

Banack's Bencher News #80

Volume 4
Issue 11

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January 29, 2009

CANCELLED: Taking into account the Law Society's budget and the current uncertain economic environment, the Treasurer decided it would be prudent and efficient to cancel March Committee meetings and March Convocation. It is estimated that the cancellation will generate savings of approximately \$100,000.00. Perhaps a trend can be set. In the future maybe Convocation should meet less frequently but conduct business for an entire day rather than adjourn at 1:00 p.m. Maybe our Finance Committee can find more ways to trim the self regulatory cost borne by the profession.

NOMINATIONS: Nominations must be delivered to the Law Society by February 27, 2009 in respect of the Law Society Medal and the Lincoln Alexander Award and Laura Legge Award. For more information visit the Law Society website.

NON-BENCHER ADJUDICATORS: Convocation previously approved the appointment of four non Bencher lawyer adjudicators and four non-Bencher, non-lawyer adjudicators. It was recognized that the Benchers need not hold a monopoly on the adjudication of Law Society matters. Following an extensive application and review process, Convocation selected eight non-Benchers to augment the Law Society Hearing Panel to deal with the ever increasing number of discipline hearings.

ORDER OF ONTARIO: Bencher Mary Louise Dixon, Q.C. has been awarded the Province's highest official honour in recognition of her many outstanding contributions.

E-FILING: Electronic filing of the required Form 1 and MAR have been significantly improved and are more user friendly. In addition, the Law Foundation one page Form 1 simplifies reporting. Filings are due by March 31, 2009. More lawyers now file electronically than those who choose paper. You can choose to remit payment on-line as well.

BLACK HISTORY MONTH: To pay tribute to the numerous achievements and contributions of Black lawyers a special reception is being hosted by The Law Society and The Canadian Association of Black Lawyers. As part of the Law Society's Public Education Equality Series a reception will be held in Convocation Hall on February 5, 2009 at 6:00 p.m. This year's reception will also celebrate the inauguration of President Barack Obama from the perspective of Dennis Wayne Archer a presidential campaign advisor who will share some of his experiences from the campaign trail and inauguration. Admission is free but to register email: rticzon@lsuc.on.ca.

NEWLY CALLED LAWYERS: Convocation approved a by-law amendment obliging lawyers who receive a class L1 license after May 31, 2010 to complete a minimum of 24 hours of continuing legal education within two years after the license is issued providing the lawyer pays the full amount of the annual licensing fee.

FEDERATION OF LAW SOCIETIES OF CANADA: The Federation has undertaken preparation of a model Code of Conduct. The draft will be considered by each Province and Territory. Such a national initiative may be appropriate because of the mobility of lawyers practicing throughout the country. However, it is presently unclear what the effect of the model Code will be having regard for the well-regarded and often judicially cited Canadian Bar Association Code of Conduct or the Provincial/Territorial Codes of Conduct already in place.

CY PRES PAYMENT: Kudos go to Plaintiff's counsel Harvey Strosberg and Paul Pape and the Bank of Nova Scotia in negotiating a class action settlement approved by Justice Brockenshire. It provides for a payment of one million dollars to the Law Society Foundation requiring the money be used only for the Lawyers' Feed the Hungry Program at Osgoode Hall operated by the Law Society of Upper Canada. That injection of funds reflects the commonly held view of the importance of the program and will ensure its continuation.

GENEROSITY: Ian Cartwright, a retired Ontario Superior Court Judge gave a personal cheque for one million dollars to the Association in Defence of the Wrongly Convicted ("AIDWYC"). That donation will provide much needed capital funding, assist in service delivery and perhaps lobbying efforts to reduce the time clients may languish in prison as a case for their exoneration is prepared. Hopefully this gesture will prompt others to help fund AIDWYC and other similar worthwhile under-funded volunteer organizations that live hand-to-mouth.

HAVE YOUR SAY: Your input is needed to inform consideration of proposed amendments that address a lawyer's obligations when communicating with a represented institutional client. Proposed amendments can be seen on the Law Society website under the Latest News tab. Submissions must be sent by February 16, 2009 to jvarro@lsuc.on.ca or by mail to Jim Varro at the Law Society.

CONVOCATION REPORTS: All reports to Convocation can be viewed at <http://www.lsuc.on.ca/news/>. In order to more fully understand the issues facing Convocation, you may wish to review previous editions of Banack's Bencher News at http://www.kmlaw.ca/publications/banacks_bencher_news_home.aspx.

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