

 **Banack's Bencher News**

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**1999 LAW SOCIETY FEES:** We will receive a saving in our Law Society fees of \$475.00 over last year if early payment is made. The 1999 levy has been lowered to \$1,272.00 from \$1,747.00. You will remember from October that the LPIC premiums were also reduced for the coming year.

**1999 BUDGET:** The budget which gave rise to the fee decrease carefully analyzed every service area of the Law Society. That type of analysis had never previously been performed. It will provide the basis in the coming year for a proper evaluation and assessment as to which, if any, program should be discarded. In addition, the Law Society has sought a payment of approximately \$2 Million for 1999 and an additional amount for 1998, from the Law Foundation to contribute to the cost of the Bar Admission Course. In the coming year, the Bar Admission Course tuition will increase by 10%. If you wish, a copy of the budget can be obtained from the Law Society.

**COUNTY AND DISTRICT LIBRARIES:** The budget, as presented to Convocation, sought to maintain the current levy in your annual fees of \$116.00 per member to fund the County and District Law Libraries. The President of the CBAO, Steven Rosenhek delivered a letter to all Benchers advancing a joint position of the CBAO, CDLPA and MTLA seeking an increase of the levy to \$200.00 to provide full funding required for library service. A motion was introduced and adopted by Convocation for that purpose. In addition, the County and District Libraries should now be receiving a large amount of money which had been held in a separate account for the Law Libraries, to provide facility and technological improvements. The professional associations should be commended for their joint initiative of advancing this important budgetary change for the coming fiscal year, even before the major library report has been completed. I think that this result, perhaps may be used as a model to secure ongoing, effective cooperation within the profession. Congratulations to Steve.

**PILOT PROJECT SPOT AUDIT - YEAR 1:** You will remember that the procedure for spot audits was based on random selection, failure to file reports, follow-up from previous audits and information derived from financial reports. Since approved, 297 spot audits were conducted. 19 firms or 16.4% of the total, disclosed findings of a serious nature which required a further detailed investigation in order to determine whether or not a disciplinary complaint should be

considered. 51 firms or 17.2% of the total, disclosed findings of a nature that merited a further follow-up audit or enquiry to ensure continuing compliance, although no further investigative activity was warranted. 173 firms or 58.2% of the total, disclosed findings of a minor nature which required no further follow-up activity and for which the law firm received on-site advice of a remedial nature. No inadequacies were found in 54 firms or 18.2% of the total number of audits.

**COMPETENCE TASK FORCE:** Convocation received a very important interim report which will assist in defining the Law Society's role in developing, maintaining, improving and enforcing competence. I would recommend that you obtain that report from the Law Society Policy Secretariat (416-947-5209) to understand the direction the Law Society may well take in this respect in the future.

**LEGISLATIVE STATUS:** Previous newsletters have informed you of the possible legislative changes to the Law Society Act and, more recently, in respect of Legal Aid. I remain hopeful that we will see these important legislative efforts by the Attorney General enacted shortly.

**LAW SOCIETY STAFF:** As you know, in recent years, the total number of Law Society employees has declined. Further, under the Project 200 initiatives which will deliver improved services to the Profession, the nature of the jobs performed by Law Society staff will change. Our CEO has been working diligently with all staff and analyzing Law Society positions and recruitment began for key leadership positions in Public Affairs, Customer Service and Regulatory Requirements.

**WEBSITE COMMUNICATIONS:** During the second quarter of 1998, the Law Society web pages were accessed 140,000 times (being 76% higher than the same period last year) and in the third quarter, 139,000 times (being 91% higher than the same period last year). Obviously, many of us and members of the public are taking advantage of the technology which will hopefully continue to provide greater access to information about and within the profession.

**PRACTICE ADVISORY AND PROFESSIONAL CONDUCT:** For a six month period, the Law Society received approximately 4,300 telephone inquiries: 44% were from sole practitioners; 37% by other lawyers; and 19% from non-members. The majority of members who use this service have been called to the Bar in the last 5 years, having opened their sole practice or in space-sharing arrangements with no access to senior counsel. Start-up workshops, a full-day program dealing with a vast array of issues concerning a new practice, continue to take place monthly, at no charge to the Profession. As well, we have ongoing access to OBAP and the LINK programs which I heartily endorse.

**IN MEMORY OF LYN GILBANK:** Upon the initiative of the Women's Law Association of Ontario, Convocation observed a minutes silence in recognition of the recent tragic death of our member, Lyn Gilbank. As the Treasurer stated, her death is a painful reminder to the legal

profession of violence in society and the fact that none of us is insulated from that violence. We all express our sympathy and support to her family.