discriminate among members of the profession based on sex, race or beliefs.

Underlying this mandate is the recognition of the profession as the bulwark between the citizen and the state and the realization that it is the public that wins when the profession is strong.

As a candidate for bencher, I have talked to a lot of lawyers about the Law Society. That is a dialogue I hope to continue. I have received constructive suggestions which I welcome and encourage. Unfortunately, I have also encountered a certain amount of alienation and cynicism that needs to be addressed by a determined effort to be open and helpful to the average practitioner. The men and women in the front lines of the profession must be encouraged to relate positively to the privilege of self-governance by a Law Society that is relevant, supportive and accessible.

I am used to putting in long hours on behalf of the organized bar. In addition to my work at the local level, I have worked with the Law Society, both as counsel and committee member, and with the County & District Law Presidents' Association, the Canadian Bar Association (Ontario), and the Ontario Trial Lawyers' Association.

I would be honoured to have the opportunity to work on your behalf for a Law Society of which we can all be proud.

(KAREN) JULAINE PALMER (Peterborough)

Julaine Palmer believes that the composition of Convocation should reflect the spectrum of those in practice in Ontario today. Although there is certainly a place for esteemed colleagues senior in years at the bar, there should be increased representation from among younger lawyers and women.

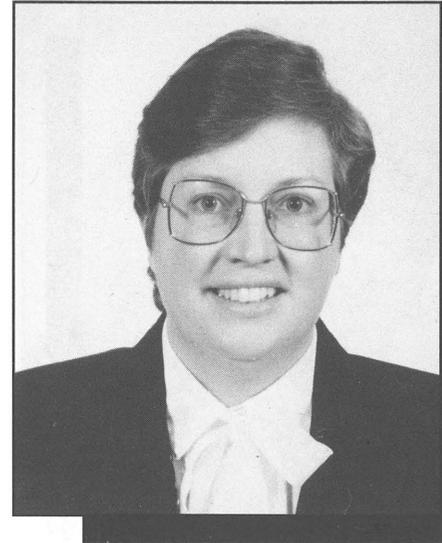
It is important that those from outside Metropolitan Toronto represent a constituency across the province. Julaine Palmer lived and practised in Northwestern Ontario for 9 years. Now, she practises in the small city of Peterborough. Julaine Palmer will add to Convocation the perspective of one who has practised at a great distance from Osgoode Hall and one who is part of a small general practice.

At this stage in her career Julaine Palmer is prepared to devote the time to this position that being an effective representative entails. In accepting nomination, she makes that commitment to those outside Metro Toronto she will serve.

Julaine Palmer is deeply concerned about the poor or "non"-profile of "lawyers" in Ontario. As your representative she will urge Convocation to adopt a pro-active community relations stance and to implement a major, ongoing community relations program with the media. The objective of such a program is to improve our image as a profession and to show a **positive** view of our members, both in their work and in the numerous community events and services to which we donate our time.

It is difficult to express a platform with respect to specific issues in the short space allotted here. Julaine Palmer invites any member who wishes to poll her on specific issues to call her at the office: (705) 742-1674 or at home: (705) 741-2089.

Bien que le français ne soit pas sa langue maternelle, Julaine Palmer se présente comme candidate bilingue. À son avis, les francophones ontariens devraient pouvoir s'exprimer **facilement** en français devant les tribunaux partout dans la province. Julaine Palmer travaillera avec acharnement pour atteindre cet objectif. Elle suivra aussi de près l'expansion des services de la Société offerts en français.



- Bilingual, female, 36, married with children.
- Presently in general practice with William Lockington, Peterborough.
- Called in 1981 and practised civil litigation in Thunder Bay for 8 1/2 years, latterly with Weiler, Maloney, Nelson.
- Tribunal experience: Deputy Judge, Provincial Court (Civil Division), Thunder Bay; Bilingual Chair, Board of Referees (unemployment insurance appeals), Thunder Bay.
- Faculty member, Sir Sandford Fleming College, Peterborough.
- Educated at Université Laval, Quebec City, B.A. in Economics; followed by LL.B. and B.C.L. from McGill University; also B.Ed. Lakehead University.
- Director, Thunder Bay Law Association 1987 - 1990 and Secretary, Thunder Bay Law Association 1988-89.
- Past president of a professional and executive women's service club; numerous community and church activities.



PATRICIA J. PETERS, Q.C. (Ottawa)

Professional Background

Called in 1972. Practised criminal and civil litigation. 1976 - 1985 Assistant Crown Attorney, York and York Region. 1985 - Federal Department of Justice, Ottawa - criminal law policy and development. 1990 - on leave - sole practitioner in area of criminal and immigration litigation in Ottawa.

Professional Activities

Awarded Osgoode Gold Key in 1970. Chaired Trial Practice Course at Osgoode Hall and lectured at Windsor and Ottawa University Law Schools and Bar Admission Course. Appointed Queen's Counsel in 1984. Past President, Association of Federal Government Women Lawyers. Member, C.B.A., County of Carleton Law Association, Ottawa Defence Counsel Association, I'A.J.E.F.O. and Ontario Criminal Lawyers Association.

Law Society Activities

Originally elected Bencher in January, 1987 as a result of my standing in the 1983 election. Re-elected in April, 1987.

Committees:

1. Admissions (Chair)
2. Re-Qualification (Chair)
3. Legal Education
4. County and District Liaison
5. French Language Services
6. Bencher Elections
7. Bi-Centennial
8. Honours

Regular participation on the following panels:

1. Discipline
2. Admission
3. Re-Admission

ISSUES

Self Government

In order to maintain the right to self-government, the Law Society must recognize and respond to the interests of the public and the interests of *all* lawyers in the Province, regardless of their walk of life or field of endeavour.

Access to Justice at Reasonable Cost and Proposed Government Insurance

The interests of lawyers should be balanced against the public need for legal services at reasonable cost. The Law Society must take a strong leadership role in resolving these issues and should actively participate in the legislative process regarding government insurance.

Paralegals

The Ianni Report raises serious concerns regarding the role of non-lawyers in providing legal services and the Law Society must provide careful guidance to the government in that regard.

Rights - Women, Minorities and Language

The Law Society must strive to ensure equality for women, visible and invisible minorities and francophone members of the legal profession.

Standards/Costs

As a candidate for Bencher, my priority is the quality of our professional service to the public through the pursuit of high standards of practice and ethics. At the same time, we have financial limits and the Law Society must deliver programs at reasonable cost so that substantial membership fee increases are avoided.

If Elected

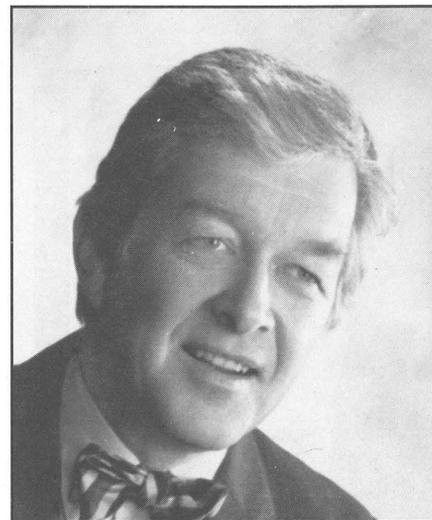
There are no easy solutions to the problems now facing our profession, but as an incumbent Bencher and a concerned member of this honourable profession, I would be proud to continue to serve to the best of my abilities and I am hopeful that you will consider voting for me when you cast your ballot.

DAVID W. SCOTT, Q.C. (Ottawa)

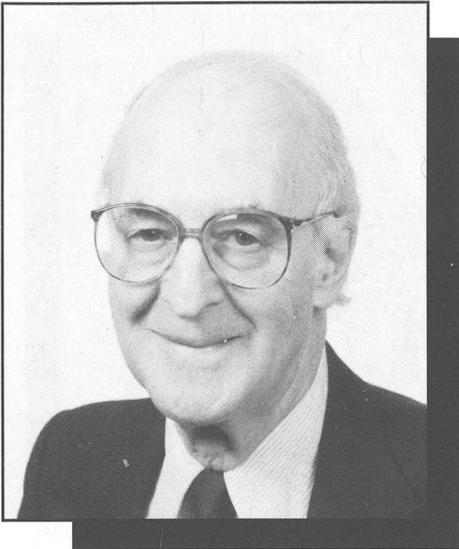
No lawyer who has practised in this province can help but feel a measure of pride in the opportunity he or she has enjoyed in providing a useful service to the public in an honourable profession. Our role is amongst the most important in society. Understandably, in an increasingly complex world, we cannot expect spontaneous support for our endeavours from the general public which we serve. We must all engage in the defence of our traditional role in a vigorous and dynamic way. The independence of our profession, guaranteed by self-government, has never been at greater risk than it is at present.

As a candidate for Bencher, my principal priorities include: the maintenance of our honour and integrity and the value of our professional services by the pursuit of aggressively high standards of practice; the development of programs to ensure the delivery of legal services to the public at manageable cost; and the establishment of informed and supportive communication with the public regarding the conduct of our professional affairs.

I claim no unique qualities as a candidate; nonetheless, I am concerned about our profession and the public we serve and am anxious to make a meaningful contribution. I am hopeful that you might consider me amongst your planned choices in the election of Benchers.



Graduate of Loyola College and the University of Ottawa. Called to the Bar in 1962. Senior partner with Scott & Aylen, engaged as general counsel. Past President, John Howard Society of Ottawa and County of Carleton Law Association. Former Member, Chief Justice's Committee of Bench and Bar. Member, Board of Governors, Carleton University and Board of Trustees, Ottawa General Hospital. Fellow, American College of Trial Lawyers and Member, Advocates' Society. Chief Counsel, Parker Commission of Inquiry. Former holder, Milvain Chair in Advocacy, University of Calgary Law School. Appointed Queen's Counsel 1976. Certified Specialist in Civil Litigation.



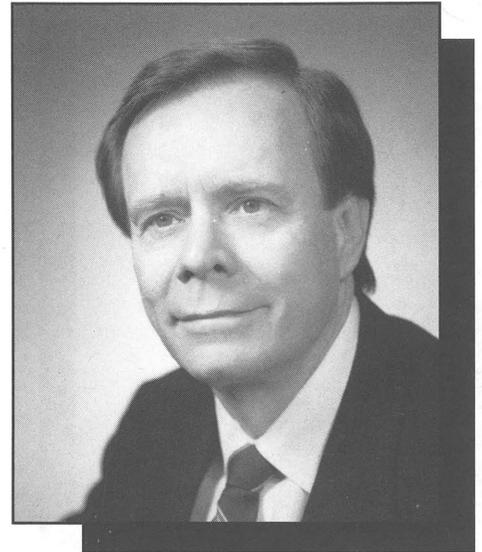
BERNARD SHAFFER, Q.C. (Thunder Bay)

Graduate University of Toronto (Honour Law) and Osgoode Hall Law School; founder and now counsel to law firm of Shaffer, Jobbitt, Stead, Halabisky, Karlstedt, Fillmore & Barker. Past chairman, Fort William Public Library Board; former member, Board of Governors, Lakehead College of Arts, Science and Technology and also Lakehead University; past president Thunder Bay District Law Association; member, National Planning Committee, Canadian Bar Association (1972-73); president, Canadian Bar Association (Ontario) (1974-75); Life Fellow, Foundation for Legal Research; Member of Council, Canadian Bar Association (Ontario); incumbent Bencher; Committees: County and District Liaison, Communications, Unauthorized Practice, Heritage, Finance; member, Advocates' Society.

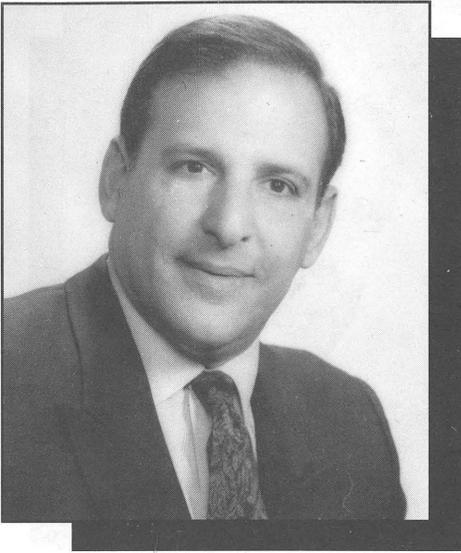
1. The bar of Northwestern Ontario should continue to be represented. I believe that my experience qualifies me.
2. I have demonstrated in the Canadian Bar Association a consistent pattern of service to our profession over a period of years.
3. Since first being elected a Bencher in 1979, I have a good record of attendance at meetings of Convocation and Committees, notwithstanding the rigours of and considerable time consumed by constant air travel.
4. I am strongly in favour of the restoration of the right of claimants in personal injury cases to receive full damages for all consequences including pain and suffering, loss of enjoyment of life, and economic and income loss in all cases including psychological or emotional trauma and Family Law Act claims.
5. I am in favour of increasing the number of Benchers who are women.
6. Most complaints about the conduct of some paralegals come from members of the public who have been victimized by them or from lawyers who have been consulted by such victims. I agree with some but not all of the recommendations of the Ianni Task Force on Paralegals. I agree with the licensing of paralegals and the establishment of appropriate educational standards to ensure competency. The customers of paralegals should be protected by E. & O. insurance coverage with premiums to be paid by paralegals. There should be appropriate provisions for a compensation fund and trust funds. I do not believe that paralegals should be permitted to practice law. However, paralegals will probably retain the right to appear before Ontario administrative agencies or tribunals which currently allow independent paralegals to appear, either by law or practice.
7. I believe that the Law Society should be ever vigilant to protect and serve the public interest, and ever conscious of the importance of the profession continuing to be self governing.

MARC J. SOMERVILLE, Q.C. (Kitchener)

The fundamental question facing the Law Society as we approach our two hundredth anniversary, is simply this: Does our profession continue to deserve to enjoy the privilege of self-government? I believe it does. We must, however, be constantly aware of, and open to, the need for reform to address the ever-changing relationships between the legal profession and the public. Looking back on my first term as a Bencher, I believe that I have contributed, along with others, in some important areas of reform--specifically in Discipline Procedures and in opening the processes of Convocation to the scrutiny of our profession and the public. My present responsibilities include chairing the Professional Conduct Committee and chairing the Legal Education Subcommittee on Articling. I would like to participate in completing the implementation of Articling Reform--a programme which will significantly enhance the educational value of articling. I would also like to see a comprehensive review of the Rules of Professional Conduct to assess whether the present Rules adequately address the needs of the profession and public we serve.



B.A. (1962), LL.B. (1965), University of Toronto. Called to the bar 1967. Queen's Counsel (1982). Certified specialist in Civil Litigation (1988). Partner, Gowling, Strathy & Henderson, Kitchener, Civil Litigation and Administrative Law. Bencher since 1987. Currently, Chair, Professional Conduct Committee; Member, Education Committee; Chair, Articling Subcommittee; Member, Court Reform; LSUC appointee to the Ontario Bench and Bar Council; LSUC appointee to the Advocates' Society Institute Board of Governors. Previously, Chair, County & Districts; Vice-Chair, Discipline Committee; Member, Professional Standards Committee; Member, Research and Planning Committee; Member, Sub-committee on Open Convocation. Currently, CBA National Council; CBAO Provincial Council; Member, Advocates' Society; University of Toronto Law Alumni President, South-Western Ontario; Honourary Trustee, Waterloo County Law Association. Previously, Regional Councillor, Regional Municipality of Waterloo; Alderman, City of Cambridge. Member of Waterloo County Planning Council; Children's Aid Society; Waterloo-Wellington Airport Commission; Director, Cambridge United Way; Director, Kitchener-Waterloo Symphony Orchestra; Federation of Law Societies Representative on Canadian Bar Association National Committee on Paralegals; Co-editor Faculty of Law Review; U. of T. Honour Award; Dean's Key, U. of T. Law School. Endorsed by the Waterloo County Law Association.



Born Windsor, 1944. LL.B., Osgoode Hall, 1969. Called to the bar, 1971. Q.C. 1982. Partner, Gignac, Sutts Windsor, Ontario since 1982. Certified specialist in Civil Litigation. Law Society: Elected bencher, 1987; Chair, Research and Planning Committee; Chair, Special Committee on Equity in Legal Education and Practice; Vice-Chair, Compensation Fund Committee; past Vice-Chair, Professional Conduct Committee. Memberships: Editorial Board, *Advocates' Quarterly*; Canadian and Ontario Bar Associations; Essex County Law Association, Advocates' Society, American College of Trial Lawyers. Other: Vice-Chair, Case Flow Monitoring and Evaluation Committee (Essex County Case Flow Management Plan); former Sessional lecturer, Faculty of Law, University of Windsor; frequent speaker at conferences and programs conducted by Canadian Judicial Centre, Law Society of Upper Canada, the Canadian Bar Association, Advocates' Society and other professional organizations. Commission counsel, Krever Commission.

HARVEY T. STROSBERG (Windsor)

In the next four years, the Law Society will almost certainly be confronted with issues or challenges which, today, are neither known or predictable. Still, as a profession, we can prepare for the future adequately and serve the public well by improving the Society's overall state of readiness. In short, the society must be proactive as well as reactive. How best does it achieve this objective?

1. The Mission or Scope of the Law Society

The Law Society has long preferred to remain aloof from what may be termed "political" matters. In my opinion, an apolitical posture is no longer desirable or responsible. The Society must lead, or seek to lead, on matters of vital public interest. A systematic plan to lobby the government effectively on matters of importance inside and outside the profession should be implemented. For example, the case for contingency fees and a re-evaluation of no-fault insurance should be framed within this larger, political perspective.

2. Public Access to the Affairs of the Profession

The Law Society must truly broaden its deliberations to the public. Votes and attendance at Convocation should be recorded for public scrutiny. Debates in Convocation should be fully transcribed as a variation on Hansard. The transcriptions should then be placed on computer discs and distributed among County and District libraries for easier access to interested members of the profession and public.

3. Law Society's Special Committee on Equity in Legal Education and Practice

This relatively new Committee's mandate is to explore ways of providing minorities greater access to the profession of law in Ontario. Improving the access of visible minorities to our profession is at once proper and necessary. In the fullness of time, it will also serve to bolster the trust between our profession and the public.

4. Paralegals in Ontario

The Law Society should offer to regulate and supervise paralegals in the same way as it regulates and supervises lawyers.

5. Prepaid Legal Services - General Plan

To respond to the public's need for greater access to legal services, the Law Society should immediately move to establish and implement a comprehensive Prepaid Legal Services Plan similar to the Legal Aid Plan which the Law Society administers. The Society could use at least some of the technology and staff from the Legal Aid Plan to operate the new plan effectively and cost-efficiently. I envision such a plan being marketed through the Legal Aid offices, with an open roster, and lawyers being paid on the basis of a fee schedule which would not preclude extra billings.

6. Re-evaluating the Name: Law Society of Upper Canada

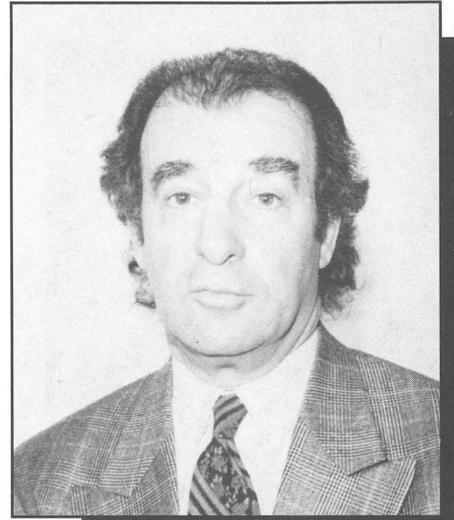
Now is the time to change the name, Law Society of Upper Canada, to the Law Society of Ontario. The Treasurer should become the "Chief Executive Officer" and "Bencher" should become "Directors". The terms "Bencher" and "Treasurer" might still be retained for ceremonial purposes. Perhaps there is nothing in a name, but I say, let the changes in name be a symbol to the public of our willingness to adapt to new challenges, new realities.

MARVIN TALSKY, Q.C. (Mississauga)

I applaud many of the recent changes instituted by the Law Society such as, the opening up of the proceedings of the Benchers, the publication of proceedings in the *Ontario Reports*, wider representation from our membership, and unfortunately not until the next election "regionalization". There is, however, much more to accomplish and for which I would be your advocate, namely:

- i) increasing the number of benchers so that the present tremendous and increasing work load could be spread out, reducing the time demands which often prevent able sole practitioners, or members of small firms and others from seeking election;
- ii) encouraging a more diversified representation of the profession in our governing body to contribute their ideas and talents;
- iii) involving local law associations to a greater degree, they being more representative of the profession and more successful in the dissemination of information to our members and to the public and also being a reliable source of information of areas of concern to our profession;
- iv) raising the image of the profession in the eyes of the public by publicity in relation to the things we do which are of benefit to the public;
- v) taking all necessary steps to prevent a repeat of the "Lang Michener" affair which has demoralized many of our members;
- vi) working more actively with all levels of government to increase the availability and suitability of court facilities, and to facilitate more speedy, less costly, less complicated judicial determination of issues;
- vii) working more actively towards increasing the level of legal aid tariffs to bring them more into line with the costs of carrying on a practice (not with C.P.I.) so that more members of the profession would accept certificates with a resulting increase in access of the public to the judicial system;
- viii) review of the basis upon which Legal Aid Certificates are issued, (financial, social, etc.), to broaden the criteria of approval in times of financial restraint or recession;
- ix) although I am appreciative of their past and future sacrifice and efforts, I would advocate denying a vote to life benchers who represent and are accountable to no constituency; and,
- x) enact guidelines which will ensure that the elections in future take place on an even playing field.

I believe that my background and experience would enable me to represent a constituency of our profession sorely under-represented.



Born in Toronto. Teachers tried to educate me at Dewson P.S., Bloor, C.I., U of T and Osgoode. Called to bar in 1960. In general practice in Peel since 1965, mainly as sole practitioner with exposure to, and hopefully thereby gained knowledge and experience in, many areas of the law. Past Director, Peel Law Association, chaired Continuing Education, Law Day and Ethics Committees. Formerly elected and presently appointed member of Council, C.B.A.O.; presently sit on Paralegal and Budget Review Committees; chaired 1990 Bike-A-Thon Tour du Barreau. Active member of charitable, social, athletic and religious organizations.



JOHN DOUGLAS THOMAN, Q.C. (Hamilton)

Born in Hamilton 1939. B.A. Queen's 1966, LL.B. Queen's 1968. Queen's Counsel 1982. Partner in Thoman, Soule, Gage. Litigation practitioner, particularly negligence actions. President Hamilton Law Association 1984-85, Chairman of the County District Law Presidents Association 1985 and 1986; President Hamilton Medical Legal Society 1986; member CBAO Council 1986 and 1990; member Chief Justice's Bench and Bar Committee 1986-87; member Specialist Certification Board 1987-89; Coach of the Advocates' Society Institute 1988 - ; elected Bencher 1989; frequent lecturer at Hamilton Law Association Continuing Education Programs; frequent speaker to the insurance industry continuing education programs. Numerous speaking engagements to Law Associations throughout the province.

Changing Attitudes

The Role of the Law Society:

Bencher must be sensitive to the needs of the profession and the public for new Law Society programs. Benchers must not lose sight of the fact that the primary mandate is to govern the profession and that resources must be allocated. Careful consideration of the cost effectiveness of programs is a primary concern.

Bencher Elections:

The Bencher Election Committee must be reconstituted to continue the reform movement with a view to more broadly based representation on the bench. Some Benchers must be elected from each judicial region within the province.

Dealing with Government:

It is important to have input to government policy development committees and to be pro-active in the formation of legislative concepts, both for the public good and the good of the profession. We cannot afford only to react once legislation has reached the floor of the House.

Public Education:

The Law Society of Upper Canada should seek to coordinate (not fund) an upgraded program of public legal education utilizing existing legal groups and talent pools. Included in public legal education should be the revision of a core curriculum for use in the education system.

Non Bencher Involvement:

The Law Society should embark upon a program of recruiting non-bencher lawyers to serve on Law Society committees including discipline. The public and the profession must see that the Law Society operates in an open and consultative fashion.

Communication:

The Law Society should increase its efforts through the Liaison Committee of the County and District Law Presidents' Association to communicate with local law associations.

ROBERT C. TOPP (Sudbury)

Issues

I am aware that the task of electing Benchers is difficult, therefore, I ask you to review my record as a Bencher, including my committee assignments along with my views on some of the issues to assist you in deciding whether one of your votes will be cast for me. If re-elected, I undertake to continue to pursue my responsibilities in accordance with my dedication to our profession. I shall regularly attend committee meetings and Convocation, and otherwise fulfil the trust of office to the best of my abilities.

I believe that some of the issues facing the profession and The Law Society over the next four years will be difficult and trying. Some of the issues that I foresee are:

- a) Self-Government
- b) No-Fault/Government Insurance
- c) Paralegals
- d) Legal Aid
- e) Financial matters of The Law Society

Self Government

The role of the Convocation shall be to focus the issues and provide responsible leadership. The public perception of the performance of the Benchers of The Law Society could lead to renewed calls for the end of self-government if the Benchers fail to adequately deal with the concerns of the profession and the public.

No-Fault/Government Insurance

The Law Society should expand its role in regard to No-Fault/Government Insurance in order to fulfil its mandate as protector of the public interest. The issue is not lawyers' fees, but, rather, the preservation of the substantive right to litigate. Therefore, I am of the view The Law Society should actively participate in whatever legislative process takes place in order to prevent a repetition of the present legislative ban on litigation.

Paralegals

The paralegal issue is a matter that will require substantial consideration by your Benchers. The wide ranging recommendations of the recent report have caused many to be seriously concerned as to the role of non-lawyers in providing legal services. Again, Convocation's role will be to focus the discussion and provide input to the Government regarding any proposed legislation.

Legal Aid

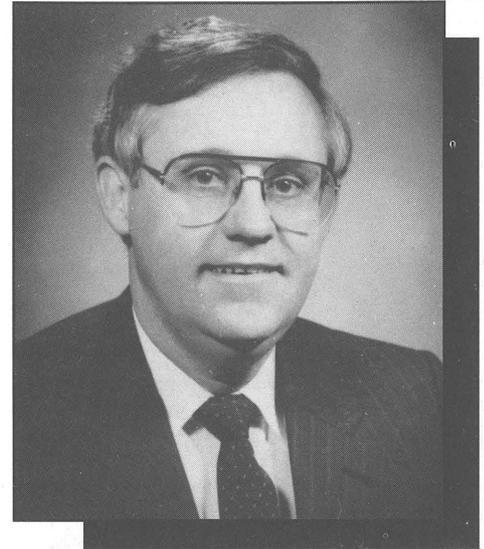
The increasing legal aid budgets may renew the call for Government control. I am opposed to Government control in every sense. Your Benchers should be prepared and willing to vigorously oppose any public defender or family clinic system, or any other such initiative launched under the guise of cost saving which may affect quality of legal services to the indigent or the continued existence of the private bar.

Law Society Financial Matters

Financial responsibility is as important for The Law Society as it is for each of us in our own practices. The next four years may require restraint in expenditures as it is clear that many of our colleagues may suffer financially as a result of these difficult times. I believe there is a limit to the amount we can charge our members and, therefore, the programmes of The Society shall require constant monitoring so that we do not require substantial fee increases.

Endorsements

Sudbury District Law Association
Nipissing Law Association



45 years of age
married with three children
B.A. (Laurentian) 1972
LL.B. (Toronto) 1975
called in 1977

Elected a Bencher 1988.

Practices law under firm name, Topp, Poulson. Area of practice: litigation, primarily criminal litigation.

Professional Associations

- a) Member Sudbury and Manitoulin Legal Aid Area Committee (1982 - 1988)
- b) Executive member CBAO (Criminal Justice Sub-Section) (1986 - 1988)
- c) Vice-President Ontario Criminal Lawyers Association (1984 - 1986)
- d) Member CBA
- e) Sudbury Law Association
- f) Criminal Lawyers Association
- g) Advocates' Society
- h) Chair Laurentian University Alumni Fund (1984-1985)
- i) Member Sudbury F.A.I.R. Committee regarding No-Fault Insurance

Law Society Activities

- a) Discipline Policy (Vice-Chair)
- b) French Languages Services (Vice-Chair)
- c) Finance
- d) Libraries and Reporting
- e) County and District Liaison

Special Committees

- a) Discipline Procedures
- b) Bencher Elections
- c) Reforms Implementation

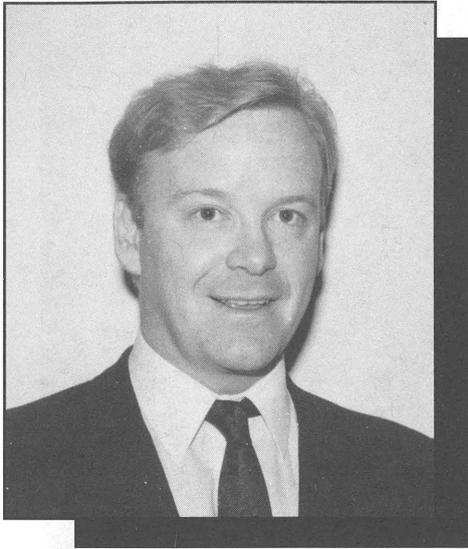
Law Society Advisory Committees

- a) Regional Membership Visits (Chair)

Non-Bencher Professional Activities

Non-Bencher representative of the profession on the Ontario Legal Aid Committee 1984 - 1988 and as Bencher member 1988 - 1989.

- a) Expansion of Criminal Services Sub-Committee (Chair)
- b) Sub-Committee re: Liens
- c) Sub-Committee re: Amendments to the Legal Aid Act and Regulations
- d) Research Facility Sub-Committee,
- e) Young Offenders Act Sub-Committee



GREGORY P.L. VANULAR (Pickering)

I believe a big issue concerning the Law Society of Upper Canada is the Government of Ontario's perceived intention to deregulate lawyers in the province. I will work to see that this does not happen.

Another major issue confronting our profession is the onslaught of paralegals in the province practising law. I will work along with other members of the profession to stop this behaviour before it proliferates beyond the control of the profession.

A third issue that I am concerned about is the fact that there is not enough Regional Distribution of Benchers in the province and I will endeavour to see that the number of Benchers of the Law Society increases to compensate for the heavy concentration in the Toronto area. The Law Society should not be run by the City of Toronto.

I also believe that the Law Society should work with the Ontario Government in eliminating No Fault Insurance as it is harming the profession.

A last issue that we must confront is that Discipline Hearings should be held *in camera* and not in public. Even if a lawyer is not found guilty of Professional Misconduct the lawyer's reputation is harmed.

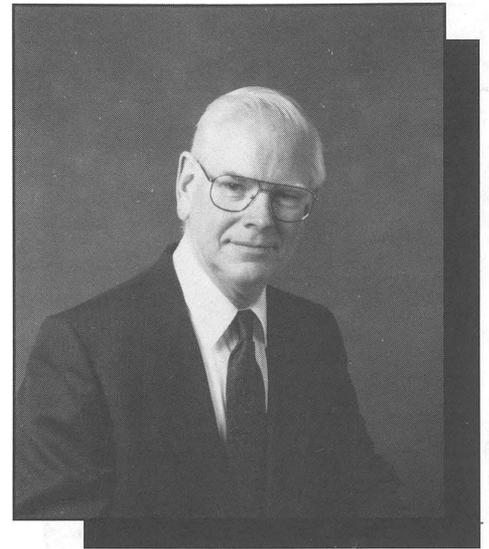
Born Montreal, Quebec. University of Toronto 1976, Queens 1979, called 1981. Past member Canadian Swimming Team. C.I.A.U. Backstroke Champion. C.I.A.U. 400 Medley Relay Champion. Athlete of the Year. Scarborough College University of Toronto 1976, played Junior Hockey. Practises Criminal Law and Real Estate. Will protect interests of the sole practitioner in Ontario.

JAMES J. WARDLAW, Q.C. (Orangeville)

It is not possible, in a short statement, to outline the challenges that the profession will be facing both now or in the future. Neither is it possible to suggest solutions for them. It is possible, however, to set out general guidelines that must be considered in dealing with each of them.

1. The profession must be governed in the public interest if it is to retain its right of self government.
2. The Society must not hesitate to speak out if it believes the public interest will suffer when the issues involved concern matters in which its members have special interest and training.
3. The Society must be vigilant in upholding the standards of honesty and integrity of its members.
4. The Society must strengthen its recent initiatives to ensure the competence of its members and to protect the public from incompetent practise. Anyone can make a mistake. This comment is directed to members about whom there are chronic complaints.
5. Because the Society insists that no one may practise law without being a member, it should not take a stand on public issues where some members are of one view and other members take another. This, however, is subject to the guidelines expressed above.

On a personal note, there are few benchers who practise as solicitors in small firms in small towns. It has been my privilege to partially fill that role over the last twelve years. I wish to thank those of you who have made it possible.



B.A. McMaster University 1952; Osgoode Hall Law School 1956; Partner, Wardlaw, Mullin, Carter & Thwaites; Head of Section, Estate Planning, Bar Admission Course 1979-1981; Chairman, Wills & Trusts section, CBAO 1978 and 1979; Past member of executive, Real Property section CBAO; Lecturer, continuing legal education programs dealing with estates and real property; Author of articles in *Estates and Trusts Quarterly*; Bencher since 1979; Chairman: Bi-Centennial Committee; Member Finance, Insurance, Legal Education and Professional Standards Committees.



MARY P. WEAVER, Q.C. (Sudbury)

Graduate University of Toronto and Osgoode Hall Law School. Call to bar 1951; practised in Scarborough for two years. Partner, Weaver, Simmons - 17 lawyers (since 1962) Sudbury. Formerly National Council member C.B.A. and Executive Committee C.B.A.O. Member - C.B.A. National Committee on the Judiciary. Member - Real Estate and Estates sub-sections. Formerly on Board of Governors Laurentian University (Chairman - Executive Committee). Trustee Sudbury Algoma Hospital. Board member Ontario Mental Health Foundation. During two terms as Benchers has served on the following Committees: Professional Standards; Unauthorized Practice; Finance and Administration; Admissions; Library. Endorsed unanimously by Sudbury Law Association.

It is trite, but necessary, to state that it is the purpose of the Law Society to govern the profession always mindful of the public interest in order to merit the status of a self-governing profession. This means setting policies and procedures regulating admission, competence, professional conduct. The programmes undertaken flow directly from carrying out these responsibilities. The standards that are set and enforced, together with the service provided to enable the profession to achieve its maximum level of competency, is the measure of the Society's achievement or failure. It flows that as governors, benchers as a group are judged on their response to the ever changing needs (carefully defined) and demands of a fluid and ever changing community.

When the profession was smaller in number and there was less diversity in society as a whole, The Law Society was able to communicate directly with the profession so that its achievements and failures were more apparent to all interested parties. Benchers seemed to have more direct contact with concerned individuals inside and outside the profession. Achievements and failures were more apparent and better understood. Probably the issues were more clearly defined. Now the governors must find means of defining the needs it must respond to and of communicating with its constituencies effectively. Then it must muster its resources to satisfy the needs.

Recently bilingual service has been established, the discipline and complaints review process has been updated, professional standards and peer review have been established, and the benchers are considering ways of promoting equity in access to legal service and in the administration of justice for minorities in society. There is an ongoing examination of the role of the Society with respect to the regulation of the delivery of legal service by paralegals. All of these activities increase the size of the required budget and are leading to large increases in fees.

To maintain the level of service required to support essential services such as libraries, insurance, practise advisory, competence, discipline and complaints, compensation, dial-a-law, lawyer referral, C.L.E. programmes, bilingual services, supervision of articling students, LINK, as well as other programmes now being sought, is a delicate balancing process. Each new programme must demonstrate that it is needed, given our budgeting constraints.

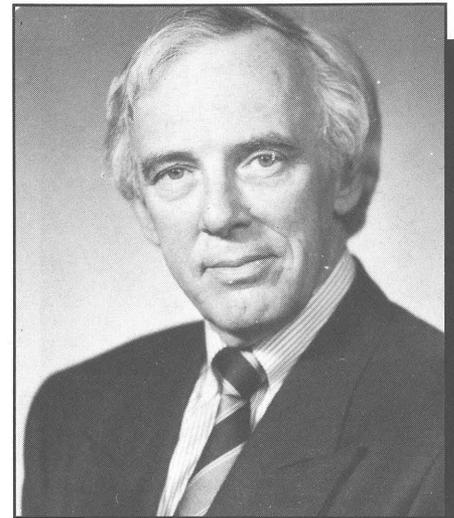
The benchers have been characterized as a conservative monolith, or alternatively as individuals labelled progressive and pro-active or as conservative and reactionary. Neither the Law Society nor individual benchers can be characterized in this fashion. Voting records would show the diversity of opinion that exists. The Law Society must discharge its legislative obligations to the public and to its members and to do so must provide support services and direction to its members within a reasonable budget to justify its continuance as a self-governing body. In standing for this election I am committed to pursuing these goals.

DONALD DUNCAN WHITE (Peterborough)

Small law firms and sole practitioners have carried the burden of delivering legal aid and providing reasonable access to legal services and the justice system for the vast majority of citizens. The Law Society must see that their role is not undermined. Independent paralegals must be licensed and their part in the legal system must be carefully defined.

I believe that most practitioners deliver high quality legal services at reasonable cost. Unfortunately, this belief is not shared by the public. The Law Society must attempt to improve our image in the eyes of the public, the media and the government.

Finally, I believe that the Law Society has lost touch with the profession at large and that it is essential to correct this by better communications, obtaining the views of the profession on important issues before Convocation, greater participation in the affairs of the Society by non-Benchers and electoral reform.

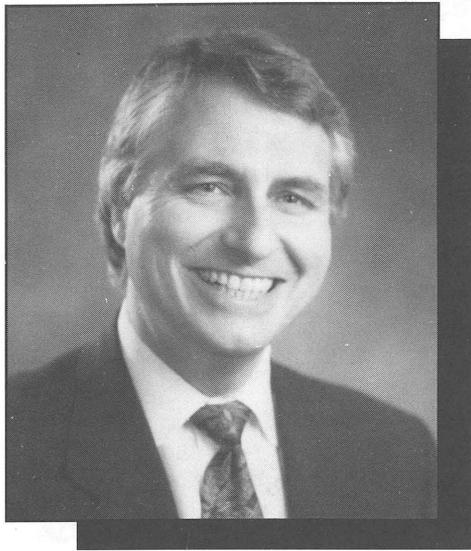


B.A., LL.B.

Don White has been endorsed by the Peterborough Law Association as a candidate for Bencher.

He is a graduate of Victoria College and Osgoode Hall, and is a partner with Howell, Fleming, in Peterborough, where he has practised civil litigation, insurance and employment law since his call to the bar in 1970.

Don is a Past President of the Peterborough Law Association, a member of the Advocates' Society, and the Canadian Bar Association. He has served on the boards of many community organizations and is a Rotarian. His interests are golf, curling and skiing.



Age 45, partner in Martin, Hillyer, Whitten, Bryant; Honours B.A. University of Toronto, 1968; LL.B. Queen's University, 1972; LL.M., Osgoode Hall, 1986. Articled to Edward L. Greenspan. Called in 1974. Sole practitioner in Owen Sound, 1975-1985. Deputy Provincial Court Judge (Civil Division), Grey County, 1978-1985. Assistant Crown Attorney, Hamilton, 1985-1988. Appointed part-time Assistant Crown Attorney, Guelph and St. Catharines, 1989. Certified Specialist, Criminal Litigation, 1989. Member of Law Society Sub Committee on Competency of Criminal Lawyers; Trustee of Hamilton Law Association - Non-Resident member; Vice-Chairperson of Criminal Justice Section - C.B.A.O.; Chairperson and Panelist - C.B.A. "Impaired Driving Update", 1988-1990; Instructor Bar Admission Course: Ethics & Advocacy - Phase I; Contributing Member of the Editorial Board of *Journal of Motor Vehicle Law*. Memberships: Hamilton Criminal Law Assoc., Hamilton Lawyers Club, Halton Law Assoc., Advocates' Society, Ontario Trial Lawyers Association.

ALAN C. R. WHITTEN (Burlington)

Access to Justice: Public concern that legal representation is only available to the affluent and Legal Aid recipients has spawned a growth in the paralegal industry, pre-paid legal plans, and government initiated research into the possibility of Alternative Disputes Resolutions.

The Ianni Report: Task Force on Paralegals recommends that paralegals be regulated by the Office of the Registrar of Independent Paralegals, a body to exist within the Ministry of Consumer and Commercial Relations. Law Society involvement would be limited to membership in an Advisory Panel. Paralegals would be allowed to appear before Administrative Tribunals, Small Claims Court and Provincial Offenses Court. Paralegals would be allowed to perform preparation of simple wills, uncontested divorce actions, and small business incorporations. The basic educational requirements would be that of two year Community College Program.

It is crucial that the Law Society contribute to the penultimate form and implementation of recommendations pertaining to paralegals. Our Society is in the best position to assess the training of and permissible areas of practice for paralegals. Our Society should be able to regulate and licence paralegals or, alternatively, to assist in the establishment of and work with a professional non-governmental entity representing paralegals. A failure on the part of the Law Society to justify a role in the development of this support profession, could create a competitive position of little benefit to members and paralegals alike.

The Society has to publicly demonstrate an ability to deal fairly and expeditiously with incompetence within our ranks. The Society must develop a system of identification and a response which is minimally intrusive and provides constructive guidance.

The paramount role of the Society is protection of the public interest, a role which transcends the self interest of lawyers. To lose sight of this role is to invite a significant challenge to self regulation.

Access by the Membership to the Society

Bencher Composition: Concerns exist with respect to the absence or sufficiency of representation of: women in the profession, public and in-house counsel, sole or small firm practitioners, and younger members of the bar. The proposed changes to allow a regional component is a positive start in making the society more representative and, hopefully, will eliminate the necessity for costly province-wide campaigns for election.

The estimated time commitment of thirty four hours per month, exclusive of travel time and the consequential impact on billable or accountable hours, can only but attract candidates from large firms. The answer to the required time commitment may lie in a response which creates a broader representation. Serious consideration is merited in the re-organization of our Society to provide: more benchers, benchers representing specific groups, i.e. women and young lawyers, and support staff for benchers. The use of bencher assistants from the membership would give others the opportunity for involvement and training for the position. Our membership possesses a wealth of backgrounds which should be capitalized upon; failure to do so would only contribute to the alienation of the membership and apathy in the election process.

My Candidacy

I have had a variety of rewarding experiences with our profession. Those experiences have exposed me to many members with valid opinions. I do not purport to have all the answers; yet I do realize the importance of listening to people, and working towards a responsible solution. I care deeply for our profession and I am concerned for what the future holds for us all. I would be honoured if I could make a contribution of my effort, time, and experience to the betterment of our Society.

ROGER YACHETTI, Q.C. (Hamilton)

I have served as a Bencher for the past twelve years, and I believe that I can fairly say that I have worked very hard in performing the general duties of a Bencher in Convocation, on Standing Committee and Special Committee work, and as a Law Society delegate to the Federation of Law Societies of Canada for eight of those years. I was the Chair of the Federation's National Committee on Legal Education for three of those years.

This devotion of a great deal of time and effort to the work of the Law Society has not gone unrewarded, as I have benefited greatly from the exhilaration of the challenges presented, and the personal satisfaction experienced in meeting them.

My main concern has been, and always will be, the maintenance of the self-governing status of our profession. The maintenance of the status depends entirely upon the manner in which the Benchers govern the profession. They must act reasonably, responsibly, and with due consideration for the public interest. That is not to say that elected Benchers should ignore the interests of those who elect them. The balancing act is a difficult one, made easier only by the realization that the two interests are compatible more than they are antagonistic. The greatest effort put forth by the Benchers is in the direction of maintaining high professional and ethical standards -- a direction which is entirely consistent with the public interest.

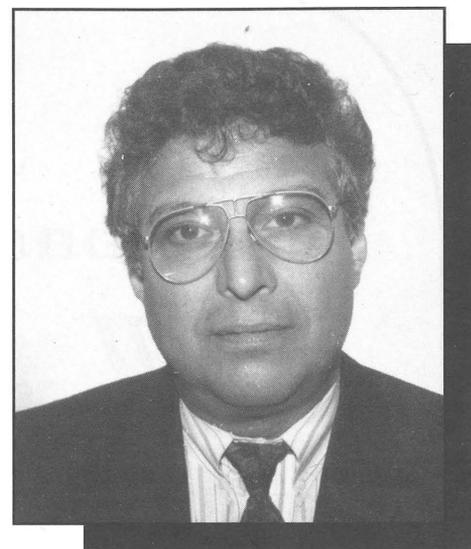
Over the past 12 years, I have participated with my Bencher colleagues in addressing many difficult issues, such as numbers in the profession, advertising by the profession, the emergence of pre-paid legal service plans and their implications for the profession and the public, improvement of the County and District Law Library System, the special obligations of lawyers who deal extensively in mortgage transactions, the regulation of interprovincial law firms, and the complete revision of the Law Society's discipline procedures, to name but a few. With respect to the re-vamping of our discipline procedures, I had the privilege of chairing the special committee which conducted the review and made the recommendations ultimately adopted by Convocation.

You may not have agreed with all of the conclusions reached, but I trust you will accept that they were reached only after diligent and conscientious consideration.

In my opinion, the greatest challenge facing the profession today is that of providing a wide range of legal services at affordable cost to that vast segment of the public in Ontario who do not possess great wealth and who are not eligible for legal aid assistance. In other words, "access to legal services" will be the keynote phrase of the future. Prompt finalization of the contingency fee proposal, and the encouragement and regulation of pre-paid legal service plans which permit full freedom of choice, are two measures which I would support, immediately.

Another area of great concern to me is that of para-legal services. I do not support the expanded role advocated for para-legals in the Ianni report. My tendency is to support a role for para-legals which is ancillary to the legal profession itself.

The Law Society's current efforts in regards to Professional Standards and Certification of Specialists are significant, but, in my opinion, we must expand and improve both programmes in the face of growing complexity in the law and the growing numbers in our profession.



Age 50, married, three children, Sr. partner, Yachetti, Lanza & Restivo. B.A. Western 1961; LL.B. Western 1964 (Ivan Rand Honour Society); awarded Arthur T. Little Gold Medal. Called 1966 - Treasurer's Medal, Law Society first prize, Lawyers Club first prize. Appointed law clerk, Hon. G.A. Gale 1966. Former trustee, Hamilton Law Association; former president, Hamilton Criminal Lawyers' Assn.; former president, Hamilton Lawyers' Club; former director, The Advocates' Society. Elected bencher 1979, 1983, 1987. Chair, Professional Standards Committee; member, Communications, Legal Education, Requalification, Honours, Reform Implementation, Certification Board; Trustee, Law Foundation former Chair, Discipline, Professional Conduct, Legal Education, Special Committee on Discipline Procedures, National Committee on Legal Education. Endorsed by Hamilton Law Association.

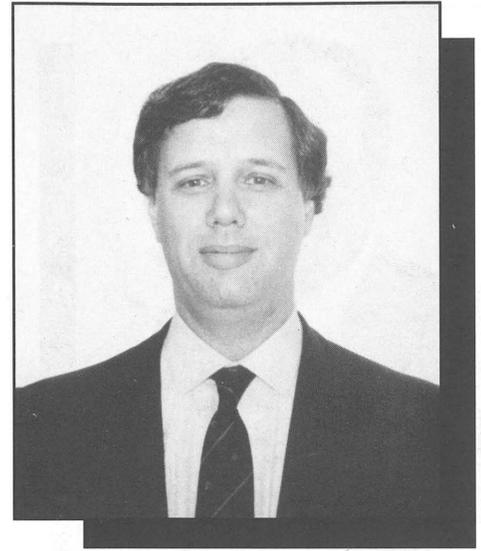
Candidates
Within
Metropolitan
Toronto

MARK G. APPEL, Q.C.

The greatest challenge that the profession faces in the next few years is defending our right to self-government. In my view, it is essential to the administration of justice that the independence of the bench and bar be maintained. To do so, we will have to demonstrate to the public, to the government and to our colleagues our ability to govern ourselves, particularly in the area of discipline, professional conduct and competence. We must both maintain a demonstrable level of competence and honesty among our members and conduct our affairs in such a way that the public perceive that this level is, in fact, being maintained.

I believe it is necessary to this process that benchers be drawn from a broad spectrum of the legal community and particularly, that small firms be well represented. Lawyers in small firms represent a majority of the profession and are particularly close to the public, both in their day-to-day dealings and in the maintenance of their own small business. With 20 years of practice, 18 of them in a small firm doing commercial litigation, coupled with my broad community involvement, I believe that I have the ability to contribute to this process.

I recognize that fulfilling the office of bencher takes a great deal of time. I am committed to rearranging my legal and personal affairs so that I can devote all of the time necessary to properly discharge these duties.

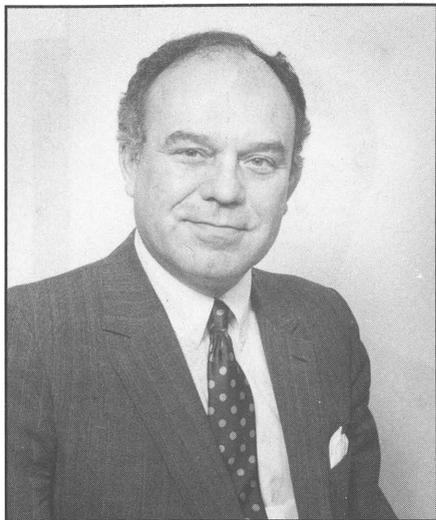


**Born in Montreal, 1944.
B.A. (Honours) McGill, 1965.
LLB (Cum Laude) Columbia, 1968.
LLB York, 1969.
Called 1971.
Law Clerk to C.J.H.C.**

**Practise at Chappell, Bushell, Stewart, a small Toronto firm concentrating on civil commercial litigation (since 1973).
Appointed Q.C. 1983.**

Legal activities, other than usual memberships, include director and member of the executive Advocates' Society, editor Advocates Society Journal, and teaching various legal/seminar organizations, including Insight, the Canadian Institute and the Bar Admission Course.

Heavily involved in community activities, including the St. Lawrence Centre, Canadian Stage Company, Toronto Operetta Theatre, Canadian Psychiatric Research Foundation, and other charitable and cultural organizations.



THOMAS G. BASTEDO

Legal and Educational: M.A.; Ph.D; c. to b. 1971; 1971 - 1991 (April), Bastedo, Cooper & Shostack (about 20 lawyers); 1991 - (April), Bastedo, Sheldon, McGivney & Peck (about 10 lawyers). Certified by L.S.U.C. as a Specialist in Family Law.

Law Society: Elected Bencher 1983 and 1987; Chair: Legal Aid Committee (1988 -), Family Law Specialty Committee and C.L.E. Subcommittee. Member: Legal Education, Research and Planning, Women in the Legal Profession and Communications Committees. L.S.U.C. Appointee, Judicial Appointments Advisory Committee. Former Chair, Clinic Funding Committee (1984 - 87).

Other Professional: Former instructor, B.A.C.; Member of Council, C.B.A.O. for ten years; Former chair, Family Law Section, C.B.A.O. and C.B.A.; Contributor to various C.L.E. programmes; Former lecturer, Osgoode Hall Law School; Trustee, Osgoode Hall Excellence Fund; Member, Advocates Society.

Responsibility to membership: The Law Society must be responsive to its membership. It should record policy positions taken by Benchers in Convocation, involve all lawyers in Law Society Committees, furnish CLE programmes to the profession throughout Ontario, and attempt to reflect the profession's changing demography and gender composition in Convocation.

Discipline Process: The new discipline process has to be implemented during the next session. I support the involvement of non-Bencher lawyers in this process.

Legal Aid: Legal aid is an integral component of the justice system. The Law Society must adapt the Plan to society's needs. It is unequivocally in the public interest to maintain the Plan under the Law Society. The Plan must have the profession's support to administer it in the public interest.

Professional Competence: To maintain a high level of professional competence, the Law Society must develop comprehensive CLE programmes at reasonable cost, and continue the expansion of professional advisory and practice services.

The profession and access to justice: How the legal profession serves the public is under acute examination. The issue is: can the profession maintain its traditional role while at the same time ensuring that all of the public has access to legal services? We require examination of the role of prepaid legal services, and of the role of para-legals.

Law Society priorities: The Law Society is being asked to provide all kinds of services; these come at a cost. A structure has to be created to order priorities between what is objectively desirable and financially obtainable.

DENISE BELLAMY

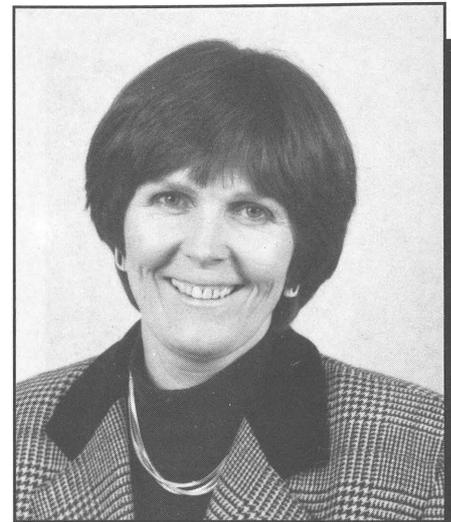
LAW SOCIETY EXPERIENCE:

As a Bencher, I am Chair of the French Language Services Standing Committee, and have been an **energetic** participant on more than 20 committees, including many dealing with some of the most contentious issues facing the Society, such as:

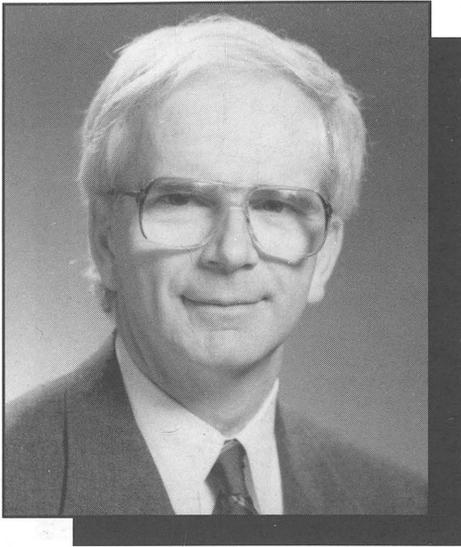
Bencher Elections * Articling Reform * Women in the Legal Profession * Open Convocation * Standards of Competence for Criminal Lawyers * Law Society Titles * Requalification * Voting & Attendance at Convocation * Long-range planning for County District libraries

I BELIEVE PRIORITY ISSUES INCLUDE:

1. Maintaining control over LSUC fee increases. This year, Law Society fees may be increased to over \$1,000. I do not believe a fee increase should be passed on to our members without the Law Society first examining its own activities.
2. Restoring public confidence in the justice system by:
 - assisting in reducing delay in the courts;
 - addressing challenges presented by the Ianni Report on Paralegals, and
 - maintaining access to competent and independent legal services
3. Addressing challenges presented by major changes in:
 - the work of the profession
 - over 30% of fee-paying members are not engaged in traditional private practice (9% of those are in government)
 - our membership
 - the number of women called to the Bar has increased dramatically in the last 15 years. This increase is one of the most dominant trends in the legal profession today.



Incumbent. Bilingual. Called to Bar in 1980. B.A. (Carleton); LL.B. (Osgoode). Current position: Director, Legal Services Branch, Ministry of Correctional Services, Government of Ontario; Former Positions: Court Reform Task Force, Co-ordinator of the Criminal Delay Reduction Project; Assistant Crown Attorney (Newmarket); Ontario Women's Directorate. A frequent participant at continuing legal education programs and advocacy workshops. LSUC's Delegate to the Federation of Law Societies. Board of Governors for the Advocates' Society Institute. Member of C.B.A., l'association des juristes d'expression française de l'Ontario. House of Commons secretary in "former life".



IAN A. BLUE, Q.C.

As a bencher of the Law Society of Upper Canada, I want to tackle three pressing issues facing our profession in the '90's.

First, I want to work for the continued independence of the Law Society by opening it to the full light of public scrutiny. Our self-government is threatened by political and media pressures, misunderstandings about the Law Society, and growing public concern about the costs and quality of legal service. We must demonstrate that the Law Society considers itself publicly accountable by opening meetings and proceedings to the press and by ensuring that all deliberations are, and appear to be, open and fair at every decision-making level. Only by showing that self-regulated lawyers are more capable of protecting the public's rights and interests than any other alternative can we guarantee our continued independence.

Second, I want to lobby for increased funding and availability of legal aid, and better support for provincial legal clinics. The complexity and resulting costs of modern litigation mean that those most in need of protection are least able to afford it. Legal aid and legal clinics are the front line in protecting a citizen's rights and freedoms. Better support means the best lawyer for the job. It also means help for those lawyers whose practices are largely based on legal aid and clinic work.

Third, today's competitive economy demands new approaches for protecting clients' rights. I see the need for developing strategies tailored to the demands of the practice of law in the '90's. Specifically, I want to develop rules of conduct for business development, billing practices, and delegation of work.

In summary, continued independence of the profession through public accountability, better support for legal clinics and expanded availability of legal aid, and strategies for professional conduct into the twenty-first century - these are the issues I will address as your representative.

Age 45. Senior administrative law counsel in Cassels, Brock & Blackwell; graduated from Dalhousie Law School in 1969; called to the Alberta Bar in 1970, Ontario Bar in 1974; Queen's Counsel, 1985; Section Head of Practice Skills in Bar Admission Course 1985-1987; past BAC seminar leader in administrative law and Practice of Law; Administrative Law Mentor to Ontario Community Legal Clinics; past Chair of CBAO Energy Law and Administrative Law sub-sections; Organizer and Chair of several Law Society Continuing Legal Education programs on administrative law and practice and other subjects; practices administrative law before many boards and all levels of courts.

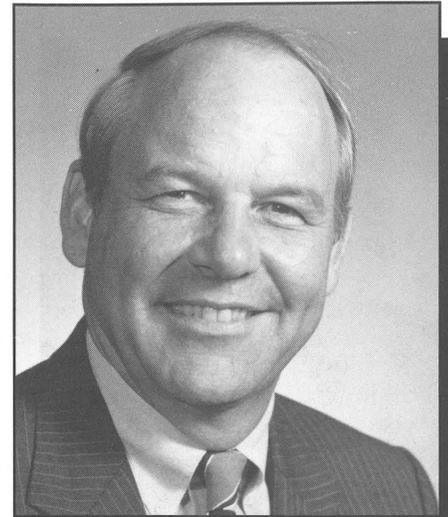
COLIN L. CAMPBELL, Q.C.

One of my primary reasons for seeking re-election is to work to keep the legal profession self-governing. It will take dedicated, objective and hardworking individuals to ensure that our system of government for lawyers will work in the best interests of both the public and the profession.

In order to have the support of both the public and practitioners, the Law Society will have to continue to improve its communication to all its constituents of how and why its decisions are made and the activities it undertakes.

The following are some of the programmes that I think can improve the relationship.

1. Better notification of matters being reviewed by Committees.
2. More input at the Committee level by interested and knowledgeable individuals, both lawyers and non-lawyers.
3. Completing the reform of the complaints and discipline process.
4. A definition of professional misconduct so both the public and the profession will understand the process and results.
5. Improved and expanded programmes of continuing education to enable members of the Society to meet the challenges of changing times and their individual aspirations.
6. Improved communications so that members can feel they are represented by **all** benchers.
7. Taking positive action to help ensure that there is access to legal services and to the justice system for all citizens particularly for those who are disadvantaged.
8. To provide support and encouragement to members of the profession who require special initiatives such as part time work, alternative career opportunities and those subject to stress and substance abuse.



Educated Queen's University, B.A. 1963, LL.B 1965; Bars Ontario 1967, Alberta 1974, NWT 1976; McCarthy Tétraut 1967, Q.C. 1979, Certified Specialist in Civil Litigation, Elected Bencher 1990 - Member Discipline, Women in the Law, Professional Conduct, Clinic Funding, Legal Education and Research & Planning Committees. Practices Civil Litigation emphasis in medical malpractice, and administrative tribunals.

Memberships: Advocates' Society - Director 1976-1979, Medico-Legal Society - Director & President 1990, CBAO, York County Law Association, Chief Justices Bench & Bar Committee, Williston Committee on Civil Rules Reform, Fellowship, American College of Trial Lawyers, Chairman - Douglas K. Laidlaw Fund.

Lecturer and participant in programmes at law and medical schools, LSUC, CBAO, College of Physicians and Surgeons.



ROBERT J. CARTER, Q.C.

As a Bencher for the past 16 years, I have given my best effort to ensure that the interests of the public and the members of our profession are fully and fairly protected in these difficult and challenging times.

If re-elected I will continue to work with these goals in mind. Vigilance and fairness must be our prime objective if we are to remain a self-regulating and honourable profession.

Graduated from Osgoode Hall Law School 1960. Called to bar 1962. Partner in Martin & Carter until appointment of Honourable Mr. Justice Martin to Court of Appeal in 1973. Now partner in Carter, McCombs & Minden. Actively engaged in many Law Society and Federation programs. Bencher since 1975; Criminal Procedure section head, Bar Admission Course 1966 to 1986; co-chairman/lecturer/panelist, L.S.U.C. Continuing Education for over 20 years; faculty member, Federation of Law Societies Continuing Education for 12 years; past president, Criminal Lawyers Association of Ontario; past director, Advocates' Society.

SANDRA CHAPNIK

RE-ELECT SANDRA CHAPNIK AS BENCHER

SANDRA CHAPNIK DEALS WITH THE ISSUES THAT CONCERN YOU

"This is a time of change for lawyers and the legal profession. The growth in the number of lawyers, the development of specialties, the downturn in the economy, are having a dramatic effect on all of us. Effective and creative responses to these developments will be required in the years ahead."

AS A BENCHER, SANDRA CHAPNIK NOW SERVES ON FIVE COMMITTEES AND FOUR SUB-COMMITTEES OF THE LAW SOCIETY. IF RE-ELECTED SHE IS COMMITTED TO THE FOLLOWING:

A more **Progressive** Law Society

- address the issues of paralegals, prepaid legal service plans, no-fault insurance and alternate dispute resolution techniques
- deal responsibly with multi-disciplinary practices, specialization and mega-firms
- lift advertising restrictions on lawyers
- promote new improved law school, articling, and Bar Admission courses

A more **Humanistic** Law Society

- develop and adopt contemporary policies on race relations and employment equity
- deal with systemic discrimination within the legal system
- expand mentor and advisory programs
- confront the crisis of economics facing lawyers and law firms today, paying special attention to the needs of young lawyers, small firms and sole practitioners

A more **Accessible** Law Society

- appoint more lay benchers and non-bencher lawyers to Committees
- co-ordinate efforts with legal organizations and local law associations
- make bencher elections more open and representative of the profession
- improve the scope and funding of legal aid and legal clinics

A more **Efficient** Law Society

- redistribute administrative, managerial and bencher responsibilities
- expand continuing legal education programs to service lawyers in all areas of the province
- implement more consistent and fair discipline procedures

A more **Accountable** Law Society

- publicize voting and attendance records of benchers and provide forums for more regular communication with the electorate
- enhance the profile and image of lawyers by improving communication with members and the public

SINCE HER ELECTION, SANDRA CHAPNIK HAS SUBMITTED SPECIFIC PROPOSALS TO THE APPROPRIATE LAW SOCIETY COMMITTEES dealing with such issues as ALTERNATIVE DISPUTE RESOLUTION, DISCIPLINE PROCEDURES, LEGAL EDUCATION AND MINORITY RIGHTS.

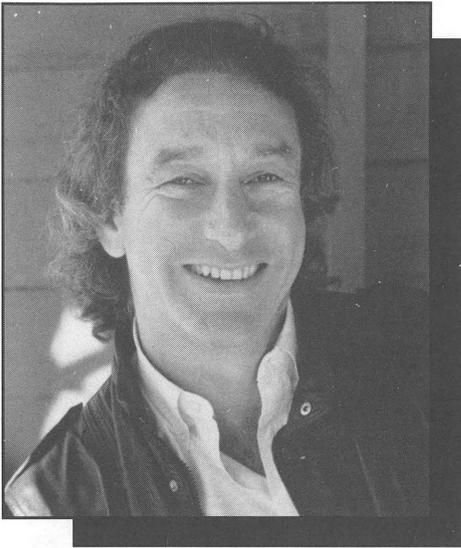
Her experience as **teacher, lawyer, and adjudicator** has and will continue to serve her well in dealing with the challenges facing lawyers and the legal profession today.

To help ensure a more **PROGRESSIVE, HUMANISTIC, ACCESSIBLE, EFFICIENT** and **ACCOUNTABLE** Law Society, re-elect Sandra Chapnik as bencher. She will continue to work hard to protect **your** interests.

YOUR SUPPORT FOR HER RE-ELECTION IS REQUESTED



B.A., LL.B.; Bencher. Recipient, CBAO Award for Distinguished Service and Award of Distinction, President's Award Women's Law Association, Reuben Wells Leonard Scholarship (U of T), Gold Key; Lecturer, Bar Admission Course; Vice-Chair, Workers' Compensation Appeals Tribunal; Fact Finder and Mediator. Former litigator, producer, Rent Review Commissioner, Counsel, Secondary Teacher; Board of Directors Baycrest Centre, Canadian Bar Association, Holy Blossom Temple, Osgoode Hall Alumni, Women's Law Association (past President). Former Chair, Civil Liberties Sections CBAO and CBA, program moderator/speaker, Annual Institute Committee member. Law Society Committees, Bi-Centennial (Vice-Chair), Legal Education, Professional Conduct, Professional Standards, Research and Planning, and several Subcommittees. Mother of four.



PAUL COPELAND

Graduated from the University of Waterloo - B.Sc. Physics, 1962; Osgoode Hall Law School - LL.B., 1965. Called to the Ontario bar in 1967.

Partner in the firm of Copeland, Liss, Campbell. Practice involving criminal law, civil litigation, immigration law and national security matters.

Founding member of the Law Union of Ontario.

Vice-president of Criminal Lawyers' Association for the past five years.

Bencher of the Law Society of Upper Canada for two months in 1987 and four months commencing December, 1990. Member of the Clinic Funding Committee.

It is expected that this will be a hotly contested bencher election. In the past, the most significant factor in the bencher elections has been name recognition. John Sopinka and Clay Ruby headed the polls in Toronto in the 1987 election. Regional choices and the support of the County and District Associations will again be significant. In the last bencher election some successful bencher candidates spent \$20,000.00 on their campaign.

In 1983 I ran 27th in the bencher elections. As a result of resignations and judicial appointments I moved up to be a bencher for two months in 1987. In the 1987 elections I again ran 27th. This time I moved up to be a bencher commencing in December of 1990.

My most vivid impression of the bencher meetings that I have attended is that there are no visible minorities among the elected benchers and few women. Some of the benchers fit into the "old boy" category. Many are hard working and a surprising number have quite progressive views on issues affecting the profession and the public interest as it relates to the profession.

It is difficult to define issues coming before the benchers on the basis of the normal political spectrum. I do not propose in this election statement to specify where I stand on issues that may come before the benchers, but the following matters may assist lawyers in deciding whether to include me in their list of chosen candidates:

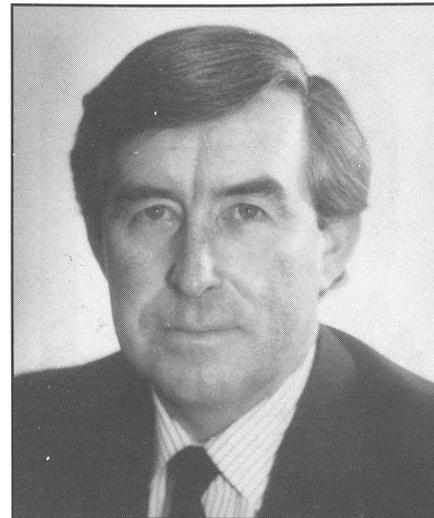
1. Starting in 1975, and in several Law Society Annual Meetings thereafter, I and other members of the Law Union of Ontario sought elimination of the Q.C. designation because in our view it had unfortunately become a vehicle of political patronage rather than a recognition of excellence in the practice of law. I believe that as a result of our actions, no Q.C.'s have been granted by any government in Ontario since 1985.
2. The manner in which the Law Society dealt with what has come to be called the "Lang, Michener Affair" caused significant concern in the profession. I believe that the motion that I presented on the issue to the Law Society Annual Meeting in 1989 focused attention on the issue and was one of the factors which led the Law Society to amend their procedure in decision making on how discipline complaints should be authorized.
3. As Vice-President of the Criminal Lawyers' Association and Chair of the Legislation Committee, I was involved in our Association's strong position in opposition to the recriminalization of abortion in Canada. I believe our appearance before the Senate Committee studying the legislation and our public statements, appearances and speeches on the issue helped in the battle to defeat Bill C-43.

MAURICE C. CULLITY, Q.C.

The importance of the benchers' responsibilities and the implications of the profession's desire to remain self-governing are obvious. Virtually all actions taken by the benchers affect the manner in which lawyers practice their profession. They also have a wider impact on the public. Accordingly, it is important that the responsibilities of the benchers be discharged efficiently and fairly in the public interest.

Any lawyer who is able and willing to commit the time should be qualified for election as a bencher. I do not see election as an elevation in status or a step in a career-advancement plan. I am standing for re-election because:

- I take the responsibilities of a bencher seriously and am willing to commit the time and energy required to fulfil them;
- the work of a bencher is important and interesting and is, therefore satisfying; and
- for reasons about which I would prefer not to speculate, my partners are willing to tolerate my absences from the office.



Educated University of Western Australia (LL.B. 1957) and Oxford University (B.C.L. 1960); called to the Bar of Middle Temple, (England) 1962, Supreme Court of Victoria (Australia) 1965 and Ontario 1970; Queen's Counsel, 1980. Lectured in law at Wadham College, Oxford; University of Melbourne; University of Pennsylvania, Osgoode Hall Law School and University of Toronto. Partner Davies, Ward & Beck. Author of numerous articles and frequent speaker on legal topics at conferences. Vice-President, International Academy of Estate and Trust Law (1982 -). Elected Bencher 1987.



Called 1978. Sole practitioner until 1986. Now two lawyer firm. Feminist Family Law practise. University of Toronto (St. Mike's) 1973. Windsor Law 1976. C.B.A.O.: Executive; Legal Aid Committee; Council; Strategic Planning Committee; Family Law Executive; Green Commission (Chair); Family Law Court Reform Committee (Case Management); Award for Distinguished Service (1988). L.S.U.C.: Family Law Advisory Committee; B.A.C. instructor (Family Law, Practice Skills, Ethics, Legal Aid). Family Rules Committee. Formerly L.S.U.C. Legal Aid Committee. Member Family Law Reform Coalition; National Association of Women and the Law; Law Union. Lecturer and panelist on feminist issues, Family Law, Legal Aid, Child Protection.

CAROLE CURTIS

1. THE LAW SOCIETY AND EFFECTIVE GOVERNMENT OF THE PROFESSION

a. Composition And Representation Of The Profession

The lawyers currently serving as Benchers of the Law Society are not representative of the profession. There are still many under-represented constituencies, including women, new lawyers, small firms, lawyers not in private practice. The structure of the Law Society perpetuates this. Current Benchers are largely lawyers who represent clients in the power elite of society. Which "public" is the Law Society protecting? Do Benchers represent the interests of the poor? The recent immigrant? The single parent?

b. Election Process And Regionalization

The Report of the Ferguson Committee and the recommendations of Convocation that resulted do not go far enough to meet the articulated needs of lawyers in judicial regions other than Metropolitan Toronto. Regional representation should be consistent with the 8 Judicial Regions, and should ensure that lawyers in all regions feel properly represented. Examination of the election process was not begun early enough to ensure that reform could be implemented for the current election. There is a greater turnover between elections resulting from appointment to the Bench, than there is at the election.

c. Bencher Accountability And Commitment To Change

Meetings of Convocation have only recently been open to the public and the Bar, and in no small part, through the efforts of the Committee for Bencher Accountability. Benchers are largely opposed to recording of votes without the recording of the debate that preceded it, necessitating a connection between the cost of providing transcripts and publication of voting records. Without public records of votes, Benchers cannot be held accountable.

d. Workload Of Benchers

Bencher workload makes it almost impossible for sole practitioners or lawyers from small firms to participate. The donation of large blocks of billable time (Monday to Friday, (9:00 a.m. to 5:00 p.m.) is required, ensuring the perpetuation of the current hierarchy and structure. The current structure virtually excludes participation from the Bar in the Committee system. Discipline is administered by Benchers only, which also means that lawyers in discipline proceedings are unlikely to be answerable to a committee of their peers.

2. LEGAL AID

Despite the promises of the previous government to adopt the recommendations of the government fact-finder, and provide for annual cost of living increases in the tariff, there have been no increases in the tariff since July 1987. As of July 1990, an increase of 33% would have been required just to keep up with inflation. Benchers recently voted to increase the legal aid levy to cover increased costs of administration.

3. CONTINUING LEGAL EDUCATION

Convocation must ensure that lawyers continue to be qualified throughout their years of practice. Judicial continuing education should also be a priority. Both lawyers and judges are currently presumed to be capable and qualified at the time of their graduation, or appointment, and are presumed to continue to remain so throughout. Mandatory continuing legal education should be in place for lawyers and judges.

4. PARTNERSHIPS AMONG PROFESSIONAL ASSOCIATIONS

There needs to be more communication and co-operation between professional associations. Stronger liaisons should be in place between the Law Society and other establishment organizations (Canadian Bar Association - Ontario, County and District Law Presidents Association, Advocates' Society, Criminal Lawyers' Association). In addition, ties should be established with other professional organizations (Law Union, National Association of Women and the Law, AJEFO).

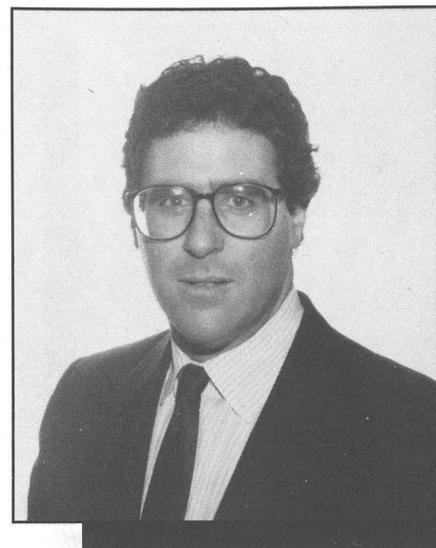
TIMOTHY DANSON

It is beyond the scope of a single page to address the diverse and complex issues facing the legal profession. What can hopefully be accomplished is a presentation that provides some insight into a candidate's value system and perspective against which one can measure suitability for the position of Benchler.

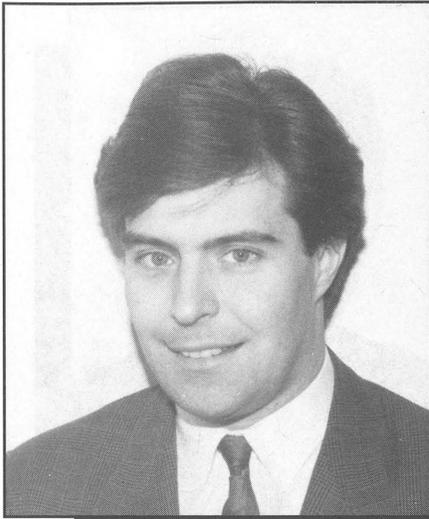
In 1985, Timothy Danson, in his personal capacity, challenged the constitutional validity of Rule 57.07 (costs against solicitors). Mr Danson felt that the breadth of the rule undermined the independence of the bar and the right of the client to retain independent counsel. Like the sword of Damocles, in the hands of the court and opposing counsel, the threat of costs can impair the objectivity and integrity of counsel and diminish his or her subjective independence. The advocate for his or her own sake, and the sake of the client, must stand up courageously and completely selflessly for the client's rights. Counsel must be fearless and bound absolutely to integrity. Counsel is not part of the "action" but an "advocate" of the issues. The government responded by challenging jurisdiction and standing. The case went from Weekly Court, to the Divisional Court with leave, to the Ontario Court of Appeal with leave, to the Supreme Court of Canada with leave. On October 4, 1990, the Supreme Court of Canada permitted the constitutional challenge to proceed. The Law Society has been silent. Examples of how the rule has been abused demands that silence be transformed into action. Mr. Danson believes that every lawyer has a duty to his or her client to fearlessly raise every issue, advance every argument and ask every question, however difficult, which would help the client's case. Counsel should not be intimidated consciously or unconsciously with the threat or fear of having to pay costs personally. Our governing body must be vigilant in guarding against any erosion of these principles.

Tim also believes that the courts would be more accessible to the public with the introduction of contingency fees. While such a system is not problem free, it does represent the best compromise to allow members of the public who would not otherwise be in a position to retain a lawyer to seek legal redress.

Equally important to the protection of the public is an appreciation by the governing body of the exigencies of operating a law practice as a business and not being defensive in the protection of the interests of the profession. In this regard further efforts must be made to permit lawyers to incorporate. It is also necessary to modernize the rules regarding assessment of lawyer's costs where the rule is a reduction in fees in circumstances not commensurate with the cost of doing business. What is required in all circumstances is balance and good judgment.



Partner, Danson, Recht & Freedman; graduated University of Toronto, 1975; graduated, Osgoode Hall Law School (1978); practice primarily restricted to constitutional, criminal and corporate litigation; active in the Liberal Party, federally & provincially; Director, Canadian Coalition on the Constitution which opposed the Meech Lake Constitutional Accord.



Born in Montreal, Quebec, November 20, 1956. B.Comm. '84 (Concordia); B.C.L. '83 (McGill); LL.B. '84 (McGill). Articled McFadden, Marrocco & Parker, Toronto 84-85. Called to the Bar of Ontario in '86. Partner McFadden Marrocco & Parker 86-87. Partner of Marrocco, David & Trudell, Toronto 87-89. Principal of David & Co. 89-91. David & Co. is an eight lawyer general practice with an emphasis on Canadian and U.S. Immigration law and litigation on behalf of the Government of Canada. I am currently the Vice-Chairman of the Practice Management Section and a member of the Official Languages Committee of the C.B.A.O. I am particularly interested in the business issues pertaining to the practice of law.

JEAN-YVES DAVID

If elected as a Bencher, I would like to contribute to the following issues:

On behalf of young lawyers, I would like to increase the Law Society's awareness of our specific needs. These include: improved practice management services for small firms, the promotion of Continuing Legal Education by making it more affordable and by offering more programs on week-ends. These programs should include practice management clinics. Our dues and Errors & Omission insurance coverage must also be kept to a minimum. This requires prudent administration to which I would like to contribute.

The unauthorized practice of law and the regulation of consultants need our continued attention. Practising immigration law, I have been a witness to the bad advice and the resulting public abuse suffered at the hands of many unethical and incompetent consultants and the need for prevention and enforcement.

As a member of the C.B.A.O. Official Languages Committee, I have become familiar with the difficulties inherent in the implementation of the French language mandate of the L.S.U.C. and its associated costs. I would like to help make this implementation both effective and economical.

Generally, I believe in the continuing efforts of the L.S.U.C. to improve the profile of our profession and to increase our membership in minority communities, notably among Canadian natives.

Finally, I would promote closer links with societies elsewhere in Canada and overseas to seek out viable alternatives to our continued development.

PHILIP M. EPSTEIN, Q.C.

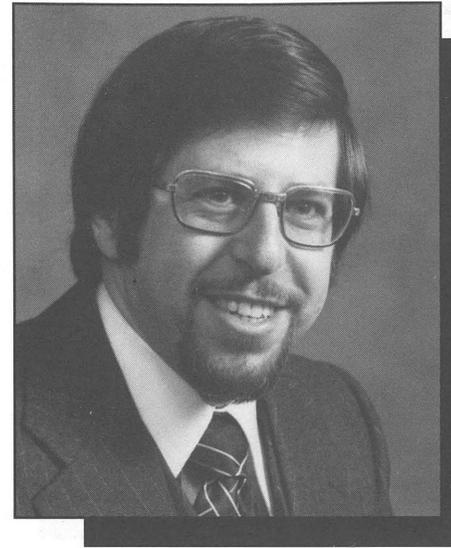
I have been an active and involved Bencher since 1985. I resigned as a Bencher on January 25, 1991 in order to take up a five month teaching position at the University of Sydney.

As a Bencher, I have been a member of the Bar Admission Reform Committee. I believe this new course will benefit the students, the profession and the public and significantly enhance our legal programme. I subsequently chaired the Articling Reform Committee. I believe the changes made to articling will make the experience more rewarding and satisfactory to students and their firms.

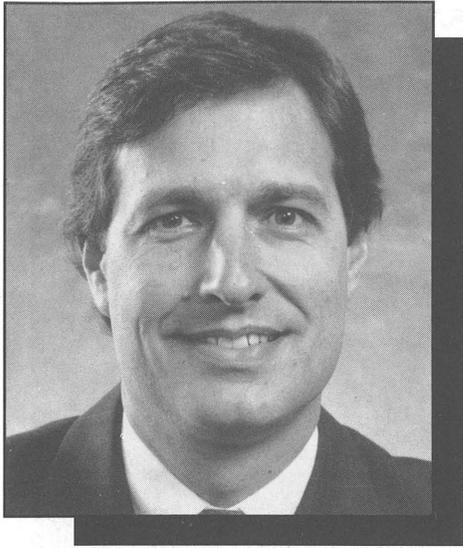
I have been Vice Chair and then Chair to the Clinic Funding Committee. This important Committee oversees the 75 legal aid clinics in Ontario. I would like to continue my involvement in this area if I am re-elected.

I support the following, all of which I shall continue to promote as a Bencher of The Law Society:

1. Opening Convocation on all issues, except where personnel matters might be discussed. Convocation should rarely sit *in camera*.
2. Regional Election of Benchers by having each region elect their own representatives.
3. Taking affirmative action to ensure that Legal Aid Tariff is increased immediately and kept up to date.
4. All important decisions of the Society should be regularly communicated to the profession.
5. Some form of mandatory continuing legal education for all practising members and making it available across the province at convenient locations.
6. Encouraging the government to regulate, licence and thereby properly control paralegals.
7. Improving access to justice, particularly for the middle class.
8. Close co-operation between the Law Society and the County and District Presidents Association, the Advocates' Society and the Canadian Bar Association, in order to co-ordinate our efforts at improving services for the public and the profession.
9. Changing the name of the Society to the "Law Society of Ontario"; the name "Treasurer" to "President" and the title "Bencher" to "Counsellor". This would be a reflection of a change in attitude on the part of the Society.



Called 1970; Elected Bencher 1985; Chair, Clinic Funding Committee; Member, Insurance Committee, Legal Education Committee, Bencher's Election Reform Committee, Bar Admission Reform Committee; Certification Board (Family Law); Chair, Articling Reform Committee; Head of Family Law Section of Bar Admission Course since 1982; Member, Family Law Rules Committee of Ontario Court of Justice; Past Chair, Family Law Rules Committee of Ontario Court of Justice; Past Chair, Family Law Section of Canadian Bar Association (Ontario Branch); Lecturer in Advanced Family Law, University of Toronto; Practices Civil Litigation with an emphasis on Family Law and defence of lawyers' negligence claims. Member, Canadian Bar Association, Advocates' Society, County of York Law Association.



NEIL FINKELSTEIN

The monopoly which the legal profession enjoys over the provision of legal services is a public trust, created so that the public receives legal services of the highest quality. The Law Society has an obligation to see to it that legal services are affordable, and that the independence of the Bar is protected from government encroachment to ensure that counsel can forcefully defend their clients' interests.

The Law Society must lead the way in ensuring that people have both physical and financial access to justice. As to physical access, there is need for better court facilities to allow speedier and more inexpensive resolution of civil and criminal cases. The Law Society must press government, and assist government through its expertise, to provide and maintain those facilities. As to financial access, the Law Society must ensure that legal aid funding is adequate, and encourage the growth of prepaid legal services and other legal insurance plans.

The Law Society must also resist government attempts to encroach upon the independence of the Bar. The problem is not merely theoretical. Provisions such as the Torquemada rule in the Rules of Civil Procedure, and the proposed securities law amendments which give the OSC the power to penalize lawyers in their dealings with it, undermine the independence of the Bar. These measures, and any other similar proposals in the future, must be challenged.

In the past, I have tried to fulfil what I perceive to be my obligations as a lawyer to the community by speaking to community and high school groups on legal topics, performing public interest litigation for both the Canadian Civil Liberties Association and the Canadian Jewish Congress, and presenting briefs to the Senate and the provincial legislative committees on constitutional matters. If elected Bencher, I will do my best to meet the challenges which confront the Law Society in its duties to both the public and the profession.

Partner in Blake, Cassels & Graydon (Toronto), and certified by The Law Society as a Specialist in Civil Litigation.

Education: LL.M. (Harvard); LL.B. (McGill); C.A. (1976); B.A. (McGill). Called to the Bar in 1982.

Professional Experience: Civil Litigation (March, 1982 to present); Law Clerk to the Rt. Hon. Bora Laskin (1980-81); Senior Policy Advisor to Ian Scott, A.G. Ont. (1985-86).

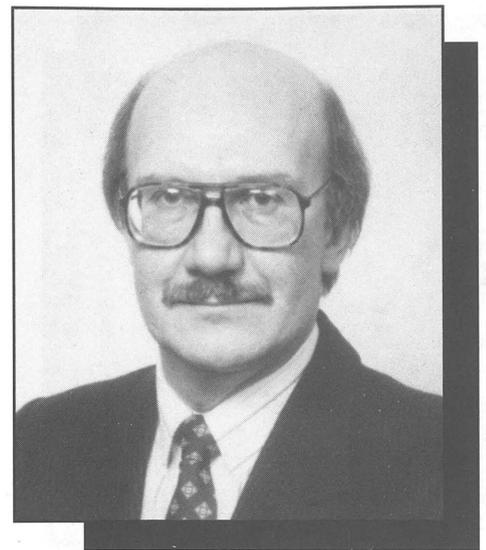
Teaching: Constitutional Law, University of Toronto, (1987-90); and Osgoode Hall Law School (1981-83, 1988-89); chairman and/or lecturer at constitutional, competition and administrative law conferences sponsored by the LSUC, CBA and Advocates' Society.

Publications: *Laskin's Canadian Constitutional Law* (5th ed.); other constitutional books and articles.

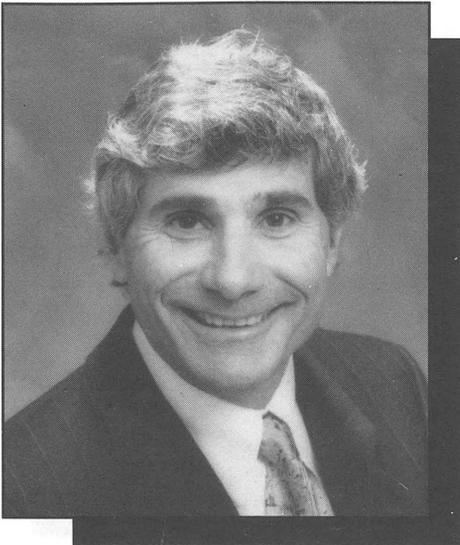
ERIC FINN

In their policy development and judicial roles, benchers have a public responsibility to uphold the profession to as high a standard as possible. In overseeing legal education and certification, the Society represents to the community the abilities of practicing lawyers. Through the disciplinary and compensation process, it defines the professional conduct of its members. The governing body is accountable for the activities of its members and the supervision of legal education and professional activities must be subject to constant scrutiny to ensure that the practice of law keeps pace with the public perception of the role of the lawyer.

My professional experience has provided me with exposure to practice in a large firm, a small partnership, government and a corporate legal department. Lawyers practicing in each of these environments have differing concerns and may approach the role of the governing body of the Law Society from differing points of view. In my present position as an Assistant General Counsel in a corporate law department, I would be in a position to express the view of a lawyer practicing in a corporate environment but with an understanding of the concerns of the private practitioner. In addition, my experience as an instructor in the Bar Admission Course and in Continuing Legal Education programs has impressed upon me the necessity for the Law Society to maintain an active and relevant role in those areas.



Assistant General Counsel-Legal Proceedings, Ontario Hydro. B.A., (Hons.) McGill University, 1967; LL.B., Osgoode Hall Law School, 1970; Called to the Bar in 1972; LL.M., Osgoode Hall Law School 1978; Law Clerk to the Chief Justice of the High Court, 1972-1973; Day, Wilson, Campbell, 1973-1978; Angus, Peace, Finn and Marshall, 1978-1981; Ontario Hydro Law Division, 1981 to present; Past Director, Ontario Expropriation Association; Instructor, Bar Admission Course 1987-1990; Certified as Specialist in Civil Litigation, 1989; Chairman, Administrative Law Section, CBAO, 1989-1990; Member of CBAO-CLE Committee 1989 to present; Member of CBAO Council, 1990 to present.



Born Toronto, 1936; married, three children. LL.B., Osgoode Hall, 1960; called to the bar, 1962; appointed Q.C. 1978; senior partner, Gluckstein, Neinstein; certified by Law Society of Upper Canada as specialist in civil litigation, 1988. Director, Ontario Head Injury Association, Kingsway General Insurance Co., KRG Insurance Brokers Inc. Former director, Advocates' Society, Bereaved Families of Ontario. Former advisor, Advocacy Resource Centre for the Handicapped. Former instructor, Bar Admission Course, Civil Procedure II (1979-85). Vice-Chairman of Fair Action in Insurance Reform (FAIR). Member, Advocates' Society, Medico-Legal Society. Founder, F.I.T. For Work Centres (rehabilitation facility). Legal counsel for People to Reduce Impaired Driving Everywhere. (P.R.I.-D.E.). Former executive, Variety Club of Ontario.

BERNARD L. GLUCKSTEIN, Q.C.

Bernard L. Gluckstein, Q.C., is one of Ontario's foremost personal injury and insurance litigation lawyers. He has defended victims' rights to adequate compensation for nearly 30 years. As a senior partner of Gluckstein Neinstein, he is known as a front-line lawyer who is dedicated to protecting the rights of the disadvantaged.

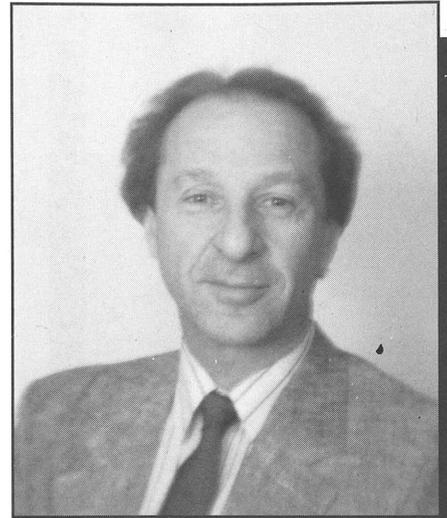
Gluckstein's commitment to improving conditions for accident victims is demonstrated by his active participation in many organizations. He is a Director of the Ontario Head Injury Association, Vice-Chairman of Fair Action in Insurance Reform (FAIR), an Advisor to the Advocacy Resource Centre for the Handicapped and a Director of KRG Insurance Brokers Inc. He recently founded F.I.T. For Work Centres, a rehabilitation facility considered to be among the best in Canada.

Gluckstein is willing to serve as a Bencher of the Law Society of Upper Canada in order to share his considerable experience with his professional peers and to make the Society more reflective of the concerns of both sole practitioners and small and mid-sized firms. He believes that lawyers should be better informed about the services offered by the Law Society and that Benchers should strive to raise the public image of the profession. Having seen dramatic changes within the profession over the past three decades, Gluckstein believes that the Law Society must become more responsive to the needs of lawyers and not just serve as a "police force". In Gluckstein's view, being a Bencher is a job which carries tremendous responsibility. He is prepared to work hard, to effect an "open-door" policy and to encourage informal - but informed - communication between lawyers of different generations.

Bernard Gluckstein has been enthusiastic in his contribution to the public good in his profession and in the community at large. As a Bencher, he will direct that enthusiasm towards helping the Law Society of Upper Canada keep pace with the changing realities of practice and enhancing the image of the legal profession in Ontario.

HOWARD GOLDKIND

- Improve image and reputation of the profession with the public.
- Increase the Legal Aid Tariff and at the same time cut down on undeserving Legal Aid applicants.
- Better support services and programmes regarding changes such as the G.S.T.
- Wider implementation of programmes such as "Dial-A-Law" for the public.
- Retention of the name Law Society of Upper Canada (tradition is not necessarily bad).

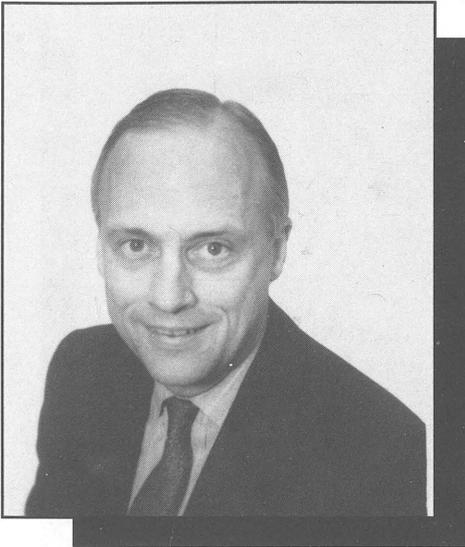


Bathurst Heights Collegiate; University of Toronto (B.A.); University of Toronto Law School (LL.B.); in criminal practice over 20 years.

Activities and Interest include: reading, playing ice hockey, baseball, tennis, golf, coaching youth hockey, soccer, wilderness canoe-tripping.

Member: Criminal Lawyers Association; York County Law Association; B'nai B'rith.

STEPHEN T. GOUDGE, Q.C.



B.A. (Honours) Political Science and Economics, University of Toronto. M.Sc. (Econ.) London School of Economics. LL.B. University of Toronto. Called to the Bar in 1970. Appointed Queen's Counsel in 1982. Certified Specialist in Civil Litigation. Member, Advocates' Society and Canadian Civil Liberties Association. Partner with Gowling, Strathy & Henderson, located in their Toronto office. Engaged in general litigation, administrative law, and labour law. Formerly lecturer at University of Toronto Faculty of Law; Instructor, Bar Admission Course; Member, York County Legal Aid Area Committee. Assistant, Berger Inquiry into Mackenzie Valley Pipeline.

The law is among the last professions in Ontario to govern itself. It is essential that this self-regulation be maintained. It is a basic underpinning of the independence of the Bar. It is a prerequisite to maintaining the best of the historic values of our profession - values which represent an important resource for the communities in which we live. To continue to be successful however, our self-regulation must demonstrate an increasing sensitivity, both to the public interest and to the needs of the profession.

The last four years have been replete with controversial issues. The benchers have addressed a number of these issues, but there remains, I think, significant work to do.

The discipline process needs to implement fundamental change to ensure that, as far as possible, the initiation of discipline is, and is perceived to be, above reproach. This process must also be made to work more quickly and efficiently.

Maintaining professional standards is increasingly important in a profession where the body of knowledge is increasing exponentially.

As a profession we have an obligation to generate for the public a greater access to justice. Here, too, the benchers have a useful role to play.

Finally, the Law Society itself must be increasingly sensitive to the views and needs of the profession, both in Toronto and perhaps more importantly, elsewhere in the Province. The conduct of the benchers' business must be accessible to all elements of the profession in all parts of the Province. The Law Society's business need not go on only at Osgoode Hall.

I come to this election as one wanting to assist in finding progressive answers to the issues and challenges facing our profession. I have received much from the practice of law over the past twenty years. I would like the opportunity to contribute something to our governance.

HARVEY M. HABER, Q.C.

Many people have said to me, "Harvey, why do you want to be a Bencher? It's time consuming. There's no pay. Why?"

To say that I've always wanted to be a Bencher since my call to the Bar in 1962, is trite, but it's true.

But that's not enough.

What is most important is care and concern for our profession, particularly improving The Law Society of Upper Canada's image to the public. I wholeheartedly support a Law Society that's open to both the public and the profession.

I also support any reforms aimed at advancing the role of women in the legal profession, and particularly, increasing their representation within the Court system.

I would also like to examine new ways to distribute the work load for Benchers. Perhaps increasing the number of Benchers might accomplish this, or involving members of the profession who are not Benchers in various committees.

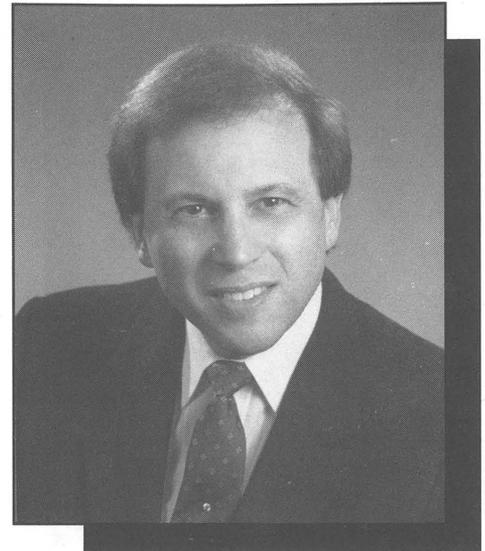
As well, I am prepared to work on improving our Errors & Omissions coverage, or alternatively, finding a creative and innovative alternative funding scheme.

I can do this with your help.

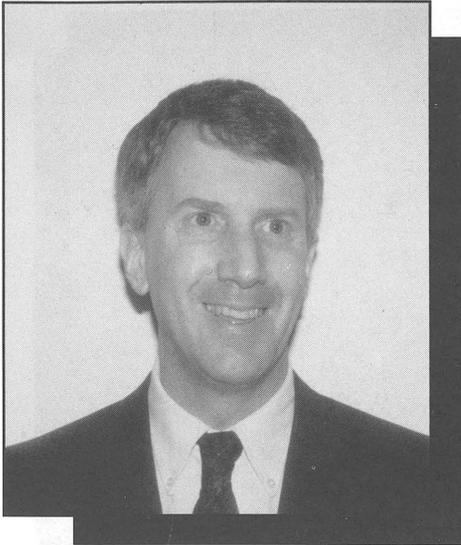
I need your support!

Sincerely,

Harvey M. Haber, Q.C.



Author of *The Commercial Lease: A Practical Guide and Understanding the Commercial Agreement to Lease*. Editor-in-Chief, *Shopping Centre Leases*, Volumes 1 and 2. Numerous articles in both Canadian and American manuals, journals and newsletters. Guest lecturer for The Law Society of Upper Canada, the Canadian Bar Association, the International Council of Shopping Centres and The American Bar Association. Has specialized in commercial leasing for over 28 years. Graduate of the University of Toronto (B.A. 1957, LL.B. 1960). Called to the Bar of Ontario in 1962. Appointed to Queen's Counsel in 1978. Partner, Goldman, Sloan, Nash & Haber.



ROBERT E. HAWKINS

In a recent survey, graduates of a number of Ontario law schools raised concerns about the nature of the legal education which they had received in university. In particular, they suggested that they had been left ill-prepared for practice.

This discussion is likely to intensify. The new Bar Admission Course emphasizes legal skills training in areas such as drafting, interviewing and negotiation. Law schools are stressing the value of theoretical and inter-disciplinary studies. What is yet to be fully worked out is the place of substantive legal courses such as remedies, commercial law, corporate law, real estate, wills, trusts, conflicts, etc. in legal training.

The Law Society, as the body charged with accrediting lawyers in Ontario, will be called upon to play a part in this discussion. Issues such as the following require examination: the nature of the law school curriculum including the balance between compulsory and optional courses; the rapport between the university teaching program and the Bar Admission Course; the introduction of cooperative legal education programs at the university level; and the use made by university law faculties of the substantial Law Foundation of Ontario funding which they receive.

When these matters are considered, it will be important to reinforce the tie between the practising and teaching bars. I seek election as a Bencher because I believe that my current experience as a professor at Queen's, coupled with my earlier experience in practice, will permit me to make a useful contribution.

Assistant Professor, Faculty of Law, Queen's University (1988 to present). Education: B.A. (Hons.) (Manitoba); M.A. (Oxford); LL.B. (Toronto); LL.M. (Yale); D.E.A. (Paris I-Panthéon Sorbonne); called to bar 1981. Practised civil litigation and administrative law with Weir & Foulds (1981-86). Lecturer: Bar Admission Course (1986 to present); Osgoode Hall Law School (1979-1986); University of Toronto Faculty of Law (1985-86, 1991). Teaching and research subjects: negotiation skills; contracts; constitutional law; administrative law and real estate law. Member of Council, Canadian Bar Association (Ontario). Bilingual.

S. CASEY HILL

As a first time candidate for the office of Bencher it is important to emphasize my strongly held belief that "new blood" is required within Convocation if the Law Society is to remain an accountable and publicly respected entity. While the serious responsibility of carrying out the Society's routine and continuing business of governing the profession cannot be discounted, there are issues, of a critical nature, which must be addressed in the short term.

Bencher Election Reform

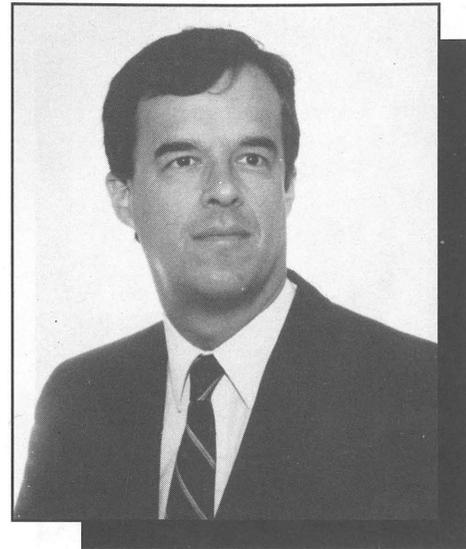
Reform of the status quo is necessary to ensure election of governors of the profession who are truly representative of working location, gender and racial composition of the Province's lawyers, and, to the extent possible, reflective of a range of firm sizes and legal disciplines practiced. Election spending, lack of law student representation, and, the four year term must be reviewed.

Professional Discipline

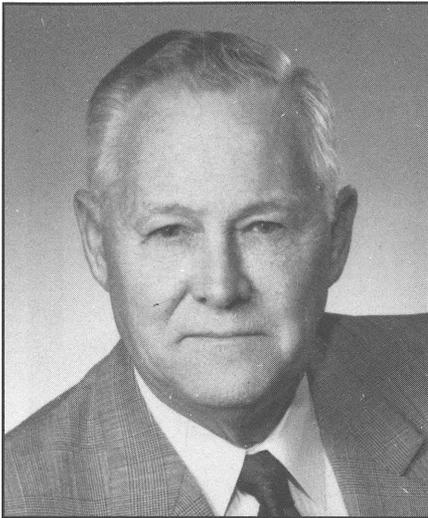
Public confidence in the Society's capacity to self-regulate with regard to complaints and competence has quite apparently been shaken. Whether or not public suspicions are warranted as to the standard of the Law Society's accountability in matters of professional discipline, significant process reform must be implemented to instill renewed confidence in the profession, the community, and, the government in the sphere of professional discipline.

Access to Affordable Justice

The broader use of paralegals, under careful regulation to protect consumers, is essential to discharge our collective obligation to provide affordable legal services. The cause of spiralling costs of legal aid in the Province and the need for a meaningful audit of abuses in the legal aid system's operation must be scrutinized.



General Counsel within the Criminal Law Division of the Ontario Ministry of the Attorney General. President of the Ontario Crown Attorney's Association and visiting lecturer at the University of Toronto Law School. A graduate of the LL.B. and LL.M. courses from Osgoode Hall Law School. Called to the Bar in 1977. Certified by the Law Society of Upper Canada as a specialist in criminal litigation. Vice-chairman of the Law Society's Criminal Litigation Specialty Committee of the Certification Programme.



KENNETH E. HOWIE, Q.C.

Senior and Managing Partner of Thomson, Rogers; Called to the Bar -1951; Appointed Queen's Counsel - 1962; Past-President - Advocates' Society; Past-President - County of York Law Association - 1972; Past-President - Medico-Legal Society - Toronto; Bench-er since 1983; Fellow of the American College of Trial Lawyers; Dean of the International Academy of Trial Lawyers; Past Chair - Certification Board/ Law Society of Upper Canada; Co-Chair - Joint Committee on Tort Reform in Ontario

Presently:

Vice-Chair - Insurance Committee/ Law Society of Upper Canada; Vice-Chair - Finance Committee/ Law Society of Upper Canada; Chair - Committee on Contingency Fees

FRANCES KITELEY

By the time you reach the K's, you will be saturated with statements, so I will be brief. During the last four years in which I have served as Bencher, I have been involved in or taken a position on most of the important issues with which we have been confronted. Highlights are as follows:

1. I was a member of the Special Committee on Discipline Procedures which made recommendations, the effect of which will be to make the discipline process more accountable and understandable to the public and the members of the profession.

If re-elected, my objective will be to ensure the reforms are implemented and to monitor their effect to assess whether further changes are required.

2. I was a member and subsequently Chair of the Subcommittee on Open Convocation. As a result, Convocations are now open; reports are available; summaries are in the buff pages of the Ontario Reports. The system continues to have wrinkles which impede accessibility. Rarely does a Convocation go by without my querying why a particular item has been on the *in camera* agenda--often with the result that the item has been moved to the public agenda.

If re-elected, I will continue to strive for more openness, greater accessibility and more significant involvement in special and standing committees by non-Bencher lawyers and by members of the public.

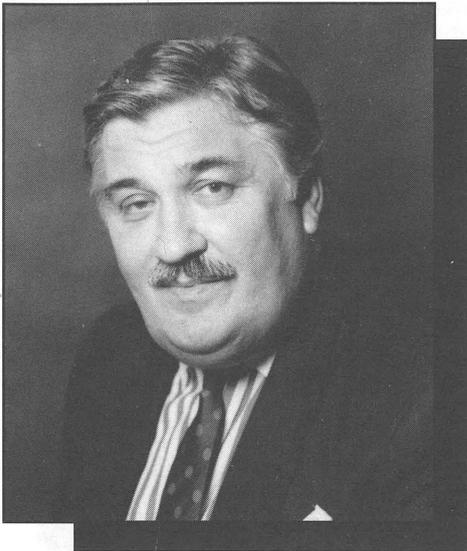
3. I am chair of the Standing Committee on Women in the Legal Profession. Two research projects have been undertaken, the second of which will be released shortly. In the last few years, almost half of those called have been women. Half of the bar has been practising less than 10 years. These changing demographics require a critical examination of many issues which will affect the way in which we practice law (and as such will affect men and women) including part-time work arrangements, parental leave policies, Law Society dues and fees, re-entry requirements after parental and other leaves.

If re-elected, it will be one of my priorities to ensure that these issues are examined by Convocation and that appropriate recommendations are made and pursued. I would like to find an answer to the question: "Is there life after law?"

Space does not permit a more detailed description of my efforts. I have been challenged by the issues. I foresee many more challenges facing the legal profession. I believe that I have a valuable contribution to make over the next four years.



Called in 1976. Practiced in small, medium and large sized firms. Currently a partner at Smith, Lyons, Torrance, Stevenson & Mayer. Practice: Family Law and Civil Litigation. Member of many Committees and Council of the CBAO and CBA until 1987. Since then, as Bencher, member, chair, or vice-chair of the Legal Aid Committee, Special Committee on Discipline Procedures, Special Committee on Paralegals, Committee on Women in the Legal Profession, Open Convocation Subcommittee, Special Committee on Court Reform, Special Committee on Benchers Elections, and others. During the last four years have attended regularly on discipline panels, discipline convocation and regular convocation. Have organized or participated in a variety of continuing legal education programmes primarily in the area of Family Law.



PAULLAMEK

Partner, Genest Murray DesBrisay Lamek. Called 1964; Q.C. 1977. Member of Faculty, Osgoode Hall Law School, 1962-67; member of Advocates' Society (director), Lawyer's Club (past president), Medico-Legal Society, County of York Law Association, CBA. Fellow, International Academy of Trial Lawyers; Fellow, American College of Trial Lawyers. Counsel to the Grange Commission (Hospital for Sick Children) 1983-84. Frequent participant in CLE programmes, advocacy workshops, law school moot court programmes, other educational activities.

Elected benchler 1987. Served on committees: Discipline (Chair), Finance, Admissions, Legal Education (former Vice-Chair), Professional Conduct, County and District Liaison, Professional Standards, 1990 Special Lectures (Chair), Reforms Implementation.

The last four years have produced many important changes in the Law Society. Convocation is now public; the reform of the Bar Admission Course has been completed; reform of articling is being implemented; we now have a Standing Committee of Convocation to address the problems of women in the Legal Profession; discipline and complaints procedures have been completely re-thought and significantly opened up to professional and public participation and scrutiny; the importance of providing French language services to the profession and to the public has been recognized and pursued; the certification of specialists is well under way; the processes by which Benchers are elected have been examined and changes have been approved.

These are only some of the highlights. They have come about by the hard work of many people. But they manifest more than hard work. They manifest an attitude that has characterized Convocation and informed all of its work: an impetus to openness and a readiness to become involved in the social realities that affect the practice of law.

The last four years have been a time of very hard work but also of great stimulation, excitement, and satisfaction. I am proud and grateful to have been able to play a part. I have supported all of the changes I have mentioned. I have welcomed the responsive and active approach that has become increasingly apparent. I believe that I have made a contribution to the changes and the successes.

Much has been achieved but much more remains to be done. The momentum towards openness must be maintained. Openness must continue to be accompanied by open-mindedness--a readiness to accept new ideas and to re-examine and, where necessary, to change our thinking to meet new or newly-recognized needs and objectives.

Convocation must become ever more aware of and responsive to the diversity of our profession. We have to understand and find ways to accommodate the needs and aspirations of members that reflect differences in the place or nature of their practices, differences of age, gender, and ethnic and cultural background. The profession is not a monolith and it cannot be governed as if it were.

We must continue, also, to search for ways to enhance access to justice and to competent, affordable legal services.

We can only retain self-government--we can only deserve to retain it--so long as we exercise our powers with honesty, responsibility, and sensitivity. I very much want to continue to play a part.

DONALD H. L. LAMONT. Q.C., L.S.M.



Married to Mary Lamont lawyer retired, practises law in partnership with son, Donald, as two person general law practice firm Lamont and Lamont.

For 19 years, head of Real Estate and Landlord and Tenant Sections of Bar Admission Course.

Past president of:

Toronto Lawyers' Club
County of York Law Association
Canadian Bar Association (Ontario)

Author of:

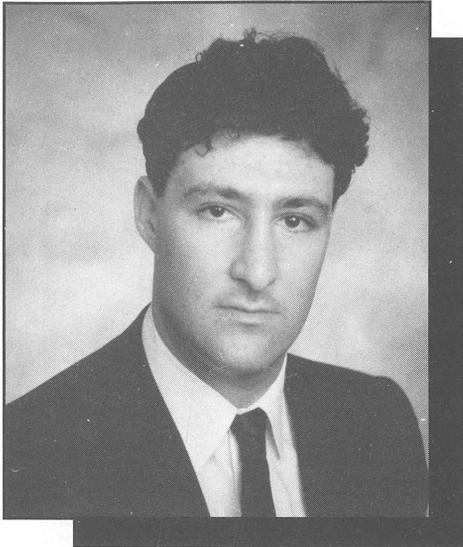
O'Brien's Conveyancing and Mortgage Forms 11th ed. (joint author with Garth Manning, Q.C.)

Real Estate Conveyancing

Residential Tenancies 4th ed., 5th ed. in progress

Awarded Law Society Medal, 1987

Trustee, Law Foundation of Ontario.



I am a graduate of Osgoode Hall Law School and hold a degree in Political Science from York University. My academic awards include the Vanier Award, Ontario Youth Medal and Award as well as the Citation of Excellence - North America Model United Nations Competition. I articulated with Fogler, Rubinoff with emphasis in the areas of corporate-commercial, securities and real estate transactions. Effective April 1991 I will be lecturing in Toronto; a course entitled "Your Rights in Court - What Every Ontario Driver Needs to Know?"

G. JONATHAN LAPID

"You have no experience." "You're too young." "You'll never win." These were the words of several lawyers with whom I spoke regarding my candidacy for the position of Benchers. However, they nevertheless urged me to pursue my nomination and loaned me full support after I presented my policies to them.

I believe that you don't have to be the President of MENSA to be a good Benchers. All you need is dedication, hard work and determination. This I am prepared to do.

You don't need Royal Assent nor do you need unique qualifications. What you need is an objective, an agenda and plenty of will. My agenda is neither hidden nor elusive, rather it consists of the following:

1. The infusion of contemporaneity to the Society through younger Benchers representing the special needs of younger lawyers;
2. The allowance of greater representation for the interests of smaller firms that are chronically concerned with rules imposed on them by senior partners of large Toronto law firms;
3. The re-alignment of balance between the Society's two traditionally competing goals of public protection and the regulation of lawyer conduct, whereby "bad apples" in the profession are sanctioned, but others are not harassed and maligned by avenging clients through the Law Society's constructive persuasion;
4. The general principle that all members be treated equally irrelevant of status, power, position or contact; and
5. The accountability of all Benchers (through recorded votes) and the general expectation that Benchers are elected to serve the membership.

This I am prepared to do!

Please vote Johathan Lapid. Thank you.

JOAN L. LAX

A self-governing profession has a responsibility to reflect and adapt to the changing public it serves. It can best accomplish this by joining together individuals who bring diversity of experience and vision to this task. Conventional service to the profession may bring to our governance conventional ideas and attitudes. While this may have served the profession well in the past, you should ask whether it continues to reflect the role which the Society must assume as it prepares for the next century.

I have lived in the conventional world of the legal profession as a litigation partner with a distinguished Toronto law firm. But, I have also lived in other worlds. While I began my professional career as a teacher in a large suburban high school, I entered Osgoode Hall Law School in the early 1970's with a young toddler in tow. This was a challenging and interesting time for a woman to be embarking on a career in law. When I accepted an articling position with Weir & Foulds, I did not imagine nor expect that this would grow into a loyal and rewarding association extending over the next ten years. My firm and I successfully gave birth to their first child and my second. Together, we developed one of the first maternity leave policies in the profession. Today, a pregnant lawyer has become a commonplace. But, other issues surrounding the role of women in the profession remain to be addressed. When I decided to leave the private practice of law in 1986 to return to an academic community, it was not with resignation or regret, but with a deep sense of accomplishment.

Throughout my professional career, I have enjoyed my association with young people and have felt a keen responsibility to them. As an instructor at all levels of the profession, through my experiences chairing the Students' Committee at Weir & Foulds, and now, through my responsibilities to the students at the University of Toronto Faculty of Law, I have come to understand the vision and the concerns of the women and men who are the future of the profession. I am deeply committed to issues of equity and access. For ten years, I devoted my time to establishing and developing Community Legal Education of Ontario, a legal aid funded clinic engaged in public legal education. Currently, I am a Director of the Faculty of Law's Summer Fellowship Program in Public Interest Advocacy whereby both law students and law firms contribute their considerable skills and resources to those who serve the least well-served members of our society. And, I am involved in public service as a Vice-Chair of the Workers' Compensation Appeals Tribunal.

Through these diverse experiences, I have been both in the profession and of the profession. They will help me to serve the profession with an understanding of its past and of its future. I am both a "conventional" and an "unconventional" candidate who believes that convention deserves respect when it has earned the right to be valued and not simply because it has been around a long time.

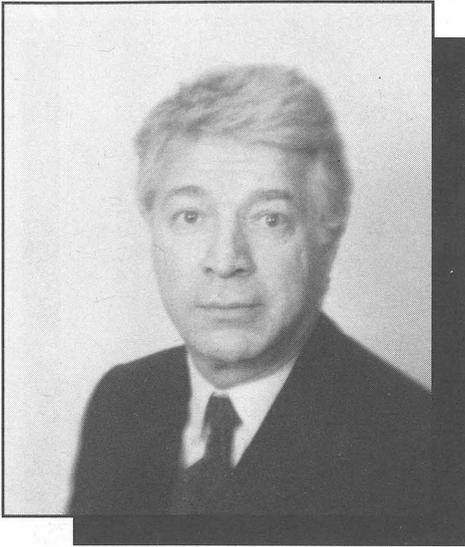


Education: B.P.H.E. (Toronto), 1965; B.A. (York), Political Science, 1972; LL.B. (Osgoode Hall Law School), 1976; call to Ontario Bar, 1978.

Current Positions (1986 - present):
Assistant Dean & Director of Admissions, Faculty of Law, University of Toronto.
Vice-Chair (part-time) Workers' Compensation Appeals Tribunal.

Prior Experience (1976-1986):
Weir & Foulds, Barristers and Solicitors. Articling student, associate lawyer and partner (1983-1986) practising in areas of commercial litigation and administrative law.
(1966-1972): Teacher

Professional Activities:
Community Legal Education of Ontario - founding member; Advocates' Society Institute - Faculty member; LSUC Bar Admission Course - Instructor; LSUC C.L.E. Programme, "Women in the Legal Profession" - Planning Committee and Faculty Member; LSUC Bencher's Retreat - Discussion Leader; Osgoode Hall Law School and University of Toronto - Trial Advocacy Instructor; University of Toronto Advisory Committee to Status of Women Officer - member; University of Toronto Provostial Committee on Undergraduate Student Experience - Chair; Faculty of Law Fellowship Programme in Public Interest Advocacy - Director.



EARL J. LEVY, Q.C.

Graduated from Osgoode Hall Law School, 1963. Appointed Queen's Counsel 1977. Designated Specialist in Criminal Litigation, 1988. Bench 1987-1991. Committees: Clinic Funding (Vice-Chair), Legal Education, Admissions. Recently appointed to Discipline (Policy) and Liaison to Criminal Bar. Lectured, participated as panelist, given trial demonstrations and speeches related to criminal law to various law schools, criminal lawyer's groups, including crown attorneys, business groups, governmental committees and high school students across Canada. President, Criminal Lawyers' Association, 1983-1989. Member, Bench and Bar Committee, 1983-1989. Present representative of criminal bar on Toronto Regional Courts Management Advisory Committee. Member of Special Committee on Preliminary Hearings chaired by Mr. Justice Arthur Martin. Author of various articles relating to criminal law and *Examination of Witnesses in Criminal Cases* (text).

Because of the depressed economy, money will play an even more important role than before in influencing how the Law Society deals with some of our important issues. We must see that enough money is made available to enable Clinic Funding to continue to serve and even improve service to the different communities throughout Ontario in order that the needs of the poor are met. With rising costs and overcrowded courtrooms, Legal Aid will have to fight to maintain one of the best systems in the world. The state of our economy means that more people will be looking to Legal Aid for help and there will be more who have fallen between the cracks because they do not qualify for Legal Aid but are unable to afford legal representation. We will, I feel, have to consider changing the eligibility requirements for Legal Aid and consider whether our depressed economy gives added impetus to the argument in favour of contingent fees.

With the ever-increasing membership of female lawyers, the face of the bar is changing quickly. The profession will see many more issues which are of particular importance to its female membership. This should be recognized now rather than later as we are witnessing emerging differences between the male and female membership. A better understanding between both genders will prevent a polarization in the bar and help resolve important issues.

The image of the lawyer has never been a good one in this or most other countries. The image of our bar has recently been even more tarnished. Part of this is deserving, part is based on unfounded rumour, part is due to a lack of timely knowledge by the membership, and unfortunately, part is due to some irresponsible and inaccurate comments by certain lawyers. The profession requires a professional public relations voice to speak on its behalf so that the Law Society's concern for the welfare of the public and that of its membership are properly and completely portrayed.

PETER K. LIBMAN

I believe that there should be increased representation on our governing council from the ranks of sole practitioners and members of smaller firms. These are the segments of our profession who provide most of the basic legal services to the community at large in the Province of Ontario.

In the past few years, the costs of seminars and refresher courses have risen well above the rate of inflation and they are no longer geared to sole practitioners and members of smaller firms. Since these practitioners are more likely to suffer immediately, the consequences of taking a day away from their practices when there is little or no back up left behind to carry on, I would like to investigate ways in which seminars and refresher courses could be made more conveniently and inexpensively available to them.

I am concerned that the legal aid tariffs have failed to keep pace with inflation and consequently our Legal Aid Program is failing to attract sufficient numbers of competent, experienced people. I am particularly concerned that Duty Counsel are being paid thirty dollars less an hour than the lowest level of compensation set for lawyers practicing in other parts of the Legal Aid Program. This is entirely inconsistent with the Law Society's avowed aim of attracting experienced counsel to participate in the Duty Counsel Program.

I have for some years been very interested and very involved in Legal Aid Clinics. At the best of times, there is much to be said for improving and streamlining the services of such clinics to meet the growing demand.

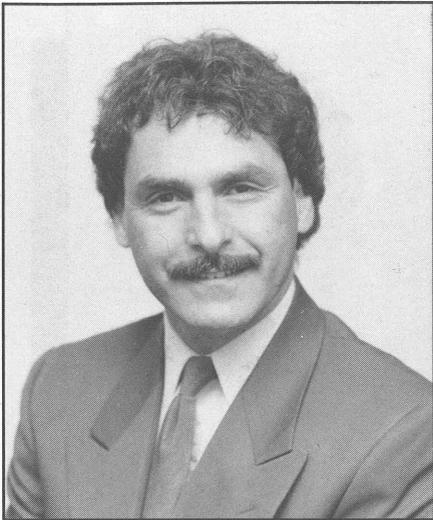
I am particularly interested in the question of the feasibility of opening separate clinics to deal exclusively with Family Law matters. This area has become a specialty and the recognition of this fact in the Clinic Program would likely reduce the cost and expedite the provision of services.

I am also interested in establishing clear rules governing the use of para-legals in divorces and real estate transactions.

It is my hope that with the election of more representatives from sole practices and small firms, the Benchers will become a more representative body and will more accurately reflect the concerns of the practitioners who are in closest contact with the greatest number of the common people of the province. In doing so, the ultimate benefits should be experienced not only by the public at large but by the profession as a whole and each and every one of its members by way of a gradual improvement of the reputation of lawyers in the community at large.



Married nineteen years - two children, fourteen and twelve years; Called to the bar with honours 1974 - B.A. University of Toronto with "high distinction" (1985) - LL.B. University of Toronto, (1972) - LL.M., (1990), Osgoode Hall (Charter and Constitutional Law) - President and Member - Board of Directors, Legal Aid Clinic - Landlord's Self-Help Center - fourteen years (eleven years as President) - Treasurer and Vice-President, Board of Directors, Legal Aid Clinic (Riverdale Social Legal Services) - five years, - member, Official Guardian's Panel for Independent Representation of Children (1979) - Member of S.C.O.E. panel, 1988; Member of Advisory Committee to Minister of Housing (1986) - Sole Practitioner, General Civil and Criminal Litigation.



RONALD D. MANES

Elected Bencher 1986. Elected to Provincial and National Council of CBAO (1984 - 1990). Chair, Advocates' Society Institute. President, LINK (Lawyers' Assistance Programme). Honorary President, Osgoode Hall Alumni Association.

Partner, **Torkin, Manes, Cohen & Arbus**:
Chair of the firm and litigation counsel.

Osgoode Hall Law School (LL.B.):
Lawyer's Club Memorial Prize (Civil Procedure), Rowell Prize, Carswells Prize. Harvard Law School (LL.M.):
Laidlaw Fellowship.

Co-author *Manes Organized Advocacy* (Carswell: 1983; Revised (1989), and *The Law of Privilege in Canada* (Butterworths: 1991). Report on the *Future of the Legal Profession* (1986).

Lawyer of the Year Award from ARCH (Advocacy Resource Centre for the Handicapped). CBAO Award for Distinguished Service.

There will be much discussion in this election on the endemic issues facing the profession such as our image, our right to self-government and protecting our franchise. While important, these issues must not obscure other pressing concerns which we lawyers should expect our professional bodies to help us to deal with: education, health and welfare and professional responsibilities.

In Education

We must combine the delivery of Continuing Legal Education in a single body in which our major professional organizations act as partners, not competitors. Right now, each major legal organization competes for the CLE dollar with no appreciable gain to the member in cost or quality arising out of this competition. With a single, non-profit body delivering continuing legal education in the province, we can expect less expensive and higher quality programming. The Advocates' Society Institute provides a model for such a partnership. The Institute is a partnership between the Law Society and Advocates' Society and has delivered advocacy skills programming to hundreds of litigators throughout the province in its first 18 months of operation.

In Health and Welfare

Our professional organizations address themselves to member services in various and disparate ways. Although the health and welfare of our members is a priority in all our major professional organizations, it was only within the last few years that we focused on this need as a profession. LINK (Lawyers' Assistance Programme) is a partnership of the major legal organizations in the province, serving the requirements of hundreds of our members in need of personal counselling. As partners, our professional organizations can expand member services more cheaply and effectively. We need expanded services such as employment counselling, especially given the state of the economy and the numbers amongst us who are re-examining their commitment to the practice of law in the context of their overall quality of life.

In Professional Responsibilities

We must revisit our professional commitment, rediscover the sense of public service we felt so acutely at stages of our careers, and marshal that commitment to public service. I have proposed that a Pro-bono Lawyers Foundation be established by the lawyers in Ontario to deliver general legal services to non-profit and charitable organizations which cannot afford these services, and to deliver specialized legal services to Legal-Aid Clinics.

In the areas of Education, Health and Welfare and Professional Responsibilities, our professional organizations are in a position to implement programs that are do-able and deserve doing. They should recognize their mutual interest in these areas and pool their resources to deliver to their members the highest quality and most cost-effective services possible, while discharging their professional responsibilities to the public.

CHARLES C. MARK, Q.C.

To survive the public scrutiny in the past few years, the Society must be seen to be dealing effectively and forcefully with at least the following issues.

Discipline and Ethics

The profession at large is bewildered about the discipline procedure. The steps in a disciplinary proceeding are not defined by rules, but have to be learned by word of mouth from those who have had special experience. This causes unnecessary mystification and irritation. Although a book of decisions has been published, it is out of date and subsequent decisions are not conveniently accessible to the profession.

Errors and Omissions Insurance

Denied coverage arising from the late reporting of the solicitor, and the limited input of the solicitor in the defence are matters of frequent complaint.

Paralegals

The various areas in which paralegals work must be identified and regulated. The public must be made aware of the advantage of representation by a lawyer, including confidentiality and resort to the Compensation Fund or Errors and Omissions.

Regionalization

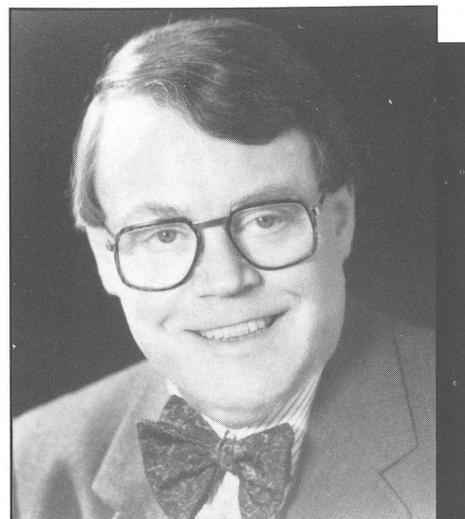
The division of the general court into regions will raise several problems beyond regional benchers.

Legal Aid

The Legal Aid tariff has to be increased, since the present tariff often makes it impossible even to cover the overhead, let alone any modest profits.

Insurance Plans for Legal Services

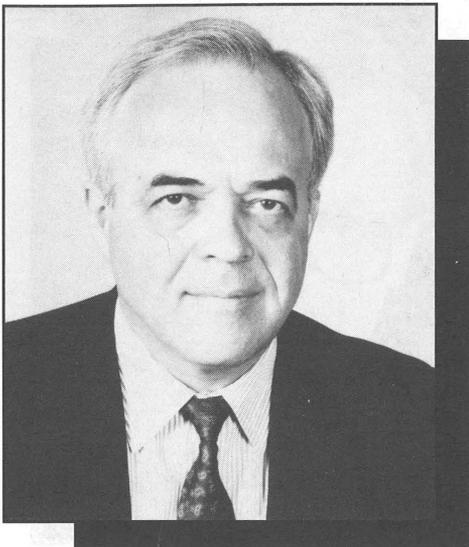
There is political pressure for plans for those disentitled to Legal Aid. These proposals require rethinking basic ethical rules.



I was called in 1964 and created a Q.C. in 1978. I have always practised litigation in Toronto. My practice has been general civil litigation, first with the late W.J. Smith, Q.C., then with Manning, Bruce, Macdonald & Macintosh, then Holden, Murdoch & Finlay and now Holden Day Wilson.

I have practised extensively before the Discipline, Compensation, Admissions and Education Committees.

For several years I was an instructor in the Bar Admissions Course. I have lectured at various symposiums organized by the Canadian Bar Association, Law Society, Insight, and other groups. I am a Director of the Advocates' Society.



BRUCE C. McDONALD

LL.B., LL.M., S.J.D.; Called to the Ontario Bar 1966. Law professor at Queen's 1964-1970, and private practice with Lang Michener in Toronto since 1971 with emphasis on competition law and related commercial and regulatory litigation. Course instructor, Osgoode Hall LL.M. Program 1974-1979. Counsel to the Honourable Mr. Justice Gibson in the Canadian Dairy Commission Inquiry and to the Restrictive Trade Practices Commission in the Petroleum Industry Inquiry. Member of CBA and PTIC, advisory committees, Advocates' Society, editorial advisory boards of CBLJ and a U.S. antitrust publication. Government consultant, author of numerous papers, and contributor to the LSUC Special Lectures.

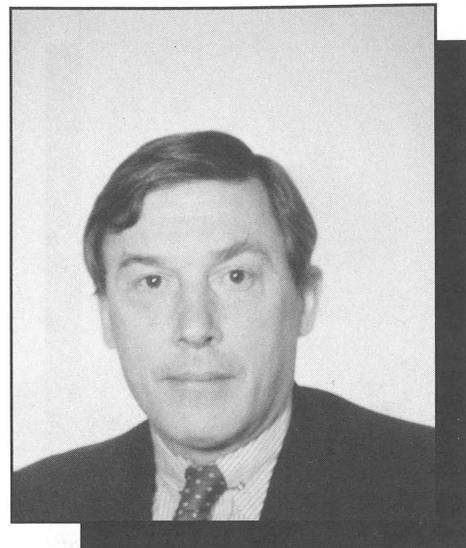
The practice of law and its supervision by the Law Society are becoming increasingly complex. The composition of the profession is changing and new demands are being made upon it. Virtually every aspect of the performance and accountability of the profession is being examined including discipline, legal education, professional standards, certification of expertise, affordability of legal services and practice by paralegals. The Law Society is at or near the centre of these important questions. Its primary responsibilities include fostering continuous improvement in the delivery of legal services in Ontario and ensuring fairness and accessibility of our services to the public. In addressing the current challenges the Law Society depends, more than ever, on co-operation with all segments of its membership, law schools, local law associations, the judiciary and government. I believe, because of my background and experience, I can help develop practical and constructive courses of action that will best utilize the strengths of each segment in meeting the needs of the public and of the profession.

JOHN LORN McDOUGALL

I believe that the major issue for our profession today is the one we have always faced. It is the maintenance and enhancement of public confidence in the law, lawyers and our legal institutions. Several recent events in Ontario appear to have reduced the public's and our own confidence in the profession and its ability to govern itself effectively. At the same time, dramatic changes have been made to our system of administering justice which have resulted in uncertainty and the prospect of tensions between the regional bars.

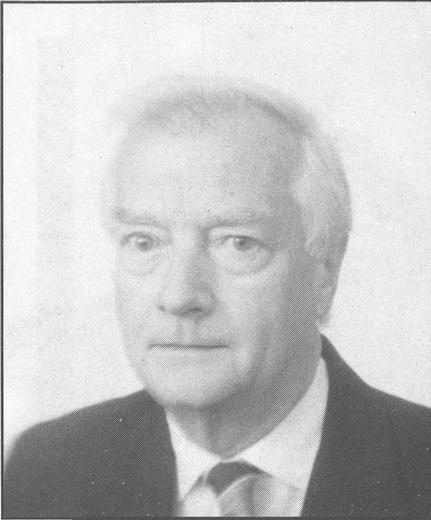
The Law Society of Upper Canada cannot solve all the profession's problems nor can it magically do away with tensions between groups within the profession. What it can and should do is to provide leadership in such a way that the profession and the public have confidence that these issues are being dealt with in a fair and even-handed manner.

In the next four years, against an uncertain economic and political backdrop, the benchers will have to act to secure and safeguard the interests of the members of the Law Society of Upper Canada and the public at large in a strong, pro-active, legal profession. I believe I can assist in that process and I would like to do so.



Born Ottawa, 1939, educated Lisgar Collegiate, Carleton University, University of British Columbia and Osgoode Hall Law School. Articled Arnup, Foulds 1966-67, called to Bar Ontario 1968, Alberta 1982, NWT and Yukon 1981. Appointed Queen's Counsel 1980, elected fellow American College of Trial Lawyers 1990, Certified a specialist in civil litigation. Partner, Fraser & Beatty, Toronto, practise is mainly civil litigation and dispute resolution. Past director of Advocates' Society and trustee of County of York Law Association. Married, four children.

ALAN W. MEWETT, Q.C.



Called to the Bar, 1962, Q.C., 1984. Presently, Professor of Law, University of Toronto. Editor of the *Criminal Law Quarterly* since 1966. Author of *Witnesses in Canadian Law* and *Introduction to the Criminal Process in Canada*, co-author of *Mewett & Manning on Criminal Law*. Member of York County Law Association. Basic fields of interest, criminal law, criminal procedure and evidence. He is the author of a number of articles and reports and has lectured extensively at continuing legal education and judicial seminars.

Statement of Nominators

Many members of The Law Society will remember Alan Mewett as a first class teacher of criminal law and evidence. He has taught with distinction at three Ontario Faculties - Queen's, Osgoode Hall, and since 1968 at the University of Toronto. Many more will know him from his excellent books and other writing in these fields, or from his continuing education lectures and judicial seminars.

Professor Mewett is an academic lawyer who has always maintained close connections with the practising profession. At a time when questions are being raised in some quarters concerning the relevance of law school curricula, legal research and scholarship to the practice of law it is especially important that the links between the two branches be strong. Alan Mewett's interest in the profession and his courtesy, sense of fairness and good judgment will be invaluable in dealing with issues faced by Convocation and its committees.

We believe that the profession as a whole will gain enormously from Alan Mewett's election as a bencher.

Nominators

W. A. DERRY MILLAR

The privilege of being part of an independent and self-governing profession is matched by the duty of governing in a way that responds to the needs of both the profession and of society. The issues that face our profession require dedication to serving not only the profession but the public and society as a whole. It is only through meeting the changing needs of society that the legal profession will ensure its place in the future. I believe that society is served by a strong and independent legal profession. It is my view that the Law Society must provide the leadership role in ensuring that the public receives quality legal services and access to justice and in overcoming public scepticism about the role of lawyers. I believe that I can contribute to this difficult task of self-governance.

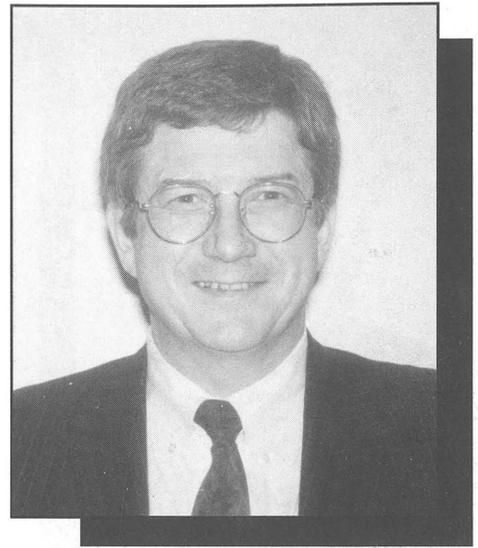
The Law Society must work hard to meet the needs of all of its members throughout the province. The differing and particular needs of lawyers in private practice, industry, business or government must be addressed.

The Law Society, as the primary insurer for its members, must meet the insurance needs of its members. The Law Society must better balance the interests of its members and its role as an insurer.

The Law Society must continue to work towards improving the Legal Aid Plan. Lawyers who deliver the services under the Plan must be properly remunerated. The Law Society must work to meet the challenge of providing better access to the criminal and civil justice systems for middle income earners. Better access includes developing a role for properly trained and supervised paralegals.

The Law Society, in working with the other participants in the justice system to improve access to justice must ensure that the rights of litigants are not sacrificed on the altar of efficiency. All too often steps are taken to "improve the system" that lead to the derogation of the rights of those from whom the system is to serve.

If elected, I will work hard to improve the Law Society and its responsiveness to the needs of all of its members.



Born in 1945, Regina, Saskatchewan. Graduated from the University of Saskatchewan (B.A., 1966) and Dalhousie Law School (LL.B., 1971). Teacher, Bogota, Colombia as a volunteer under the auspices of the Canadian University Services Overseas (CUSO) August, 1966 to July, 1968. Law Clerk, Supreme Court of Canada, July, 1971 to July, 1972. Called to the Bar of Ontario, 1974. Practised since 1974 with Weir & Foulds in the areas of civil litigation, administrative and environmental law. Member of the Rules Committee since 1976. Co-editor, *Ontario Annual Practice*. Speaker in a wide variety of continuing education programmes. Director of the Advocates' Society, 1988 to 1991. Treasurer of the Advocates' Society Institute. Past President and director Ontario Cystic Fibrosis Camp. Director, The Low Vision Association of Ontario.



I attended Osgoode Hall Law School, articulated with the criminal law firm of Greenspan, Arnup, and was called to the bar in 1985. I worked with the Canadian Civil Liberties Association preparing briefs on capital punishment and separate school funding. In 1986 I joined the government as counsel to the Police Complaints Commission. In 1988, I joined the Policy Development Division of the Ministry of the Attorney General where I am Ontario's representative on the Federal-Provincial-Territorial Working Group on Gender Equality and responsible for race relations and police complaints issues. I am also an Honorary member of the Nancy Sinatras.

MARIE MOLINER

PLEASE
VOTE FOR
CHANGE:

MARIE MOLINER



DENNIS R. O'CONNOR

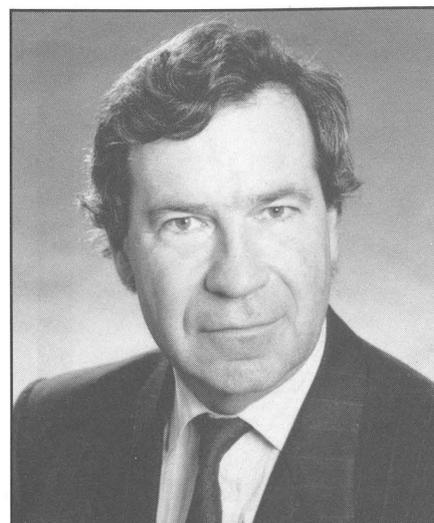
During the past four years, the Law Society and the profession have come under greater criticism than ever before. There is a growing perception by the public and the profession that the Law Society has become isolated and lost sight of the role it ought to play.

A frequently heard criticism has been the lack of openness and accountability, particularly with respect to the complaints and discipline process. I have worked hard in support of the initiatives that are now being taken for a substantial reform to that process. The reforms are directed at securing the confidence of the public while ensuring procedural fairness to members being investigated and charged.

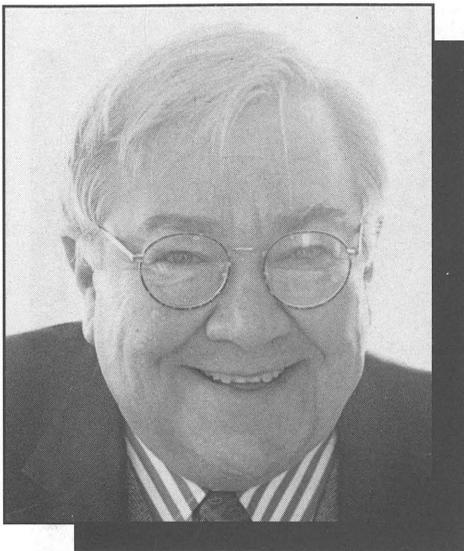
The workload of benchers has increased substantially in recent years. Partly to address this problem, but also to increase the accessibility of the Law Society to its members, it is important that the procedures of the Law Society be developed so that the participation of members from all types of practices and from different regions be facilitated. The increased use of committees and the scheduling of Law Society meetings should be directed towards this objective.

The profession is increasingly being challenged by the public and by government with the complaint that it has failed to provide efficient and affordable legal services to all segments of the community. It is essential that we meet this challenge. We must demonstrate that our profession is best equipped to serve the public's needs. Coupled with the challenge to ensure that legal services are broadly available, our responsibilities to the public and the profession require that we recognize and advance the position of those who have been historically disadvantaged. We must support the participation of these groups in the profession and accept the challenge of diversity.

In the long run, the government and the public will only permit us to continue to regulate our own affairs if we meet these challenges. Having said this, the changes that are necessary must be balanced with the traditions and values that underlie our profession and by in large have served us well over the years.



Age 49. LL.B. Osgoode Hall, 1964. Background: practised primarily criminal law with Arthur Maloney, Q.C. (1966-73); Yukon Territorial Court Judge (1973-77); Associate Professor, Faculty of Law, University of Western Ontario (1976-80). Partner, Borden & Elliot, 1981. Past chair, Legal Education Committee, C.B.A.O., Federal chief negotiator, Yukon Land Claims (1980-84). Part-time faculty member, Osgoode (1981-87). Metropolitan Toronto Police Complaints Board (1982-86). Part-time Crown Attorney, (1970-73; 1976-80). **Bencher activities:** elected 1987. Formerly Chair Ontario Federal Judicial Appointments Committee; Vice-Chair, Discipline Policy Committee and Practice and Insurance Committee. Currently, Chair, Reform Implementation Committee and Sub-Committee on Long Range Planning for the Great Library, Osgoode Hall; Vice-Chair, Professional Conduct Committee; member of the Ontario Securities Commission Committee and Compensation Committee.



IAN W. OUTERBRIDGE, Q.C.

Too often it seems we find the profession being organized to serve the Law Society's objectives and not those of its members. My role in the past has been to bring new ideas and creative approaches to the problems of the profession, in the belief that the Law Society and the associated organizations owe, first and foremost, an obligation to serve the needs of their members. We must start by believing that all problems, however frustrating and embarrassing, have solutions, and some of them a good deal better than others. Moreover, the task at hand is to discover the best solution for the time, the place and the people involved and to allow us to be more productive in the greater society of which we are but a part.

By virtue of its statutory mandate, the Law Society is the legal profession's social institution. It, instead of a provincial agency or tribunal, governs the legal profession, and as such has not only eyes and ears but also the power and the obligation to regulate in the public interest. We must guard the liberty and independence accorded to the legal profession from every attempt at erosion by government, not only in the interest of the profession itself, but more importantly in the public interest.

A self-governing body which listens to its constituents is always desirable, provided that representation can be achieved without becoming slow and indecisive. It is essential that the Law Society be run and administered by the Benchers themselves and not by the unelected Law Society bureaucracy. This inevitably requires Benchers to spend some time, indeed quite some time, solving emergent problems. But it is the Benchers who are and must be accountable.

As for the image of "cronyism", "favouritism" and "large-firm patronage", in my experience both within and without the Society, these perceptions have been more apparent than real. Yet we must not be afraid to take them on. The perceptions can, unfortunately, become the reality and must be eliminated. It is not enough that the new image of openness be permitted to happen -- we should take steps now to make it even more of a reality.

Bencher: L.S.U.C. 1978/1990; Chairman, Public Information. Member, Finance, Insurance, Unauthorized Practice, Professional Conduct, Legal Education, Research and Planning

President: CBAO (1977/78); National Executive, CBA, (1975/76); (1981/82) Medico-Legal Society Toronto

Director: Advocates' Society; International Academy of Trial Lawyers; Ellis-Don Construction; VIA Rail Canada; The Magee Clinic

Chairman:

- CBA Travelling Road Show Law Office Management (1972)

- CBA Ontario Branch Annual Convention 1976

- CBA National Convention Toronto 1982

- American Bar Association Annual Meeting 1988

- Joint Committee CBA and LSUC Joint 150th Anniversary of Osgoode Hall

- Joint Committee CBA and LSUC Continuing Legal Education

- Annual Advocacy Symposium, CBA and LSUC 1982-1986

CBA Award for Distinguished Service to the Profession - 1988.

CRAIG PERKINS

MY QUALIFICATIONS

A commitment to public service, evidenced by 15 years at senior levels in the Ministry of the Attorney General

Experience in a leadership role in difficult legal policy issues such as development of family law reform, new civil rules and court reform

A knowledge of Ontario's regional diversity gained from travel across Ontario to consult the public and lawyers on various policy initiatives

Experience in commercial matters and litigation in both private and public sectors

La capacité de communiquer en français avec mes collègues francophones

An appreciation of women's issues in the legal system arising out of my work in family law and my managerial role, in which I have promoted employment equity initiatives such as regular part time employment for lawyers and support staff

MY PRIORITIES

Greater accessibility of legal services to the public, through

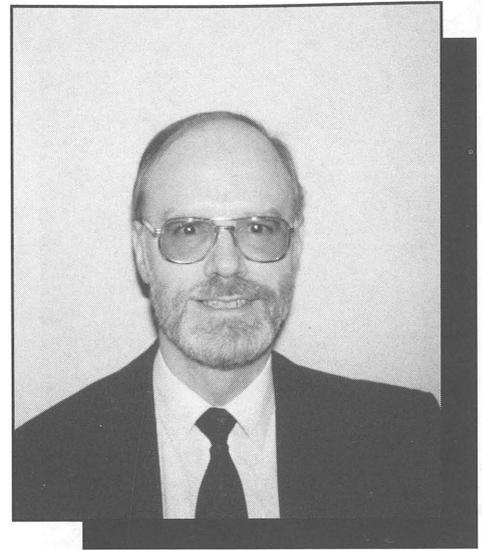
- a better Legal Aid plan that will encourage experienced lawyers to take certificates
- encouraging firms to take measures to reduce cost to the client while maintaining quality control, such as greater use of supervised paralegals
- extension of the coverage of the clinic system

Greater appreciation by the public of the legal system, through

- encouraging community involvement in the justice system at the local level
- promoting public legal education publications, videos and telephone services
- enhanced public participation in Law Society decisions

Greater responsiveness by the Law Society to

- the special concerns of lawyers in the public sector and corporations
- Ontario's regions, including the adoption of a regional representation system
- the profession's need for high quality Bar Admission and continuing education programs, with emphasis on both practice and ethics

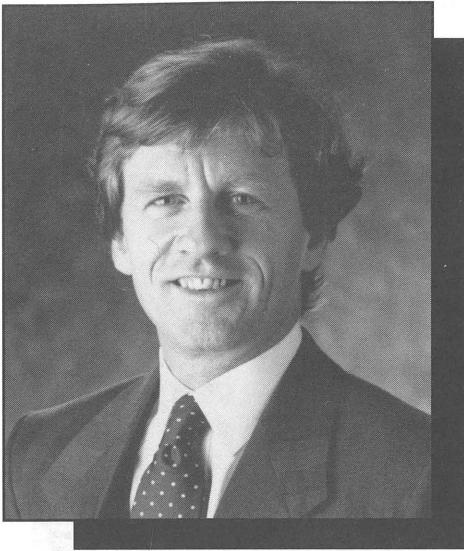


General Counsel, Policy Development, Ministry of Attorney General and Director, Court Reform Task Force. Called 1974. 1972-75, Blake, Cassels.

Since 1975 at Ministry, played major role in establishing Unified Family Court, family law reform (1978 and 1986), Courts of Justice Act, 1984 and Rules of Civil Procedure.

Bar Admission instructor in civil procedure and legal writing. Counsel to Hon. Thomas Zuber on Ontario Courts Inquiry. Co-author, *Holmsted and Watson Ontario Civil Procedure*.

Member, Civil Rules Committee, Family Rules Committee, Federal-Provincial Family Law Committee, ALOC Board of Directors. Bilingue; membre de l'AJ-EFO. Member, Mazon/Hunger Committee, Leaside Baseball Association executive.



ALAN M. ROCK

I am seeking re-election as a Bencher because I believe that I can contribute to the process of governing the profession in the public interest by working towards a more responsive Law Society, that reflects the profession's values and views on the issues of the day.

Experience: As a Bencher, I have been particularly interested in matters relating to legal education and standards of practice. I have chaired the Law Society's Legal Education Committee for the last four years, during which important reforms were made both in the articling system (to be introduced early in 1992) and in the teaching term of the Bar Admission Course. Work is ongoing to improve the Society's Continuing Legal Education services. I have chaired the Certification Board since 1989, and have enthusiastically supported the specialization initiative as a means by which lawyers with particular skills can identify themselves to members of the public.

I have served as Chair of the Society's Research and Planning Committee and as a member from time to time of other Standing Committees responsible for Discipline (Policy Section), Admissions, Compensation Fund, Professional Conduct and Legal Aid. I have also served as either Chair or a member of special committees dealing with subjects such as no-fault automobile insurance, the implementation of reforms in the discipline process, equity of access to legal education and practice and, most recently, paralegals and access to legal services.

Objectives: I believe that the principal challenge that the Law Society faces is to preserve our profession's privilege of self-government. Professional self-government will continue only if the public is satisfied that lawyers are sensitive to the public interest and regulate themselves fairly and objectively. The profession must renew and broaden public confidence in all of its procedures. The significant reforms approved by Convocation last year in discipline and complaints represent an important start. The reformed discipline system will also be fairer to lawyers who face discipline proceedings since matters of procedure have been clarified and a simpler appeal process to a specialized tribunal has been provided.

We must also continue the process of making the Law Society more responsive and accountable to its members and the public. Important changes have been made: Convocation now sits in open session, committees include members who are not Benchers and close liaison is maintained with County and District Law Associations. Additional steps must be taken to assure our members that policies are considered thoroughly and adopted thoughtfully.

Having served as a Bencher since 1983, I believe that I have accumulated the experience and perspective to make a continuing contribution to the Law Society's work. I would be grateful for the opportunity to serve another term.

Bencher since 1983; Chair of the Legal Education Committee; Chair of the Certification Board for Specialists; Member of the Discipline Committee (Policy Section) and the Admissions Committee; Chair of the Special Committee on Paralegals and Access to Legal Services.

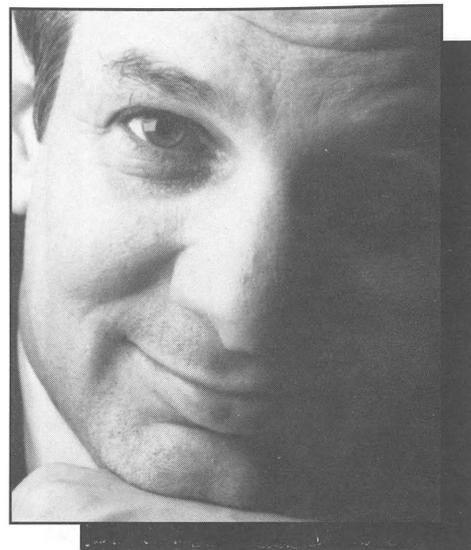
Born in Ottawa; 43 years of age; a graduate of the University of Ottawa (B.A. and LL.B.); called to the Bar in 1973; a partner at Fasken Campbell Godfrey.

Practice devoted to civil litigation and administrative law.

Head of Section, Civil Litigation, Bar Admission Course.

Past Chair of the Civil Litigation Section, Canadian Bar Association (Ontario)

Member, the Advocates' Society



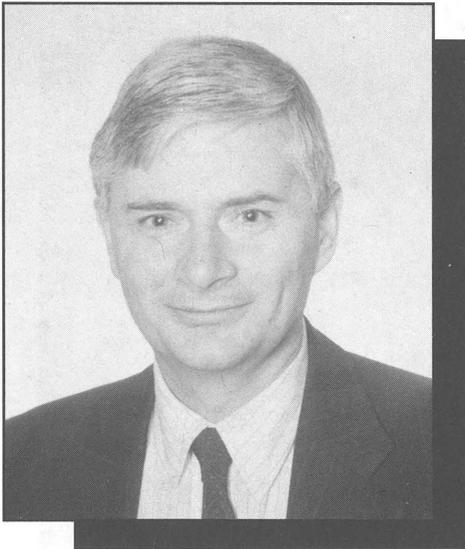
Please vote for change!

Clayton Ruby obtained his B.A. from York University, in 1963, his LL.B. from the University of Toronto in 1969, and after his call to the Bar in 1970, his LL.M. from the University of California (Berkeley) in 1973.

Publications: *Sentencing*, (3rd ed.); Editor, *Canadian Rights Reporter*; Editorial Board *Criminal Law Quarterly*.

Organizations: Director, International PEN Canada; Director, Calmeadow Charitable Foundation; Trustee, Starlight Foundation Canada; Member, National Council, Amnesty International.

He has been a Bencher of The Law Society of Upper Canada since 1979, and is presently Chairman of the Lawyers' Fund for Clients' Compensation and the House Committee.



Partner, Aird & Berlis, Toronto. Taught at the Faculty of Law, University of Toronto, for 22 years, from 1965 to 1987. In full-time practice since 1987. Frequent speaker at Law Society, CBAO and other continuing legal education programmes. Participant in several studies of the profession and of professions generally. Member of the Executive of the International Law and the Research and Policy Sections of the CBAO.

JOHN SWAN

The last few years have shown that the legal profession is facing serious problems. These problems include:

- Issues of accountability: the accountability of Convocation to the members of the profession and the profession to the public.
- The relation of lawyers and paralegals: what activities are properly reserved for lawyers and what may be done by those who are not legally qualified? How and by whom are paralegals to be regulated?
- The crisis in the courts: access to the courts, court congestion and, above all, the low morale of the judges and, indeed, of everyone who works with or in the court system.
- The limits that should be imposed on the freedom of lawyers to practise where and with whom they please: the national law firm partnership is now a *fait accompli*. What should we do with the international partnership or the multi-professional partnership? Will the development of free trade affect the size and nature of firms? What risks may such firms create for Ontario clients? What should we do if Quebec does separate from Canada, making what are now national law firms into, perhaps, international ones?

The profession has not succeeded in demonstrating that it has or will view improper conduct of its members as a serious breach of their obligations (and those of the profession as a whole) to the people of Ontario. We have not always created the perception that we will, as a profession, act responsibly. We have not managed to play the role that we should have played in court reform with the result that changes have been made that may have very serious consequences for the administration of justice in the province.

It is the task of Convocation to lead the Law Society so that the issues that I have mentioned may be properly resolved and so that the profession may be seen to be conscious of its responsibility for the integrity of itself and all its members. It will not be sufficient to assert the traditional right of the profession to self-governance; we shall have to show that self-governance can ensure the integrity and competence of the profession, the fair treatment of all its members in all aspects of their careers, the right of clients to get value for money (will specialist certification help or hinder this right?), the obligation of the profession to account for the special rights that its members have and its important role in all matters that affect the right of the people of the province to justice. The right of the profession to independence must be justified and defended.

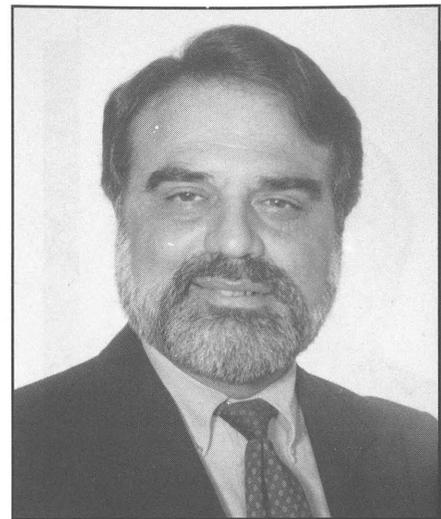
Our profession is an honourable one, one in which we should and are entitled to have pride. We need to demonstrate this pride and, above all, the justification for it.

I believe that I have the experience, ability and interest to contribute to what we must now do. I care very much about the profession and about how we in the profession and those outside it think about it. I would like your support to allow me to take part in Convocation as it sets about the re-creation of that sense of pride.

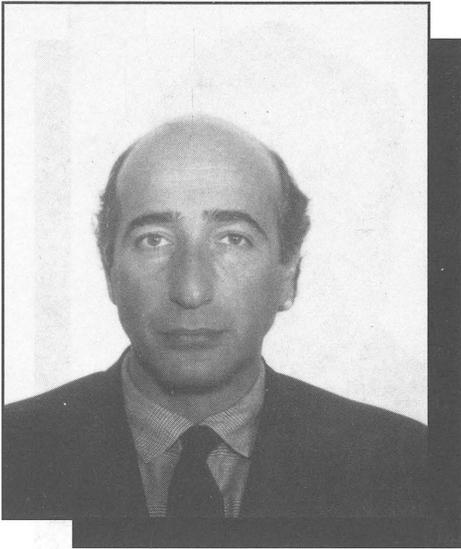
PETER A. VITA, Q.C.

I am seeking election as a Bencher for the second time, as I believe I can make a useful contribution to the resolution of important issues facing the profession at this time. I consider the profession's reputation with the public, professional standards, discipline, legal education and the public's access to legal services at a reasonable cost, to be the prime issues.

Having been in private practice both in Toronto and in the Niagara peninsula and more recently in government service, I believe I have an appreciation of the interests, problems and challenges faced by the entire spectrum of the profession. My experience, I believe, will add perspective and dimension to the governing body of the Law Society and make it more representative of the many diverse groups within the profession.



Graduated from Queen's University Law School; Called to the Bar in 1969. General Counsel, Department of Justice, Canada. Practice devoted to Administrative, Commercial and Competition Litigation and insolvency and bankruptcy law. Instructor in the Bar Admission Course, lecturer in a variety of continuing legal education programs. Member: Canadian Bar Association, York County Law Association. Office of the Judge Advocate General of the Canadian Forces.



Graduate of the Associated Hebrew Day School, University of Toronto 1970, Osgoode Hall Law School 1973, Harvard Law School 1974, Clerk to the Chief Justice of Ontario 1976, Partner in Danson, Zucker and Connelly. Practice restricted to trial and appellate advocacy.

Member of the Advocacy Society, Ontario Bar Association, Trial Lawyers Association. Licensed to practice in Ontario and Massachusetts.

SYMON ZUCKER

While I do not question the commitment and goodwill of the current benchers, I believe that the Lang, Michener affair has revived in the public's mind the view that lawyers like other professional groups look after their own. The debate itself, while now silent, has not resolved the public or private concerns expressed by lawyers and lay persons.

It is not therefore a judge's or bencher's report which will ultimately restore the public's confidence but rather a wholesale change in the make-up of the Law Society.

The public and the current government must be assured that the benchers will continue to examine the underlying social values which support the profession as a whole and will undertake a process of change which will make the Law Society responsive to the demands of lawyers and public alike.

I support the expanded use of properly regulated paralegals. The current Ontario government will almost certainly demand that the bar provide a mechanism for the delivery of less expensive legal services. The combination of properly trained and regulated paralegals together with a bar sponsored legal insurance plan would serve this province well.

The 1990's will place new demands on the benchers of the Law Society. I would urge my colleagues to vote for those women and men who in their view will invest the Law Society with a spirit of renewal and a commitment to serve the needs of the public as well as the bar.