

MINUTES OF CONVOCATION

Friday, 17th March, 1989
9:30 a.m.

PRESENT:

The Treasurer, Ground, Weaver, Lamont, Peters, Lyons, Rock, Poulin, Callwood, Legge, O'Brien, Carter, Murphy, Thom, Yachetti, Cullity, McKinnon, Bellamy, Topp, Harvey, Pepper, Doran, Kiteley, Furlong, O'Connor, Manes, Lawrence, Sosa, Cass and Cooper.

APPOINTMENT TO MUNIMENTS AND MEMORABILIA COMMITTEE

It was moved by Mrs. Legge, seconded by Mrs. Weaver THAT J. P. Carey be appointed to the Muniments and Memorabilia Committee.

Carried

ONTARIO JUDICIAL APPOINTMENTS ADVISORY COMMITTEE

It was moved by Mr. Epstein, seconded by Mr. Rock, THAT Mr. Thomas G. Bastedo be appointed the Society's representative to the Ontario Judicial Appointments Advisory Committee replacing Mr. Clayton Ruby effective March 17th, 1989.

Carried

FRENCH LANGUAGE SERVICES COMMITTEE

It was moved by Mr. McKinnon, seconded by Ms. Bellamy, THAT Mr. John Richard be appointed to the French Language Services Committee.

Carried

SPECIAL COMMITTEE ON THE LAW SOCIETY BI-CENTENNIAL

It was moved by Mr. Lamek, seconded by Mr. Furlong THAT Mr. Outerbridge be appointed the Chairman of the Special Committee on the Law Society Bi-Centennial.

Carried

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March 17, 1989

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The In Camera matters having been dealt with, Convocation then went into PUBLIC SESSION and one member of the profession attended.

LEGAL EDUCATION COMMITTEE

Mr. A. M. Rock presented the Report of the Legal Education Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The LEGAL EDUCATION COMMITTEE begs leave to report:

Your Committee met on March 9th, 1989, the following members being present: Messrs, Lamont, (Acting Chair) Cullity, Epstein, Ferguson, Genest, Kemp-Welch, Levy, Thom, Yachetti, Ms Bellamy, Ms King-MacLeod, Mrs. Legge, Dean Gold, Dean MacPherson, Christina Tari, Chair, Bar Admission Advisory Committee.

B.

ADMINISTRATION

1. UNIVERSITY OF WINDSOR - STUDENT LAW SOCIETY

The above association that proposes to call itself the University of Windsor - Student Law is seeking the consent of the Law Society for the use of the above name. This request is being made because the Ministry of Consumer and Corporate Affairs seeks the consent of the Law Society whenever the name of a proposed association includes the word "law". The association has received permission from the University of Windsor to use its name in the title. With respect to the student government, it is to be incorporated as a not-for-profit, non-share capital corporation, the primary advantage of which is to provide limited liability for those serving in official capacities.

Approved

2. SUB-COMMITTEE TO DEAL WITH APPEALS

The Committee is asked to strike a sub-committee to deal with the appeals from failure of the 1988-89 Bar Admission Course.

The Chair will appoint a sub-committee.

C.
INFORMATION

1. ANNUAL MEETING OF HEADS OF SECTIONS AND SENIOR INSTRUCTORS
OF THE BAR ADMISSION COURSE

The Annual Meeting has been set for Wednesday, May 31st, 1989 at 3:00 o'clock in Convocation Room to be followed by a reception and dinner, hosted by the Treasurer, at 6:00 o'clock for 6:30 o'clock in the Benchers' Dining Room. All members of the Legal Education Committee are invited to attend.

2. CONTINUING LEGAL EDUCATION - COMPLETED PROGRAMS

The Committee reviewed the summary of evaluations of past continuing legal education programs and received a schedule of future continuing legal education programs.

ALL OF WHICH is respectfully submitted

DATED this 9th day of March, 1989

"A. Rock"

Attached to original Report in Convocation File, copy of:

B - Item 1 - Letter dated February 8, 1989 from Rahul Shastri to Law
Society of Upper Canada (numbered 1)

THE REPORT WAS ADOPTED

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LEGAL EDUCATION COMMITTEE

Mr. A. M. Rock presented the Report of the Legal Education Committee of its meeting on Thursday, 17th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA
IN CONVOCATION ASSEMBLED

The LEGAL EDUCATION COMMITTEE begs leave to report:

Your Committee met on March 17th, 1989, the following members being present: Messrs, Rock (Chair), Lamek, (Vice-Chair) Cullity, Ms Bellamy.

B.
ADMINISTRATION

1. LIST OF CANDIDATES IN THE 30TH BAR ADMISSION COURSE

The Committee was asked to approve the attached list showing the names of one thousand and ninety-two (1,092) candidates who have been found to have successfully completed the 30th teaching term of the Bar Admission Course and the names of seventeen (17) who have not yet met the requirements for successful completion of the Bar Admission Course. Also shown on the attached lists are the names of the eight (8) Transfer candidates who have met the requirements for successful completion of the Bar Admission Course and the names of five (5) candidates who have failed to meet the requirements for successful completion of the Bar Admission Course.

Approved

March 17, 1989

2. SCHOLARSHIPS AND PRIZES

The Committee was asked to approve the attached list of prizewinners in the 30th Bar Admission Course.

Approved

ALL OF WHICH is respectfully submitted

DATED this 17th day of March, 1989

"A. Rock"
Chairman

Attached to original Report in Convocation File, copy of:

B - Item 1 - List of Candidates in the 30th Bar Admission Course
(numbered 1 - 19)

THE REPORT WAS ADOPTED

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FINANCE COMMITTEE

Mr. Ground presented the report of the Finance Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The FINANCE COMMITTEE begs leave to report:

Your Committee met on Thursday, the 9th of March 1989 at three o'clock in the afternoon, the following members being present: Messrs. Ground, (Chairman), Guthrie, (Vice Chairman) Howie, (Vice Chairman), Furlong, Lamek, Lamont, Outerbridge, Pepper, Topp and Mrs. Weaver.

B.
ADMINISTRATION

1. CLASSES OF MEMBERS

(a) The report of Messrs. K. E. Howie and J. J. Wardlaw was before the Committee. The report made the following recommendations:

1. That all practising lawyers, regardless of income level, be included in the full fee paying category, but that the "not gainfully employed" category would include members on full disability pension.
2. That the lowest fee category, which includes members who are "not gainfully employed", be expanded to include members "who are in full time attendance at a university, college or educational facility and not practising law".
3. That the membership status date be extended to December 31st for all of those cases, as well as retirements.

The Committee approved the first and second recommendations but deferred decision on the third as follows:

The Director is asked to report back to the Committee on the matter of extending the date as well as the possibility and implications of moving the billing date to one closer to the start of the fiscal year.

2. CANADIAN LAW INFORMATION COUNCIL

An application from the Canadian Law Information Council was before the Committee asking that the Society approach the contribution level of \$4.00 per member and seek a minimum contribution of \$45,000 for the fiscal year 1989/90. The contribution in 1988/89 was \$35,000.

The Committee recommended a contribution of \$45,000 for the 1989/90 fiscal year.

3. COLLECTION OF ERRORS AND OMISSIONS INSURANCE DEDUCTIBLES

There was discussion about the referral of the collection of outstanding Errors and Omissions Deductibles to the Discipline Department.

The Director was asked to report to the Committee on a regular basis on the status of these collection proceedings.

4. SUSPENSION OF MEMBERS - ARREARS OF ANNUAL FEES

The following member paid his 1988-89 annual fees with a cheque which was subsequently dishonoured by the bank.

Thomas Stephen Kelleher	"N.S.F."	\$980.00
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The Committee was asked to recommend that the rights and privileges of this member be suspended by Convocation on 17th March, 1989 if the annual fees remain unpaid on that date.

Approved

5. SUSPENSION OF MEMBERS - LATE FILING FEE

There are 14 members who have not complied with the requirements respecting annual filing and who have not paid the late filing fee.

In all 14 cases all or part of the late filing fee has been outstanding four months or more. The 14 members owe \$6,990.00 of which \$1,790.00 has been owing for more than four months.

The Committee was asked to recommend that the rights and privileges of the 14 members be suspended on March 17th 1989 if the late filing fee remains unpaid on that date and remain suspended until the late filing fee has been paid.

6. SUSPENSION OF MEMBERS - ANNUAL FEES

There are 8 members who were granted deferral until January 31st 1989 for previous years fees and to date have not paid those fees.

The Committee was asked to recommend that the rights and privileges of these members be suspended on March 17th 1989 if the total Annual Fees due remain unpaid by that date.

Approved

7. CHANGES OF NAME

The following members and student members have requested that their names be changed on the Rolls of the Society and have submitted the required documentation:

(a) Members

FROM

Barbara Joy Byers-Armstrong

Cettina Giampapa

TO

Barbara Joy Byers
(Maiden Name)

Cettina Giampapa Cornish
(Married Name)

(b) Student Members

<u>From</u>	<u>To</u>
Jean Ann Miszyn	Jean Ann <u>Brough</u> (Married Name)
Barbara Maureen Fuller	Barbara Maureen <u>Cowal</u> (Married Name)
Alan Leslie D'Silva	Alan Leslie Wallis <u>D'Silva</u> (Name Change Certificate)
Andrew Gerald Sheremeta	Andrew Yaroslav Joseph <u>Sheremeta</u> (Name Change Certificate)
Vasilios Tatsios	William John <u>Tatsiou</u> (Name Change Certificate)

The petitions submitted by the members and student members are in order and the Committee was asked to recommend that the changes be entered in the Rolls.

Approved

8. MEMBERSHIP UNDER RULE 50

Retired Members

The following members who are sixty years of age and fully retired from the practice of law, have requested permission to continue their membership in the Society without payment of annual fees:

James Donald Bell	Scotland
Ralph Gregory Butler	Ottawa
George Arthur Fallis	Toronto
James Carlisle Hanson	Ottawa
Andrew Mowry Lawson	Cobourg
Reginald William Powell	Etobicoke

Their applications are in order and the Committee was asked to approve them.

Approved

C.
INFORMATION

1. ROLLS AND RECORDS

(a) Deaths

The following members have died:

Kathleen E. Morrison Thunder Bay	Called June 20th 1946 Died April 26th 1988
John Ramsay Grant Halifax, Nova Scotia	Called March 17th 1967 Died September 18th 1988
David Ian Lesansky Windsor	Called April 15th 1985 Died December 3rd 1988
Oswald James Day Ross Scarborough	Called September 18th 1941 Died January 14th 1989
John Gladstone Currie Toronto (Life Member)	Called October 16th 1930 Died January 20th 1989
Kenneth Hubert Cecil Fogarty Ottawa	Called June 29th 1948 Died January 21st 1989

Noted

March 17, 1989

(b) Permission to Resign

The following member was permitted to resign his membership in the Society and his name has been removed from the rolls and records of the Society:

James William Christie
Sarnia

Called March 24th 1972
Permitted to resign - Convocation
February 22nd 1989

Noted

(c) Disbarments

The following members have been disbarred and struck off the rolls and their names have been removed from the rolls and records of the Society:

Albin Robert Rogala
Stoney Creek

Called March 22nd 1974
Disbarred - Convocation
February 22nd 1989

Peter Krawec
Islington

Called April 9th 1976
Disbarred - Convocation
February 22nd 1989

Noted

ALL OF WHICH is respectfully submitted

DATED this 17th day of March 1989

("J. D. Ground")
Chairman

Attached to original Report in Convocation File, copy of

B - Item 1 - Memorandum dated March 6th, 1989 to Chairman and Members
of Finance Committee from David E. Crack re: Financial
Statements - Highlights as at February 28th 1989
(Page 1 and 2)

- Item 1 - Supporting Financial Statements:

- Consolidated Balance Sheet as at February 28, 1989
(with Comparative Figures at June 30, 1988) (Statement 1)
- Income Statement - General Fund
Eight Months Ended February 28, 1989 (Statement 2)
- Income Statement - Errors & Omissions Insurance Fund
Eight Months Ended February 28, 1989 (Statement 3)
- Income Statement - Compensation Fund
Eight Months Ended February 28, 1989 (Statement 4)

THE REPORT WAS ADOPTED

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MOTION TO SUSPEND: FAILURE TO PAY ANNUAL FEES

It was moved by Mr. Ground, seconded by Mr. Furlong, THAT having not paid their annual fees, after having been granted an extension of time in which to pay them, the rights and privileges of each of the following members be suspended for a period of one year from 17th of March 1989 and from year to year thereafter, or until their fees are paid together with any other fee or levy owing to the Society which has then been owing for four months or longer.

Wendy J. Elliott	Belleville
Nancy Kershsner	U.S.A.
Lea Matthys Chathama	
Michael J. Mikelberg	Montreal
Cameron Pollock	Burlington
Anny M. Strojin	St. Catharines
James P. Virtue	Parry Sound

MOTION TO SUSPEND: FAILURE TO PAY FEE
FOR LATE FILING OF FORM 2/3

It was moved by Mr. Ground, seconded by Mr. Furlong THAT the rights and privileges of each member who has not paid the fee for the late filing of Form 2/3 within four months after the day on which payment was due and whose name appears on the attached list be suspended from the 17th of March, 1989 for one year and from year to year thereafter or until that fee has been paid together with any other fee or levy owing to the Society which has then been owing for four months or longer.

LIST A

March 15, 1989

MEMBERS IN DEFAULT IN ANNUAL FILING AND
WHO HAVE NOT PAID THE LATE FILING PENALTY

Late Filing Penalty
Position as at March. 17, 1989

	<u>Location</u>	<u>Outstanding Over 4 Months</u>	<u>Total Owing</u>
Cooke, Patrick Garfield Brenton	Mississauga	\$120.00	\$600.00
Graham, Calum Donald	Don Mills	120.00	600.00
Lutes, Timothy John	Orillia	120.00	600.00
Macnally, Fergus Joseph Anthony	Toronto	120.00	600.00
Malaniuk, Carolyn Ann	Toronto	120.00	600.00
Rhodes, Denise Angela	Ottawa	120.00	600.00
Singer, Robert Neil	Aurora	120.00	600.00
Syer, Robert Marvin	Toronto	120.00	600.00

March 17, 1989

LIST B

March 15, 1989

MEMBERS WHO HAVE FILED BUT HAVE
FAILED TO PAY THE LATE FILING PENALTY

Late Filing Penalty
Position as at March 17, 1989

	<u>Location</u>	<u>Outstanding Over 4 Months</u>	<u>Total Owing</u>
Bartlett, Jerome Vincent	Toronto	\$300.00	\$300.00
Bowles, Richard Pinch	Ottawa	120.00	320.00
Gelling, Robert Donald	Mississauga	120.00	615.00
Hassan, Muhammed Assaf	London	120.00	320.00
Wentzell, Jessen Dewolfe	Ottawa	50.00	50.00

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ORDERS

Mr. Lamek, the Chairman of Discipline, filed two discipline orders to be recorded in the Minutes of Convocation.

Re: RICHARD LLEWELLYN, of the County of Renfrew

THE LAW SOCIETY OF UPPER CANADA

IN THE MATTER OF the Law Society
Act;

AND IN THE MATTER OF Richard
Llewellyn, of the County of Renfrew,
a Barrister and Solicitor
(hereinafter referred to as "the
Solicitor")

O R D E R

CONVOCATION of The Law Society of Upper Canada, having read the Report and Decision of the Discipline Committee dated the 10th day of November, 1988, in the presence of Counsel for the Society and for the Solicitor wherein the Solicitor was found guilty of professional misconduct and having heard Counsel aforesaid;

CONVOCATION HEREBY ORDERS that the matter be dismissed.

DATED this 26th day of January, 1989.

"Lee K. Ferrier"
Treasurer

(SEAL - The Law Society of
Upper Canada)

"R. Tinsley"
Secretary

Filed

Re: WILLIAM KORZ, of the City of Cambridge

THE LAW SOCIETY OF UPPER CANADA

IN THE MATTER OF the Law Society
Act;

AND IN THE MATTER OF William
Korz, of the City of Cambridge,
a Barrister and Solicitor
(hereinafter referred to as "the
Solicitor")

O R D E R

CONVOCATION of The Law Society of Upper Canada, having read the Report and Decision of the Discipline Committee dated the 12th day of January, 1989, in the presence of Counsel for the Society and for the Solicitor wherein the Solicitor was found guilty of professional misconduct and having heard Counsel aforesaid;

CONVOCATION HEREBY ORDERS that a finding of conduct unbecoming a barrister and solicitor be substituted and that the said William Korz be Reprimanded in Convocation.

DATED this 26th day of January, 1989.

"Lee K. Ferrier"
Treasurer

(SEAL - The Law Society of
Upper Canada)

"R. Tinsley"
Secretary

Filed

LEGAL AID COMMITTEE

Ms. Kiteley presented the report of the Legal Aid Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The Legal Aid Committee begs leave to report:

Your Committee met on Thursday, March 9, 1989, the following members being present: Thomas G. Bastedo, Chairman, Mr. Bond, Mr. Carter, Ms. Curtis, Mr. Durno, Ms. Garten, Messrs. Gilchrist, Hartnett, Ms. Janczaruk, Ms. Kiteley, Dr. Lamb, Mr. Paisley, Ms. Poulin, Mrs. Smyth, Messrs. Spence and Topp.

The following observer member was also present:
Ms. Alison Fraser, representing the Ministry of Community and Social Services.

A.
POLICY

EXPANSION OF CRIMINAL SERVICES SUB-COMMITTEE REPORT

The Legal Aid Committee recommends the adoption of the Report of the Expansion of Criminal Services Sub-Committee which is attached hereto and marked as SCHEDULE (A).

B.

ADMINISTRATION

1. REPORT OF THE DEPUTY DIRECTOR FINANCE, JANUARY 31, 1989

(a) Finance

The Director's report pursuant to Section 88 (2) of the Regulation for the ten months ended January 31, 1989 takes the form of the following financial statement

Ontario Legal Aid Plan

Statement of Income and Expenditure
Ten Months Ended January 31, 1989

	10 Mo. Actual 1987/88	Revised 10 Mo. Budget 1988/89	10 Mo. Actual 1988/89	Favourable (Unfavourable) Variance 1988/89
<u>Opening Balance</u>	80.1	190.9	190.9	-
<u>Income</u>				
Treasurer of Ontario	76,144.0	98,466.0	98,466.0	-
Family Violence Grant	-	175.0	175.0	-
Law Foundation	10,416.0	10,889.0	16,494.0	5605.0
Client Contributions	4,754.1	5,733.8	6,377.5	643.7
Client Recoveries	1,172.6	1,219.8	1,330.0	110.2
Research Sales	75.2	126.9	107.3	(19.6)
The Law Society	32.4	64.6	64.6	-
Miscellaneous	<u>269.4</u>	<u>264.2</u>	<u>580.6</u>	<u>316.4</u>
	92,944.4	117,130.2	123,785.9	6,655.7
<u>Expenditure</u>				
Certificate Accounts	58,029.3	82,540.3	75,946.8	6,593.5
Duty Counsel Fees & Disbursements	5,722.5	6,402.7	5,925.4	477.3
Salaried Duty Counsel	516.5	552.2	558.4	(6.2)
Community Clinics	14,444.2	15,886.1	15,804.7	81.4
Student Legal Aid Societies	746.7	831.6	789.6	42.0
Research Facility	1,016.9	1,105.6	1,228.8	(123.2)
Area Office Administration	6,644.2	7,065.1	7,054.2	10.9
Provincial Office Administration	4,473.7	4,612.3	4,931.6	(319.3)
Refuge Administration	-	--	16.4	(16.4)
	<u>91,594.0</u>	<u>118,995.9</u>	<u>112,255.9</u>	<u>6,740.0</u>
<u>Closing Balance</u>	<u>1,350.4</u>	<u>1,865.7</u>	<u>11,530.0</u>	<u>13,395.7</u>

(b) Statistics

The following table compares activity for the ten months ended January 31, 1989 with activity for the previous fiscal year:

	10 Months Ended January 31 <u>1989</u>	<u>1988</u>	<u>% Change from Last Year</u>
Summary Legal Advice	45,680	44,765	2.0%
Referrals to Other Agencies	76,262	68,783	10.9%
Applications for Certificates	112,623	107,704	4.6%
Refusals	23,795	24,107	(1.3%)
As a Percentage of Applications	21.1%	22.4%	-
Certificates issued	88,832	83,617	6.2%
Persons Assisted by Duty Counsel:			
Fee for Service	184,050	177,514	3.7%
Salaried	61,737	N/A	-

(c) Leases

NEW LEASE

Temiskaming District:

Address: 22 Duncan Avenue
Kirkland Lake, Ontario P2N 1X4
Term: 2 year lease commencing November 1, 1988
Rent: \$400.00 per month/net
Area: \$675 square feet
New premises

LEASE RENEWALS

Elgin District

Address: 562 Talbot Street
St. Thomas, Ontario N5P 3T7
Term: 5 year lease commencing May 1, 1987
Rent: \$1,433 per month/gross
Area: 1,200 square feet

Kenora District

Address: 154 Main Street South
Kenora, Ontario P9N 1S9
Term: 3 year lease commencing October 1, 1988
Rent: \$1,583.33 per month/gross
CPI escalator
Area: 1,000 square feet

Lees & Grenville Districts

Address: 32 Wall Street
Brockville, Ontario K6V 5V4
Term: 5 year lease commencing September 1, 1988
Rent: \$350.00 per month/gross
Area: 500 square feet

Peterborough District

Address: 402 Water Street
Peterborough, Ontario K9H 3L8
Term: 5 year lease commencing September 1, 1988
Rent: \$925.00 per month/gross
Area: 1,300 square feet

SUB LEASE

Metropolitan Toronto

Address: 481 University Avenue
Toronto, Ontario
Term: 1 year lease commencing January 1, 1989
Rent: \$1,500.00 per month/gross
Area: 600 square feet

2.(a) REPORT ON THE PAYMENT OF SOLICITORS
ACCOUNTS FOR THE MONTH OF FEBRUARY, 1989

A Report on the Payment of Solicitors Accounts for the month of February 1989 is attached hereto as SCHEDULE (F).

(b) REPORT ON THE STATUS OF REVIEWS IN THE LEGAL ACCOUNTS
DEPARTMENT FOR THE MONTH OF FEBRUARY, 1989

A Report on the Status of Reviews in the Legal Accounts Department for the month of February 1989 is attached hereto as SCHEDULE (G).

ALL OF WHICH is respectfully submitted

DATED this 9th day of March, 1989

"F. Kiteley"

Attached to original Report in Convocation File, copy of:

- A - Item 1 - Report of the Expansion of Criminal Services Sub-Committee
(Marked Schedule A)
- B - Item 2 - Report of Solicitors Accounts for the month of
February, 1989 (Marked Schedule F)
- B - Item 2 - Report on the Status of Reviews in the Legal Accounts
Department for the month of February, 1989
(Marked Schedule G)

It was moved by Mr. Yachetti, seconded by Ms. Weaver, THAT item A(1) regarding Criminal Services Sub-Committee report be deleted.

Lost

THE REPORT WAS ADOPTED

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PROFESSIONAL CONDUCT

Mr. Carter presented the report of the Professional Conduct Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The PROFESSIONAL CONDUCT COMMITTEE begs leave to report:

Your Committee met on Thursday, the 9th day of March, 1989 at three o'clock in the afternoon, the following members being present: Messrs. Strosberg (Vice-Chairman in the Chair), Carey, Levy and Somerville.

A.
POLICY

1. INQUIRY FROM FIRST AMERICAN
TITLE INSURANCE COMPANY

First American Title Insurance has made application to be licensed at the federal and provincial level in order to sell title insurance.

The Committee had a letter from Mr. Thomas H. Grifferty, First American's Manager of the Canadian Operation, together with various attachments.

The question of title insurance raises many very important issues and its introduction to the marketplace would have a profound effect on the practice of law in the future. Given the importance of the issue, the Committee recommends to Convocation that a Special Committee be appointed forthwith to examine thoroughly how the Law Society should respond to this question.

B.
ADMINISTRATION

1. BUDGET 1989-90

The Committee struck its budget for the forthcoming year.

C.
INFORMATION

1. A LAWYER HAVING AS A PARTNER A NON-LAWYER
(AND A LAWYER OFFERING INCENTIVES FOR
PROFIT SHARING TO NON-LAWYER EMPLOYEES)

This Sub-Committee has held two meetings, the second of which took place on February 8th. The Sub-Committee, at the second meeting, heard the views of Professor Michael Trebilcock from the Faculty of Law, University of Toronto and Jack Quinn of Blake, Cassels and Graydon, both of whom were involved with the Professional Organizations Committee and are well known in the field of the law and economics.

The Sub-Committee will be making an interim report to the Committee in April.

Members: Messrs. Somerville (Chairman), Genest, Lyons and O'Connor.

2. SUB-COMMITTEE ON RULE 23
(LAWYERS IN MORTGAGE TRANSACTIONS)

The Sub-Committee made an interim report in October. It was decided then that no changes to our Rules of Professional Conduct should be made until the Sub-Committee has had an opportunity to examine the draft Mortgage Brokers Act. The Law Society has been told by the Ministry of Financial Institutions that we would be given a copy of a draft when it is available.

The Deputy Registrar under the Mortgage Brokers Act has indicated that the Ministry has put the draft legislation on the back burner for at least six months. The Law Society has been assured that a copy of the draft legislation will be sent to it when the issue has been revived.

3. SUB-COMMITTEE ON RULE 26
(MEDICAL-LEGAL REPORTS)

The Committee decided that Rule 26 (Medical-legal Reports) ought to be reviewed and has directed that a Sub-Committee composed of Messrs. Strosberg (Chairman), Carey and Cooper look into the adequacy of the Rule.

A very brief meeting of the Sub-Committee was held on February 17th. The Chairman will be sending out some material together with an outline of the relevant issues.

4. SPECIAL COMMITTEE ON CONTINGENCY FEES

The Special Committee, which reported to Convocation last May on the basic question of whether or not contingency fees would be of value to litigants in Ontario, is preparing its second report. This report will put forward for consideration of Convocation and the Attorney General a nuts and bolts scheme as to how contingency fees could be implemented in Ontario. At this stage it does not appear that a report will be ready for consideration by Convocation until the spring.

A very productive meeting was held on February 27th with members of The Advocates' Society's Committee on Contingency Fees.

Members: Messrs. Outerbridge (Chairman), Carter, Furlong and Howie.

ALL OF WHICH is respectfully submitted

DATED this 17th day of March, 1989

Mr. Doran did not take part in the debate nor did he vote in regard to the Professional Conduct report.

"R. Carter"

THE REPORT WAS ADOPTED

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LIBRARIES AND REPORTING COMMITTEE

Mr. Murphy presented the report of the Libraries and Reporting Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The LIBRARIES AND REPORTING COMMITTEE begs leave to report:

Your Committee met on Thursday, March 9th, 1989 at 9:30 a.m. the following members being present: Messrs Bragagnolo (Vice-Chairman), Bellamy, Cullity, Farquharson and Topp. P. Bell, D. Crosbie and G. Howell also attended.

B.

ADMINISTRATION

1. BUDGET FOR FISCAL YEAR 1989/90

The Chief Librarian presented the budget proposals for the fiscal year 1989/90. Your Committee approved of the revised budget estimates for forwarding to the Finance Committee, subject to the Chairman's comments.

2. ONTARIO REPORTS - CASE SELECTION GUIDELINES

The Secretary reported that the case selection guidelines prepared by the Editorial Board of the Ontario Reports, have been completed. After discussing the contents of the guidelines, your Committee decided to instruct the Secretary to write to the publisher and ask for a response on whether Guideline (i) includes abridgement of multi-issue cases including judicial approval on those cases.

C.
INFORMATION

1. BOOK LIST

The Great Library will be adding 48 new titles to its book collection for March 1989. The book list was approved.

2. FINANCIAL STATEMENT

The Financial Statement for the eight months ending February 28th, 1989 was approved.

3. SEARCH LAW - INTRODUCTION OF NEW
WRONGFUL DISMISSAL DATA BASE

Search Law is now the exclusive distributor in Ontario for the wrongful dismissal data base created by a member of the Society, Barry Fisher. The introduction of the data base has just recently been advertised in the Ontario Reports. Search Law took 15 requests for searches on the data base within the first three days of the advertisement coming to the attention of the profession. Search Law, along with Mr. Fisher, is further advertising and demonstrating the data base through Search Law's exhibit booth at C.B.A. - O's Annual Institute on Continuing Legal Education at the Metro Toronto Convention Centre.

4. ONTARIO REPORTS

The Committee decided to refer a letter from a law book publisher to the Sub-Committee on the Ontario Reports Data Base.

ALL OF WHICH is respectfully submitted.

DATED this 17th day of March, 1989

"D. J. Murphy"

THE REPORT WAS ADOPTED

.....

CLINIC FUNDING COMMITTEE

Mr. Epstein, Chairman of the Clinic Funding Committee presented the report of the Director of Legal Aid dated March 10, 1989, with respect to Clinic Funding.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The DIRECTOR OF LEGAL AID begs leave to report:

CLINIC FUNDING

The Clinic Funding Committee submitted a report to the Director recommending funding for various projects.

March 17, 1989

The Director recommends to Convocation that the report of the Clinic Funding Committee dated March 10, 1989 be adopted.

Attached is a copy of the Clinic Funding Committee's report.

ALL OF WHICH is respectfully submitted

"Robert L. Holden",
Director,
Legal Aid.

March 10, 1989

ATTACHMENT

To: Robert L. Holden, Esq.,
Provincial Director
The Ontario Legal Aid Plan.

The Clinic Funding Committee met on March 9, 1989. Present were: Philip Epstein, Q.C., Chairman, Helen King MacLeod, Oliver Carroll, The Herman.

1. DECISIONS

A. Applications to the Clinic Funding Committee

(i) Supplementary legal disbursements

Pursuant to s.6(1)(m) of the Regulation on clinic funding, the Committee has reviewed and approved applications for supplementary legal disbursements from the following clinics:

Community Legal Assistance Sarnia - up to \$2,000

Hastings & Prince Edward Legal Services - up to \$3,000

South Etobicoke Community Legal Services - up to \$3,000

B. Application for Incorporation

Pursuant to the directions of Convocation, the Clinic Funding Committee has reviewed, as to name and objects, an application for incorporation from Peterborough Community Legal Centre. The Committee recommends Convocation's approval of this application.

2. INFORMATION

A. London Legal Clinic

The Chairman of the Clinic Funding Committee and the Clinic Funding Manager met in London with representatives of the Middlesex Law Association on Wednesday, March 1 to review the decision to close the London Legal Clinic. The Chairman outlined the University of Western Ontario's decision to withdraw from the clinical education program offered through the London Legal Clinic, and to withdraw its financial support for the clinic, and the consequent decision by the Clinic Funding Committee that it would be impossible to continue the Legal Aid Plan's participation. Discussions are continuing with Neighbourhood legal Services (London & Middlesex) concerning the possible allocation of some additional resources to that clinic to meet the anticipated increased demand for services caused by the closing of the London Legal Clinic, and the possible move of Neighbourhood Legal Services (London & Middlesex) to the current premises occupied by the London Legal Clinic, in order to maintain a clinic presence in downtown London.

March 17, 1989

b. Kingston Community Legal Clinic Opening

Helen King MacLeod, Vice-Chairperson of the Clinic Funding Committee, participated in the official opening of the Kingston Community Legal Clinic. The opening was also attended by the Honourable Ian S. Scott, Attorney General for Ontario.

c. Sudbury Community Legal Clinic

Philip Epstein, Chairman of the Clinic Funding Committee, attended a dinner in Sudbury on Saturday, February 25 to mark the 10th anniversary of this clinic. The Chairman expressed appreciation on behalf of the Law Society to the many community volunteers who have served this clinic over the years, and presented letters of appreciation from the Attorney General to members of the Founding Committee, and Board Members who had served the clinic for five years or more.

ALL OF WHICH is respectfully submitted

Philip Epstein, Q.C.,
Chairman,
Clinic Funding Committee.

March 10, 1989

THE REPORT WAS ADOPTED

.....

UNAUTHORIZED PRACTICE COMMITTEE

Mr. McKinnon, presented the Report of the Unauthorized Practice Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The UNAUTHORIZED PRACTICE COMMITTEE begs leave to report:

Your Committee met at 10:30 a.m. on Thursday, March 9, 1989, the following members being present: Mr. McKinnon (Vice-Chairman), Messrs. Carter, Cass, Farquharson, Lawrence, Outerbridge, Shaffer and Mrs. Weaver. Also in attendance were: Messrs. Ballantyne and Beaufoy.

B.
ADMINISTRATION

1. ACCOUNTS

Accounts of counsel and investigators were approved in the total amount of \$10,383.01.

2. INVESTIGATIONS

The Society has received information regarding the activities of several unsupervised persons. The Society does not have sufficient evidence in any of these cases to commence a prosecution. The Committee authorized a request to the Treasurer for the use of an investigator who will not disclose that he is from the Law Society and to authorize commencement of prosecutions when the necessary evidence is obtained.

3. PROPOSED COMMUNITY COLLEGE PROGRAM - REGULATORY LAW ADMINISTRATION
- SENECA COLLEGE

Information has come to the Department that Seneca College is going ahead with a proposal for a post-diploma Regulatory Law Administration Program. Your Committee considered the appropriateness of such a program in March of 1988. It was your Committee's view that while the training and education of independent paralegals may indeed be recommended by the Special Committee on Paralegals, it was premature to conduct discussions with any one educational institution as to the nature of that education. A letter to this effect was sent to John Kelly of Seneca who is the Committee Chair of this Program. It would appear as if steps have been taken to implement this training program. Your committee instructed its Secretary to continue to monitor the program for the purpose of ensuring that its teaching does not condone any contravention of the Unauthorized Practice provisions of the Law Society Act.

4. APPLICATION FOR INCORPORATION - RAINY RIVER DISTRICT COMMUNITY
LEGAL CLINIC

The Unauthorized Practice Department has received an application for incorporation under the above name. Your Committee has considered this application and has determined that it had no objection to the use of this name.

5. UNAUTHORIZED PRACTICE DEPARTMENT - BUDGET 1989/1990

Your Committee considered and approved the 1989/1990 Budget for submission to the Finance Department.

A list of matters pending is attached.

ALL OF WHICH is respectfully submitted

DATED this 10th day of March, 1989

"C. D. McKinnon"
Vice-Chairman

THE REPORT WAS ADOPTED

.....

Attached to original Report in Convocation File, copy of:

A list of matters pending (numbered 4 - 6)

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PUBLIC INFORMATION COMMITTEE

Mr. Yachetti presented the report of the Public Information Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The PUBLIC INFORMATION COMMITTEE begs leave to report:

Your Committee met on Thursday, March 9th, 1989, the following members were present: Messrs. Outerbridge (Chair), Guthrie, Kemp-Welch, Lyons, McKinnon, Shaffer, Thom and Yachetti. Also in attendance were Messrs. Beaufoy and Jenkins.

A.
POLICY

1. DRAFT BUDGET 1989-90 FISCAL YEAR

The draft budget for fiscal 1989-90 was reviewed by the Committee. The Committee did note that the Law Foundation of Ontario did provide a grant of \$150,000.00 in fiscal 1988-89 for Public Information purposes. A request will be made this year for an increased grant to help finance the informational and educational services provided by the Committee such as Dial-A-Law.

The draft budget was approved and forwarded to the Finance Committee.

C.
INFORMATION

1. REQUEST FROM EDUCATION DEPARTMENT

The Director of Education, George Thomson, presented to the Committee a proposal for the development and implementation of a computer-based Income Tax education course for the disabled. The Committee was of the view that this was a meritorious proposal that Convocation should consider as an extraordinary item worthy of assistance.

2. OUT-OF-TORONTO ADS PULLED

On Monday, March 6, the Director received up-dated Bell Telephone charges relating to Dial-A-Law for January, 1989. The INWATS charges were \$40,248.00 some \$30,000.00 above budget. Anticipating a similar billing for February and March, the Director requested Camp Advertising to pull all remaining planned advertising so as to try to avoid a massive over-budget problem in this area.

3. STATISTICS

Attached are the updated statistics for the Dial-A-Law and Lawyer Referral Service programs. Calls to Dial-A-Law continue to show extraordinary increases. The LRS figures reflect the fact that the capacity of this program to deal with calls has been reached. Under current staffing levels, the LRS operators can only handle a maximum of 500 calls per day.

ALL OF WHICH is respectfully submitted.

DATED this March 17th, 1989

Attached to original Report in Convocation File, copy of:

C - Item 3 - Updated Statistics for the Dial-A-Law and Lawyer Referral
Service programs (numbered 12)

"R. D. Yachetti"

THE REPORT WAS ADOPTED

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ADMISSIONS COMMITTEE

Ms. Peters presented the report of the Admissions Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The ADMISSIONS COMMITTEE begs leave to report:

Your Committee met on Thursday, the 9th of March, 1989 at 9:30 a.m., the following members being present: Ms. Peters (Chair), Mrs. Weaver (Vice-Chair), and Messrs. Ground, Lamont, Levy and Strosberg.

A.
POLICY

1. PRE-LAW EDUCATIONAL REQUIREMENT

At its February meetings, the Admissions Committee and the Legal Education Committee considered a memorandum dealing with the pre-law educational requirements for students with C.E.G.E.P. diplomas who have then gone on to acquire both LL.B. and LL.L. degrees. In addition, the Committees were asked to consider whether the Law Society should adopt the position that it need not look behind the LL.B. degrees granted by an approved law school. This matter was put off for further review and for discussion with the Law Deans. The meeting with the Law Deans has been postponed but further work has been done on this issue that should be brought to the attention of the Committees.

As pointed out in February, the requirement that candidates for admission to the Bar Admission Course have a minimum of two years of pre-law school at a university level was established in 1957, although this requirement is not set out in the Regulations under the Law Society Act.

There are a number of students who enter the Bar Admission Course each year who do not have three years of pre-law post-secondary education. Most of these are students who have entered mature student programs at law school or the special programs established for native students. This year, there were thirty-nine candidates within the Bar Admission Course who fall into this category.

Reviewing the past Minutes of Convocation, it was discovered that in March of 1973, Convocation specifically approved Mature Student programs and programs for Native Peoples, waiving the normal requirements so that students could then enter the Bar Admission Course. It would thus appear that the present policy is one of maintaining the two-year minimum requirement while also being open to proposals from the law schools regarding programs that fail to meet this requirement but do so for reasons related to the objectives of the specific programs for which approval is sought. While a decision on this issue should await further consultation with the Law Deans, it would appear that this is a reasonable and flexible policy that ought to be continued and your Committee so recommends.

B.
ADMINISTRATION

1. DIRECT TRANSFERS - COMMON LAW - REGULATION 4(1)

Justin John Mark Edward (B.A. 1980 from Trent University and LL.B. 1983 from Queen's University) was called to the Bar of the Province of Saskatchewan on the 22nd day of July 1985 and has practised continuously in that province from the 22nd July 1985 to the present. Mr. Edward presents a Certificate of Good Standing and seeks to proceed under Regulation 4(1).

Approved

Bonnie-Kae McPhee (LL.B. 1979 from the University of Manitoba) was called to the Bar of the Province of Manitoba on the 26th day of June 1980 and practised in that province from the 26th day of June 1980 to the 31st of July 1983. Ms. McPhee was then called to the Bar of the Province of Alberta on the 13th day of April 1984 and practised in that province from the 10th May 1984 to the 15th June 1985 and from the 1st September 1986 to the 31st of October 1988. Ms. McPhee presents Certificates of Good Standing from both the Manitoba and Alberta Bars and seeks to proceed under Regulation 4(1).

Approved

2. DIRECT TRANSFERS - QUEBEC - REGULATION 4(2)

Peter John Denis (LL.L. 1982 from the University of Montreal) was called to the Bar of the Province of Quebec on the 15th day of November 1983 and has practised continuously in that province from the 16th November 1983 to the present. Mr. Denis presents a Certificate of Good Standing and seeks to proceed under Regulation 4(2).

Approved

Roy Millington (B.A. 1980 from the University of Concordia and B.C.L. and LL.B. 1984 from McGill University) was called to the Bar of the Province of Quebec on the 13th day of November 1985 and has practised in that province from the 13th of November 1985 to the present. Mr. Millington presents a Certificate of Good Standing, seeks to proceed under Regulation 4(2) and asks permission to be excused from writing the Common Law examination according to the interpretation of Regulation 4(2) as set out in the Memorandum to the Admissions Committee of September, 1983 which states: "Candidates qualified to proceed under Regulation 4(2) and who have obtained an approved LL.B. degree within the eight years preceding their application may be taken to have satisfied the requirements of subparagraph (d) which reads - passes a comprehensive examination on the common law in Ontario."

Approved

3. APPLICATIONS - FOREIGN LEGAL CONSULTANTS

Stephen H. Geisler - Shearman & Sterling

Mr. Stephen Geisler has applied to become a foreign legal consultant in the Toronto office of Shearman & Sterling.

The application and supporting material was before the Committee.

Mr. Geisler was called to the Bar of New York in February 1988 and applies for status as a foreign legal consultant pursuant to that paragraph of the policy which provides that applicants who have been actively engaged in the practice of law in their home jurisdiction for less than three years may be licensed provided they are under the supervision of a foreign legal consultant and the supervisory arrangement has been approved by the Committee.

Included in the materials from Shearman & Sterling was a letter from Pamela M. Gibson, a registered foreign legal consultant, setting out the nature of the supervision Mr. Geisler will be subject to in the Toronto office.

Your Committee recommends that Mr. Geisler be licensed as a foreign legal consultant pursuant to the provisions in the Society's policy allowing the licensing of persons who lack the requisite legal experience. Your Committee is satisfied with the supervisory arrangements. The recommendation is subject to a written undertaking from Mr. Geisler that he will only practise as a foreign legal consultant under the direct supervision of Ms. Pamela Mae Gibson, a licensed foreign legal consultant.

4. ADMISSION OF STUDENTS-AT-LAW

Bar Admission Course

The following candidates, having complied with the relevant Regulations, paid the required fee of \$101.00 and filed the necessary documents, now apply for admission to the Law Society as students-at-law in the Bar Admission Course:

Under Bar Admission Course Regulation 22(7)
30th B.A.C. (Entering Articles 1987)

1081. Bentley, James Leonard	B.S.W. Windsor/82; LL.B. Windsor/87
1082. Bishop, James Frederick	B.A. Trent/80; LL.B. Queen's/87
1083. Carroccia, Maria Verginia	B.A. Windsor/84; LL.B. Windsor/87
1084. Carter, Paul Randolph	B.A. Memorial University/72; M.Ed. Memorial University/73; LL.B. New Brunswick/79
1085. Conway, Thomas Gerard	B.A. Calgary/81; LL.B. Ottawa/87
1086. Creary, Elizabeth Anne	B.A. Waterloo/84; LL.B. Ottawa/87
1087. Crosby, Mary Adair	B.A. McGill/84; LL.B. Ottawa/87
1088. Gallagher, James Patrick	B.A. Concordia/80; M.A. Concordia/84; LL.B. Windsor/87
1089. Gray, Ian Donald	B.A. Calgary/84; LL.B. Ottawa/87
Hayek, Nicholas Emil	1090. 3 yrs. Arts, Ottawa; LL.B. Ottawa/88
1091. Howarth, Laura Jeanne	B.A. Queen's/80; LL.B. Dalhousie/84
1092. Hurteau, Louise Antoinette	B.A. Ottawa/82; LL.L. Ottawa/85; LL.B. Dalhousie/87
1093. Iatzko, Donald Kenneth	B.A. Windsor/82; LL.B. Windsor/87
1094. MacDonald, Daniel George	B.A. McGill/84; LL.B. Western/87
1095. MacKinnon, Danalyn Jean	B.A. Lakehead/76; B.Ed. Lakehead/76; LL.B. Manitoba/87
1096. MacLean, Robert Joseph Blaise	B.A. Acadia/80; LL.B. Dalhousie/83
1097. MacLellan, George Carey	B.A. New Brunswick/83; LL.B. Dalhousie/87
1098. May, Elizabeth Evans	Mature Student; LL.B. Dalhousie/83

1099. Mill, John Robert	B.A. Windsor/82; LL.B. Windsor/87
1100. Mitchell, Neil Randal	B.A. Carleton/79; LL.B. Ottawa/84
1101. Oakley, Kenneth Graham	B.Sc. Western/83; LL.B. Western/86
1102. Oliveira, Michael Barry	B.A. McGill/71; LL.B. Dalhousie/87
1103. Ranger, Donna	B.Comm. Concordia/84; LL.B. Ottawa/87
1104. Roy, Bernadette Kelly	Special Student; LL.B. York/87
1105. Rubba, Robert Martin	B.A. Toronto/84; LL.B. Queen's/87
1106. Saad, Carol-Lynne	B.A. Carleton/83; M.A. Carleton/85; LL.B. McGill/87
1107. Shepherdson, Cheryl Beth	B.A. Manitoba/75; LL.B. Queen's/87
1108. Simons, Peter	B.A. Alberta/84; LL.B. Dalhousie/87
1109. Strachan, Barbara Jane	B.Sc. Guelph/83; LL.B. Dalhousie/87
1110. Tedesco, Lucia-Marie Anna Marguerite	B.A. Ottawa/84; LL.B. Ottawa/87
1111. Truemner, Mary Susan	B.A. Toronto/84; LL.B. Ottawa/87
1112. Wallbaum, Linda Margaret	B.A. British Columbia/83; LL.B. British Columbia/86
1113. Woodhead, Arnold Edward	B.A. Queen's/83; LL.B. Windsor/87
1114. Wright, Linda Marie	B.A. Victoria/82; LL.B. Alberta/85

Approved

Under Bar Admission Course Regulation 22(7)
31st B.A.C. (Entering Articles 1988)

465. Adams, Colin David	B.A. York/70; M.A. Toronto/71; LL.B. York/88
466. Au, Siu Kau	B.Sc. Manchester, U.K./84; LL.B. Queen's/88
467. Baksh, Khalid Intab	B.A. Ottawa/84; LL.B. Windsor/88
468. Beadie, Alexander William	B.A. Wilfrid Laurier/82; LL.B. Dalhousie/85
469. Bellefeuille, Romeo Guy Yves	B.S.S. Ottawa/83; LL.B. Toronto/88

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| 470. Brownstone, Lisa | B.A. Manitoba/84;
LL.B. Toronto/88 |
| 471. Budgell, Janet Lynn | A.B. Princeton, U.S.A./85;
LL.B. Queen's/88 |
| 472. Bullard, Nancy Ann | Mature Student;
LL.B. York/88 |
| 473. Bush, Danielle Marie | B.A. Western/79;
LL.B. Western/88 |
| 474. Cairns, John Foster | B.A. Ottawa/85;
LL.B. Queen's/88 |
| 475. Cassidy-Suley, Patricia
Laurene | B.S.W. Laurentian/77;
M.C.A. Ottawa/80;
LL.B. Saskatchewan/88 |
| 476. Cavanagh, Jane Frances | B.A. Saskatchewan/84;
LL.B. Western/88 |
| 477. Clifford, Michael William | B.Bus.Mgmt. Ryerson/84;
LL.B. Toronto/88 |
| 478. Cohen, Laurence Michael | B.A. Western/85;
LL.B. Dalhousie/88 |
| 479. Counsell, Timothy | B.Sc. Trent/80;
M.Sc. Western/86;
LL.B. Western/88 |
| 480. Cranton, David Bruce | B.A. Olivet Nazarene
College, U.S.A./80;
M.A. Western/86;
LL.B. Dalhousie/88 |
| 481. Cronin, Paul D'Arcy | B.A. Toronto/86;
LL.B. Ottawa/88 |
| 482. Culmone, Floro | B.Comm. Windsor/85;
LL.B. Windsor/88 |
| 483. Cunningham, Robert Ross | B.A. Brock/85;
LL.B. Queen's/88 |
| 484. Cvetanovic, Nadine Elizabeth | B.A. St. Francis Xavier/82;
LL.B. New Brunswick/88 |
| 485. Dalrymple, Kenna Joy | B.Comm. Dalhousie/85;
LL.B. Dalhousie/88 |
| 486. Darrah, Richard Robert | B.A. Mount Allison/84;
LL.B. New Brunswick/88 |
| 487. De La Ronde, Victoria
Christina | B.A. Saskatchewan/74;
LL.M. London School of
Economics/84;
LL.B. Saskatchewan/83 |
| 488. Deebank, Ross Allan | B.Sc. Clarkson, N.Y./85;
LL.B. York/88 |
| 489. Deveen, John Paul | B.A. Carleton/85;
LL.B. York/88 |
| 490. Devlin, John Gerald | B.A. Toronto/85;
LL.B. York/88 |

491. Devlin, Mary Teresa	B.A. Ottawa/83; LL.B. Ottawa/88
492. Di Trani, Emilia Addoloratta	B.A. York/83; M.B.A. York/88; LL.B. York/86
493. Doig, Peter Andrew	B.Comm. Dalhousie/85; LL.B. Toronto/88
494. Dolan, Kevin Martin	B.A. York/85; LL.B. Queen's/88
495. Dunbar, Robert Douglas	B.A. Toronto/82; M.A. Toronto/84; M.B.A. York/88; LL.B. York/88
496. Dupuis, Laurie Ann	2 yrs. Science, Ottawa; LL.B. Ottawa/88
497. Emig, Marianne Gail	Joint Committee on Accreditation/88
498. Eskenazi, Rafael	B.Sc. Toronto/84; LL.B. Ottawa/88
499. Evans, Sherry Lynn	B.A. British Columbia/84; LL.B. British Columbia/88
500. Fairburn, Mary-Jane	B.A. Toronto/85; LL.B. Windsor/88
501. Faughnan, Steven James	B.Comm. Concordia/84; B.C.L. McGill/88; LL.B. McGill/88
502. Feld, Sylvia Lisa	B.A. Toronto/85; LL.B. Windsor/88
503. Feldman, Richard Allan	B.A. York/85; LL.B. York/88
504. Finkle, Karen Eileen	Joint Committee on Accreditation/88
505. Flannery, Dianna Grace	B.A. Windsor/85; LL.B. Windsor/88
506. Fleming, Craig William	B.A. Laval/85; LL.B. British Columbia/88
507. Fobes, Caroline	B.Sc. Dalhousie/84; LL.B. Dalhousie/87
508. Foran, Susan Elizabeth	B.A. Bryn Mawr College, Pennsylvania/83; LL.B. Western/88
509. Franklin, Robert Neil	2 yrs. Science, Toronto; LL.B. York/88
510. Fraser, Mary Alice	B.A. Queen's/85 LL.B. Queen's/88
511. French, William Giles	B.A. Bishops/83; LL.B. Toronto/88
512. Fulton, Tina Mercedes	B.A. Queen's/85; LL.B. Queen's/88

513. Gahrns, Susan Sigrid	B.A. Victoria/85; LL.B. Ottawa/88
514. Gallagher, Jennifer Lynn	B.Comm. Dalhousie/85; LL.B. Dalhousie/88
515. Garner-Smith, Julie	B.A. York/85; LL.B. York/88
516. Gass, Randolph Alexander	B.A. Prince Edward Island/88; LL.B. Windsor/88
517. Gencher, Israel Stephen	B.Sc. Ottawa/83; LL.B. Western/88
518. Genjaga, Kristina Eva	B.A. Toronto/85; LL.B. York/88
519. George, Dianne Bernice	B.A. Western/78; LL.B. McGill/88
520. Gershkovitch, Eli Aaron	B.A. York/84; LL.B. Toronto/87
521. Gibson, Alan Scott	2 yrs. Arts, Manitoba; LL.B. Manitoba/86
522. Gillezeau, Maurice Leon	B.A.S. York/85; LL.B. Windsor/88
523. Girault, Claudine	2 yrs. Science, Ottawa; LL.L. Ottawa/87; LL.B. Ottawa/88
524. Gleave, Stephen Francis	2 yrs. Arts, University of Idaho; 2 yrs. Arts, Simon Fraser; LL.B. Queen's/86
525. Goldman, Barry Joshua	B.Comm. Dalhousie/78; LL.B. Windsor/88
526. Gorelle, Margot Lianne	B.Sc. Queen's/85; LL.B. York/88
527. Gosnell, Duncan Davy	B.Eng. Nova Scotia Technical College/80; LL.B. Dalhousie/85
528. Grafstein, Laurence Stephen	A.B. Harvard/82; M. Phil. Oxford/85; LL.B. Toronto/88
529. Graham, Gregory	B.A. Toronto/85; LL.B. Western/88
530. Graham, Stuart Thomson	B.A. Western/85; LL.B. Ottawa/88
531. Grant, Arthur Murdoch	B.Sc. British Columbia/80; LL.B. Ottawa/83
532. Grassi, Anthony Joseph	B.A. Windsor/85; LL.B. Western/88
533. Gray, Donna Judith	B.A. Carleton/76; LL.B. York/88

534. Greaves, Lawrence Kimberley	B.A. Western/85; LL.B. Western/88
535. Green, Edward James	B.Sc. Trent/79; B.Ed. Queen's/83; LL.B. Queen's/88
536. Griffith, Gordon Neil	B.Mus. Queen's/83; LL.B. Queen's/88
537. Groulx, Karen Bernedette	B.A. Waterloo/85; LL.B. Western/88
538. Gualazzi, Brian Arthur Odo	B.Comm. Dalhousie/83; LL.B. Dalhousie/88
539. Guiler, Stephen William Victor	2 yrs. Arts, Western; LL.B. Western/88
540. Guilmet, Helene Alice	B.Sc.N Ottawa/85; LL.B. Ottawa/88
541. Gupta, Arpita	B.A. Manitoba/84; LL.B. Manitoba/87
542. Hacio, Christopher Daniel John	B.A. Western/82; LL.B. Ottawa/88
543. Hacker, Andrew Emery	B.A. Western/85; LL.B. Western/88
544. Hales, Megan Gwendolyn	B.A. Western/87; LL.B. Ottawa/88
545. Halpern, Martin Benjamin	B.A. Toronto/85; LL.B. York/88
546. Halt, Edward William	B.A. Saskatchewan/83; LL.B. Saskatchewan/86
547. Hamilton, David Alexander Elgie	B.A. Trent/83; M.A. Queen's/86 LL.B. Toronto/88
548. Hamway, Karen Ann	B.A. Carleton/85; LL.B. Queen's/88
549. Hanrahan, Thomas George	B.A. Brock/85; LL.B. Queen's/88
550. Hanrahan, Thomas Joseph	B.A. Toronto/78; LL.B. York/88
551. Harris, Roger Athya	Joint Committee on Accreditation/88
552. Harrs, Christopher Dennis	B.A. Western/85; LL.B. Western/88
553. Hartmann, Stefanie	3 yrs. English, York; LL.B. York/88
554. Hastings, Lynn Elizabeth	B.A. Western/84; LL.B. Windsor/88
555. Healey, Robert John	2 yrs. Arts, Queen's; LL.B. Queens/88
556. Herrema, Elizabeth June	B.A. Western/85; LL.B. Western/88

557. Hicks, Michael John	B.A. Winnipeg/85; LL.B. Manitoba/88
558. Hicks, Thomas Michel	B.A. Western/85; LL.B. Western/88
559. Higa, Richard Thomas	B.Comm. Alberta/85; LL.B. Western/88
560. Higham, John Gregory	B.A. Toronto/85; LL.B. York/88
561. Hill, Gordon William	B.A. Carleton/84; LL.B. Queen's/88
562. Hillman, Margot Elizabeth	B.A. Toronto/85; LL.B. Dalhousie/88
563. Hirschberg, Sheri Robin	B.A. York/85; LL.B. York/88
564. Hiscock, Elizabeth Anne	B.A. Western/85; LL.B. Western/88
565. Hiscock, John David	B.Comm. Queen's/85; LL.B. Western/88
566. Hiscox, Diane	B.F.A. Nova Scotia College of Arts & Design/84; LL.B. Dalhousie/88
567. Hoang, Nhung Thi Thuy	B.Sc.Soc. Ottawa/85; LL.B. Ottawa/88
568. Hoffer, Lloyd Mordecai	B.A. Queen's/85; LL.B. Toronto/88
569. Holmes, Jennifer Anne	B.A. Western/85; LL.B. Western/88
570. Holmes, Stephen Anthony	B.A. York/84; M.B.A. York/88; LL.B. York/88
571. Holovaci, Nicolette Charlene	B.A. Windsor/85; LL.B. Windsor/88
572. Hornik, Tracy Sarah	2 yrs. Sociology, York; LL.B. York/88
573. Houlding, Tracy Charline	B.A. British Columbia/85; LL.B. York/88
574. Housley, Susan Lynn	2 yrs. Arts, Western; LL.B. Western/88
575. Houston, Ian Joseph	B.A. Toronto/85; LL.B. Queen's/88
576. Houston, Roberta Heather	B.A. Western/85; LL.B. York/88
577. Howard, Susan Louise	B.A. Windsor/85; LL.B. Windsor/88
578. Hrybinsky, Alexander Victor	B.Sc. Toronto/84; LL.B. Ottawa/88

579. Hulton, Wendy Gale

B.A. Toronto/85;
LL.B. York/88

580. Hunt, Nicola Marie

B.A. New Brunswick/83;
LL.B. New Brunswick/88

Approved

5. EXAMINATION RESULTS - BAR ADMISSION COURSE TRANSFER EXAMINATIONS

The results of the Bar Admission Course Transfer Examinations held in February 1989 are before the Committee. Thirteen candidates sat the six examinations at the offices of the Bar Admission Course. Twelve passed and one failed.

Noted

Five candidates sat supplemental examinations to the ones they had failed at the October 1988 sitting and all passed.

Noted

6. CALL TO THE BAR AND CERTIFICATE OF FITNESS

Transfers from another province - Regulation 4(1)

The following candidates having passed the Bar Admission Course Transfer Examinations, filed the necessary documents and paid the required fee, now apply for call to the Bar and to be granted Certificates of Fitness:

Carl Steven Cohen	Province of Alberta
Jean Joseph Henne	Province of Alberta
Brandon Jaffe	Province of British Columbia
Patrice Carolyn Noe Johnson	Province of Alberta
James Campbell Jordan	Province of Manitoba
Malcolm John MacKillop	Province of Newfoundland
David Robert Reid	Province of British Columbia
Chris Theodoropoulos	Province of British Columbia
Kenneth Einar Thorlakson	Province of Manitoba
John Stewart Tyhurst	Province of British Columbia

Approved

Full-Time Members of Faculties of Approved Law Schools

The following candidate, having filed the necessary forms and complied with the requirements of the Society in his particular case, is now entitled to be called to the Bar of Ontario and to be granted a Certificate of Fitness:

Donald Malcolm McRae	Faculty of Law, University of Ottawa
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Fee: \$200.00

Approved

7. ESTIMATES

The estimates for the year were before the Committee.

Approved in the amount of \$60,000.00.

C.
INFORMATION

1. POSSIBLE CHANGES TO STATUTES AND PROCEDURE EXAMINATION FORMAT

Proposed changes to the Statutes and Procedure Examination were to have been discussed at the March 9th, 1989 Committee meeting but have been put off to the April meeting when further information will be available.

Noted

ALL OF WHICH is respectfully submitted

DATED this 17th day of March, 1989

"P. Peters"
Chair

THE REPORT WAS ADOPTED

.....

CALL TO THE BAR

The following candidates were presented to the Treasurer and Convocation and were called to the Bar, and the degree of Barrister-at-Law was conferred upon each of them by the Treasurer:

Carl Steven Cohen	Province of Alberta
Jean Joseph Henne	Province of Alberta
Brandon Jaffe	Province of British Columbia
Patrice Carolyn Noe Johnson	Province of Alberta
James Campbell Jordan	Province of Manitoba
Malcolm John MacKillop	Province of Newfoundland
David Robert Reid	Province of British Columbia
Chris Theodoropoulos	Province of British Columbia
Kenneth Einar Thorlakson	Province of Manitoba
John Stewart Tyhurst	Province of British Columbia

PRACTICE AND INSURANCE COMMITTEE

Mr. Furlong, Chairman presented the report of the Practice and Insurance Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The PRACTICE AND INSURANCE COMMITTEE begs leave to report:

Your Committee met on Thursday, the 9th of March, 1989, the following members being present: Messrs. Furlong (Chair), Lamont, Outerbridge, Howie, Scace, Noble, Bragagnolo. Also present were: Messrs. Smith, Marshall, Tinsley and Ms. Oakes.

A.
POLICY

1. OUTSTANDING DEDUCTIBLES

The Committee had an extensive discussion relating to the vexing question of outstanding deductibles.

March 17, 1989

It was agreed on the recommendation of the Chair and the Director of Insurance, acting on the advice of the auditors, that outstanding deductibles in the amount of \$564,097 be written off. These deductibles and have been outstanding for over 1 year.

In regard to the question of collecting outstanding deductibles, it is recommended that the Legislation and Rules Committee be asked to draft an amendment to the Act to give the Society the authority to suspend members by administrative action for non-payment of a deductible.

To assist in the timely collection of outstanding deductibles, the Committee agreed to a reduction in time allotment for reporting outstanding deductibles to Discipline and/or commencing civil litigation from 120 days to 51 days.

The Director and the Secretary are to discuss the continuation of collection of outstanding deductibles through the Discipline process.

Attached as Appendix A is the report of the Director.

C.
INFORMATION

1. E&O BUDGET

The Committee reviewed and approved the Errors & Omissions 1989/90 budget as submitted. The budget report is attached as Appendix B.

2. DIRECTOR'S MONTHLY REPORT

A monthly statistical report was not submitted for the Committee due to the inability of the Finance Department to provide an E&O Financial Statement and statistical record within the required time frames. It was recommended that commencing April, 1989 the Director's Report would reflect the previous month's figures.

3. PRACTICE ADVISORY SERVICE BUDGET

The Practice Advisory Service's 1989/90 budget was reviewed and approved by the Committee and is attached as Appendix D.

5. ANNUAL A.I.G. AUDIT

American Home Assurance Company representatives conducted their annual Errors and Omissions file audit. A copy of their report is attached as Appendix E. The attention of the Bench is drawn to the comment that A.I.G. are of the opinion that the "Program is well organized and administered by The Law Society".

ALL OF WHICH is respectfully submitted.

DATED this 17th day of March, 1989.

"P. G. Furlong"
Chairman

Attached to original Report in Convocation File, copy of:

A - Item 1 - Report of the Director

(Marked Appendix A 1-3 and
Appendix A(1) Pages 1 - 7)

- C - Item 1 - Budget Report (Marked Appendix B - Pages 1 - 4)
- C - Item 3 - 1989/90 Budget (Marked Appendix D - Pages 1 & 2)
- C - Item 5 - American Home Assurance Company annual Errors and
Omissions file audit dated February 7, 1989
(Marked Appendix E)

THE REPORT WAS ADOPTED

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LEGISLATION AND RULES COMMITTEE

Mr. Cullity presented the report of the Legislation and Rules Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The LEGISLATION AND RULES COMMITTEE begs leave to report:

Your Committee met on Thursday, the 9th day of March, 1989, the following members being present: Messrs. Noble (Chairman), Cass and Cullity. Mr. Stephen Traviss, Senior Counsel - Professional Conduct was also in attendance.

A.

POLICY

1. RULES 9 AND 12 OF THE RULES OF PROFESSIONAL CONDUCT

On January 27, 1989, Convocation approved in principle changes to Rule 9 and Rule 12, subject to their being reviewed by this Committee.

(a) Rule 9

Rule 9, as approved by Convocation in January, is set out in Appendix I of this report.

Your Committee, however, is of the view that the words "or accept" in paragraph (c) add little to the Rule as proposed and would be misleading to the profession. We recommend, therefore, that the words "or accept" be deleted.

Furthermore, the Committee recommends that commas be inserted in paragraph (c). This would serve to indicate that the cost of a title search is merely one example of a disbursement, rather than appearing to restrict the application of the Rule to that disbursement.

The Committee therefore recommends that Rule 9 in the form considered by Convocation in January be approved, but with paragraph (c) amended to read as follows:

"(c) charge any significant amount as a disbursement, such as the cost of a title search, which is not fully disclosed in a timely fashion, and is fair and reasonable;"

(b) Rule 12

Paragraph 8 of Rule 12, as approved by Convocation in January, reads as follows:

"Restricted practices

8. (a) The lawyer may indicate that the lawyer is a specialist in a particular area of the law only if the lawyer has been so certified by the Law Society. The lawyer may indicate that the

March 17, 1989

lawyer's practice is restricted to a particular area or areas of law or may indicate that he practises in a certain area or areas of the law if such is the case. The lawyer may indicate that the lawyer is in general practice if such is the case.

(b) A firm of lawyers may:

(i) indicate under its firm name that it is in general practice or that it practises in certain areas of the law or that it has a restricted practice;

(ii) indicate the area or areas of law in which particular members practise or to which they restrict their practice.

The Committee is of the opinion that if the intent of paragraph 8 is to prevent members from indicating a preferred area of practice, it should be stated. Conversely, if that is not the intent of the paragraph, that, too, should be stated.

Your Committee adopted the first alternative on the understanding that this was the intent of the Professional Conduct Committee.

We recommend therefore that paragraph 8 of Rule 12 be approved in the following form:

"Restricted practices

8. (a) The lawyer may indicate that the lawyer is a specialist in a particular area of the law only if the lawyer has been so certified by the Law Society. The lawyer may state that the lawyer's practice is restricted to a particular area or areas of the law or may indicate that he practises in a certain area or areas of the law if such is the case but may not indicate that he has a preferred area or areas of practice. The lawyer may indicate that the lawyer is in general practice if such is the case.

(b) A firm of lawyers may:

(i) indicate under its firm name that it is in general practice or that it practises in certain areas of the law or that it has a restricted practice;

(ii) indicate the area or areas of law in which particular members practise or to which they restrict their practice."

B.
ADMINISTRATION

1. PROJECTED BUDGET FOR 1989/90

It is estimated that the Legislation and Rules Committee will require the sum of \$9,000 for its 1989/90 expenses. Of this amount, it is anticipated that \$7,000 will be used for counsel fees.

ALL OF WHICH is respectfully submitted

DATED this 17th day of March, 1989

"M. C. Cullity"

Attached to original Report in Convocation File, copy of:

A - Item 1(a) - Rule 9

(Marked Appendix I - pages 1 - 3)

THE REPORT WAS ADOPTED

.....

PROFESSIONAL STANDARDS COMMITTEE

Ms. Weaver presented the report of the Professional Standards Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The PROFESSIONAL STANDARDS COMMITTEE begs leave to report:

Your Committee met on the 9th day of March, 1989 at eleven thirty in the morning, the following members being present: Mr. Lyons (Chair), Mr. Farquharson (Vice-Chair), Ms. Bellamy, Mr. Ferguson, Mr. Furlong, Mr. Guthrie, Ms. Harvey and Mrs. Weaver. Also present were Ms. Angevine, Ms. Poworoznyk, Ms. Rose and Messrs. Kerr, Marshall and Stephany.

A.

POLICY

1. PRACTICE REVIEW AND PENDING DISCIPLINE

The Committee considered in what circumstances it is appropriate for Practice Reviews to continue despite the existence of ongoing discipline prosecutions or investigations.

It was concluded that:

(a) when a solicitor is involved in Discipline proceedings for conduct which, if continued would likely result in referral to the Practice Review Programme, it is suggested that the Discipline panel consider, in addition to any other penalty it wishes to impose, making a referral to the Practice Review programme so that the conduct in question is addressed at the earliest possible stage.

(b) when a solicitor is involved in the Review Programme and Discipline proceedings are commenced thereafter, the Review of the solicitor's practice should be discontinued when it is likely that the individual candidate's right to practise will be terminated or suspended.

(c) it is appropriate, provided the solicitor agrees, to continue with a Practice Review concurrently with Discipline proceedings when the outcome of the proceedings is unlikely to affect the solicitor's right to practise.

2. PRACTICE REVIEW CANDIDATES - NON-PARTICIPATION

The Committee considered what action, if any, should be taken when a candidate has declined an invitation to participate in the Review Programme.

It was concluded that the solicitor be referred to Senior Counsel - Discipline for consideration.

B.

ADMINISTRATION

1. BUDGET PROPOSALS - FISCAL 1989-1990

The Committee approved the budget proposals for the upcoming fiscal year.

March 17, 1989

C.
INFORMATION

1. PRACTICE REVIEW PROGRAMME - RECRUITMENT OF REVIEWERS

A letter was recently distributed under the signature of the Chair of the County and District Law Presidents' Executive, the purpose of which was to explain the objectives of the review programme and to augment the roster of reviewers.

There is presently a shortage of reviewers from the following Counties and Districts of the province:

Algoma	Brant
Durham Region	Frontenac
Halton Region	Niagara Region
Peel	Peterborough
Thunder Bay	Hamilton-Wentworth
York Region	

As well, there is an absence of reviewers who specialize in the practice of Criminal Law.

The Committee requests the assistance of all Benchers in the recruitment of prospective reviewers.

2. PROFESSIONAL STANDARDS AND CROWN ATTORNEYS

J. F. Howard, Q.C. of Blake, Cassels & Graydon has agreed to prepare a legal opinion respecting the jurisdiction of the Law Society to formulate and monitor standards of competency applicable to Crown Attorneys.

3. SUB-COMMITTEE ON THE COMPETENCY OF CRIMINAL LAWYERS

The sub-committee's report was adopted by Convocation at its February meeting.

The Committee instructed the staff to prepare a report for the April meeting detailing possible formats for the checklist, methods of distribution and their related costs.

4. SUB-COMMITTEE ON WILLS AND ESTATES

The next meeting of the sub-committee is tentatively scheduled for April 12, 1989.

5. SUB-COMMITTEE ON FAMILY LAW

The composition of the sub-committee has been finalized and its first meeting is scheduled for April 3, 1989.

ALL OF WHICH is respectfully submitted

DATED this 17th day of March, 1989

"M. P. Weaver"

THE REPORT WAS ADOPTED

.....

COUNTY AND DISTRICT LIAISON COMMITTEE

Mr. Lamek presented the report of the County and District Liaison Committee of its meeting of 9th March, 1989.

March 17, 1989

COMPENSATION FUND COMMITTEE

Mr. Yachetti, Chairman presented the report of the Compensation Fund Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The COMPENSATION FUND COMMITTEE begs leave to report:

Your Committee met on Thursday, March 9th, 1989 at 11:30 a.m. the following members being present: Messrs Yachetti (Chairman), Ms Peters (Vice-Chair), Mrs. Legge, Mrs. MacLeod, Strosberg, and Thom; D. Crosbie, P. Bell and Mrs. Werry also attended.

B.

ADMINISTRATION

1. COMPENSATION FUND BUDGET ESTIMATES 1989-90

The Secretary reported that the Budget Estimates were revised after the February meeting.

Your Committee approved of the Budget Estimates as revised for forwarding to the Finance Committee.

2. AMERICAN BAR ASSOCIATION NATIONAL FORUM ON CLIENTS' SECURITY FUNDS

The Secretary reported the fifth National Forum on Clients' Security Funds will be held on Friday, May 19th, 1989 in Chicago.

Your Committee approved sending Mrs. MacLeod and a member of the staff to the forum on Clients' Security Funds.

C.

INFORMATION

1. The total amount of accounts approved by Assistant Secretaries for the month of February, 1989 was \$407.91.

2. The Financial Statement for the eight months ending February 28th, 1989, and the Activity Report are attached. (Pages 2 and 3)

ALL OF WHICH is respectfully submitted

DATED this 17th day of March, 1989

"R. D. Yachetti"
Chairman

Attached to original Report in Convocation File, copy of:

C - Item 2 - Financial Statement for the eight months ending
February 28, 1989, and the Activity Report
(Marked pages 2 and 3)

THE REPORT WAS ADOPTED

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TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCAATION ASSEMBLED

The COUNTY & DISTRICT LIAISON COMMITTEE begs leave to report:

Your Committee met on Thursday, the ninth day of March, 1989 at four o'clock in the afternoon, the following members being present: Messrs. Somerville (Chair), Ferguson (Vice-Chair), Carey, Lamek, Spence, Topp and Ms. Peters. Also present from the County & District Law Presidents' Association Executive were Ms. Mossip (Chair), Messrs. Brennan, Lalande, Lovell, McDowell, Morin, Reinhart and Smith.

Staff present were Messrs. Crosbie, Ballantyne, Watson, Ms. Angevine and Ms. Rogerson.

The following matters were dealt with:

1. Guidelines for the Profession re Independent Paralegals

Mr. Ballantyne reported that one County Law Association had approached the Unauthorized Practice Committee regarding the publication of guidelines setting out the appropriate course of action to be followed by a lawyer when dealing with independent paralegals. Following some discussion it was decided that the views of the Paralegal Committee of the County & District Law Presidents' Association would be sought and reported back to the Unauthorized Practice Committee.

2. Report on Disclosure of Discipline Proceedings

Further to the request made at the last meeting, the Chairman of Discipline and several members of the staff reported to the Committee on the Society's present policy and procedures for the disclosure of discipline proceedings to the media and other third parties. Various alternatives were canvassed for providing advance notice of discipline proceedings to the presidents of Law Associations.

It was concluded that the matter should be considered by the members of the County & District Law Presidents' Association Executive and if appropriate, a proposal prepared for the consideration of this Committee and the Discipline Policy Committee.

3. Report on Procedures in Place to Protect Clients of Lawyers involved in the Discipline Process

Several members of the staff including a representative from the Staff Trustee's Office reported briefly to the Committee on the present procedures to ensure that the clients of members involved in discipline are protected. Reference was made to provision for co-signing controls on the lawyer's trust account, trusteeship orders, undertakings in appropriate circumstances and arrangements for the orderly transfer of client files in the event of a disbarment or suspension.

4. Budget Estimates for 1989/90 Fiscal Year

The Committee reviewed the budget estimate for the upcoming fiscal year and approved same to be forwarded to the Finance Committee for its consideration.

5. Law Society Annual Meeting

The members of the County & District Law Presidents' Association Executive were advised that the date of the Society's Annual Meeting has been fixed for May 10, 1989 at 5:00 p.m. A specific invitation was extended to all members of the County & District Law Presidents' Association to attend.

6. Plenary Session May, 1989

The members of the County & District Law Presidents' Association Executive confirmed that an invitation will be extended to all Benchers to attend a meeting with the County & District Law Presidents' Association on the morning of Friday, May 12, 1989.

7. Special Committee on Voting Rights and Non-Bencher Appointments

The Secretary reported briefly on the major points relating to the issue of non-benchers appointments in the Report of the Special Committee on Voting Rights and Non-Bencher Appointments.

8. Rule 12

Concern was expressed regarding the provisions of Rule 12 and specifically a perceived lack of clarity in the wording of paragraph 4. The Chairman undertook to raise the matter with the Chairman of Professional Conduct.

9. Professional Standards Committee - Standards for Criminal Lawyers

Mr. Ferguson reported that Convocation has approved the standards and that the Committee intends to review various proposals for the publication and distribution of the standards to the profession.

10. Proposal re Reimbursement of Kent/Waterloo in respect of Legal Fees

This matter was discussed and will be reported to Convocation in April. Mr. Somerville, Ms. Peters and Mr. Reinhart did not take part in the discussion.

ALL OF WHICH is respectfully submitted.

DATED this 17th day of March, 1989.

"P. S. Lamek"

THE REPORT WAS ADOPTED

.....

RESEARCH AND PLANNING COMMITTEE

Mr. Manes presented the report of the Research and Planning Committee of its meeting on Thursday, 9th March, 1989.

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The RESEARCH AND PLANNING COMMITTEE begs leave to report:

Your Committee met on Thursday, the ninth day of March, 1989 at 8:00 a.m., the following members being present: R. Manes (Vice-Chair), D. Bellamy, F. Kiteley, I. Outerbridge. Also present were: R. Tinsley, M. Angevine and D. Ashby.

B.
ADMINISTRATION

1. BUDGET PROPOSALS FISCAL 1989 - 1990

The Committee reviewed the budget proposal for the fiscal year 1989-90 which will be presented to the Finance Committee.

2. BAR ADMISSION COURSE MATERIAL 1988 - 1989

The Committee decided the Bar Admission Course materials will be reviewed by the Secretary to the Committee on a yearly basis to ensure they reflect the activities and composition of the Committee.

C.
INFORMATION

1. WOMEN IN THE LEGAL PROFESSION

Ms. Kiteley, Chair of the Committee gave a brief overview of the work done since the first meeting in November, 1988.

A preliminary review of the Society's demographic data is being concluded. Arrangements are being made to have the data analyzed by a graduate student in anticipation of a more extensive research project.

The Committee approved the statement of mandate as follows:

The Women in the Legal Profession Sub-Committee was formed as a standing sub-committee of the Research and Planning Committee to:

- (1) Examine and monitor the effects of the increasing numbers of women in the profession by:
 - (a) analyzing data available to the sub-committee from the Law Society, law schools, and other sources;
 - (b) consult with professional organizations regarding gender issues of concern to the profession;
- (2) To propose policy to the Research and Planning Committee regarding gender issues facing the profession.

2. ELECTION OF BENCHERS

The Committee decided that a sub-committee should be appointed to study the election of benchers. The membership of the Committee is to be discussed with Mr. Ferrier and Mr. Spence.

ALL OF WHICH is respectfully submitted

DATED this 17th day of March, 1989

"R. D. Manes"
Vice-Chair

It was moved by Mr. Yachetti seconded by Mrs. Legge that the Sub-Committee report on Women in the Legal Profession be disbanded.

Withdrawn

It was moved by Mr. O'Brien that Research and Planning bring forward a report on the issue of whether or not there should be standing sub-committees and whether or not they should have outside members.

Failed

ADMISSIONS COMMITTEE

Ms. Peters presented the report of the Admissions Committee of dated 17th March, 1989 setting the candidates for the Call to the Bar in March at the Special convocations.

March 17, 1989

TO THE BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

IN CONVOCATION ASSEMBLED

The ADMISSIONS COMMITTEE begs leave to report:

Your Committee met on Friday, the 17th of March, 1989 at 9:15 a.m., the following members being present: Ms. Peters (Chair), Mrs. Weaver (Vice-Chair), and Messrs. Ground and Lamont.

B.

ADMINISTRATION

1. CALL TO THE BAR AND CERTIFICATE OF FITNESS

Bar Admission Course

A list of 1092 candidates who have successfully completed the thirtieth Bar Admission Course or one of the earlier Bar Admission Courses, filed the necessary documents and paid the required fee of \$210.00, or who have successfully completed the teaching term of the Bar Admission Course in lieu of writing the transfer examinations, paid the required fee and fulfilled all other requirements, was before the Committee. They now apply for call to the Bar and to be granted Certificates of Fitness:

87	candidates	London	Tuesday, March 28th, 1989
180	candidates	Ottawa	Wednesday, March 29th, 1989
390	candidates	Toronto	Friday, March 31st, 1989 (a.m.)
435	candidates	Toronto	Friday, March 31st, 1989 (p.m.)

Approved

ALL OF WHICH is respectfully submitted

DATED this 17th of March, 1989

"P. Peters"
Chair

Attached to original report in Convocation File, copy of:

B - Item 1 - List of 1092 candidates for Call to the Bar and Certificate of Fitness (numbered 1 - 15)

THE REPORT WAS ADOPTED

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CONVOCATION ROSE AT 12:10 P.M.

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The Treasurer and Benchers had as their guests Madame Justice Bell-Oyen, Mr. Justice Chilcott and Dean Donald M. McRae of the University of Ottawa Law School.

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Confirmed in Convocation this day of ,1989

Treasurer