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## BANACK BENCHER NEWS

**CONVOCATION 2012/2013:** Benchers elected in May 2011 are no longer "newbies". All Benchers comprising Convocation now act as a group to ensure that the profession is permitted to maintain the privilege of self-regulation which is a status lost to some law societies in other jurisdictions.

### GAME CHANGERS

There have been a number of changed circumstances which will challenge and benefit the work of Convocation:

- \* **Treasurer Tom Conway** - Newly elected in June 2012, he has now had the Summer to select those Benchers who will hold senior positions in Chairing and Vice-Chairing committees and working groups. He must give leadership in respect of the challenges facing the profession which include articling students, the number of licensees able to provide legal services, the effects of the economic downturn and the changes in the regulatory environment for legal services.
- \* **Robert Lapper** became the Chief Executive Officer of the Law Society in February 2012. Although he has been on the job a mere 9 months, it is time for him to provide the leadership and strategic analysis needed to maintain our financially strong and stable organization.
- \* **Articling Debate** - The profession awaits the final report and recommendations of the Articling Task Force. Interim measures may be needed to address the current problems, including that approximately 15% of articling candidates remain without a job.
- \* **More Lawyers** - In the Spring, Convocation approved another law

school for the granting of common law degrees. Subject to the satisfaction of certain conditions, the Université de Montréal will institute a program to confer the common law J.D. that will entitle its holders to apply for admission to the Law Society of Upper Canada. This will produce more stress in the marketplace for legal services. For more information, visit the Law Society website: [www.lsuc.on.ca](http://www.lsuc.on.ca)

\* **Law Firm Bankruptcies** - Law firm bankruptcies are not merely a Hollywood script. Just ask the 1300 lawyers who practiced at the U.S. firm, Dewey & LeBoeuf LLP until its May 2012 bankruptcy. It is said that "disappointing profits and prodigious debt" led to a "partner exodus that destroyed the firm". For more information, see: [www.deweyleboeuf.com](http://www.deweyleboeuf.com).

\* **Alternate Business Structures** - The Law Society has implemented regulatory schemes for professional corporations, MDPs and LLPs. Publicly traded law firms were discussed in 2005. However, it is clear from jurisdictions around the world that significant changes may yet impact the Canadian legal scene. As a result, a Law Society working group has been established to determine the range of legal service delivery models and financing arrangements that should be explored. It is anticipated that interim reports will be provided from time to time in 2012 and 2013. To understand the type of services offered by law firms in other jurisdictions you may wish to visit:

- o [www.highstreetlawyer.com](http://www.highstreetlawyer.com)
- o [www.qualitysolicitors.com](http://www.qualitysolicitors.com)

To have a view of two law firms listed on the Australian Securities Exchange whose significant loss of shareholder value in the stock price may raise issues about the sustainability of that business model to finance law firm search:

- o <http://www.ilh.com.au/Default.aspx>
- o <http://www.slatergordon.com.au/>

**PRACTICE MANAGEMENT HELP LINE** -This confidential service helps lawyers with the application of the Rules of Professional Conduct, Law Society legislation and By-laws. Calls are initially screened to identify existing resources and, if necessary, for referral to Counsel to discuss ethical issues, applicable legislation and potential options, including the advantages and disadvantages of each option. To contact the Help Line, call 1-800-668-7380 (3316) and ask to be connected.

**LawPro 2013 PREMIUM:** Lawyers' base premiums remain unchanged for next year at \$3,350. There are some factors that may result in future

increases. For more detail see the LawPro report at:

<http://www.lsuc.on.ca/WorkArea/DownloadAsset.aspx?id=2147489734>

**NEW LATE PAYMENT FEES:** A failure to pay your annual fee and filing of the annual report on time will now result in a required late payment fee of \$100.00 in an attempt to change behavior, which is in addition to the current reinstatement fee of \$200. (up from \$150.) when licensees return from suspension. In addition, the grace period for payment after January 1st of each year will be reduced to 60 days from 120 days.

**PLEASE NOTE MY NEW COORDINATES**

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