

Communiqué

20th February 1981

Number 107

A motion was passed in Convocation today that a Special Committee of Benchers be constituted forthwith to enquire into all aspects of the matter of the number of lawyers entering into practice, the resulting effect on the standards of practice and the welfare of the profession, and the consequent advantages and disadvantages accruing to the public.

The Treasurer announced the formation of the Special Committee on Public Information which will examine, among other things, how institutional advertising and effective response to media comment is handled in other Canadian jurisdictions and in other countries. A report, including a cost analysis, is expected to be ready by next Autumn.

The Society has been granted leave to intervene in the Appeal to the Supreme Court of Canada by the Attorney-General of Canada, the Restrictive Trade Practices Commission, and others, against a judgement of the British Columbia Court of Appeal, which held that the Combines Investigation Act does not apply to the Law Society of British Columbia.

The meetings usually held annually by the Chairman and Vice-Chairmen of the Society's standing committees with the Presidents of the County and District Law Associations and representatives of the Ontario Law Schools, have proved so beneficial that an additional meeting will be arranged for Friday 12th June 1981 at 9.30 a.m. Notice of this meeting will be sent to the County and District Law Associations and to the Ontario Law Schools.

Rule 18 of the Professional Conduct Handbook was amended last month by the deletion of Sub-Section (b). Members are reminded that the second Section of the Rule requires that in any transaction, except where the client is a lending institution, in which money is borrowed from a client by the lawyer's spouse, or by a corporation, syndicate, or partnership in which the lawyer or the lawyer's spouse have directly or indirectly a substantial interest, the lawyer must be able to discharge the onus of proving that the client's interests were fully protected by the nature of the case and by independent legal representation.

Donald Grover R. MacDonald of Toronto was found guilty of professional misconduct today and was reprimanded in Convocation and required to pay the costs of the Society's investigation. The benchers also required the Society's Practice Advisor and Auditor to review the Solicitor's practice periodically to ensure that everything is in order. His standard of competence was below what the public is entitled to expect and the Rules of Professional conduct require.

The names of 240 members who have not paid their fees were placed before Convocation today. The rights and privileges of those who have not paid by the 2nd March 1981 will be suspended on that day.

Kenneth Jarvis,

Secretary.