

 **Banack's Bencher News**

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**THE LAW SOCIETY AMENDMENT ACT, 1998** was passed by the Legislature on December 15, 1998. The legislation effective February 1, 1999, will immediately affect the forthcoming Bencher elections (by allowing for regional representation effected by voters in every region selecting their own Regional Bencher) and virtually every other aspect of our involvement with the Law Society. By-laws are being prepared to deal with the practice review program, criteria for requalification and professional competence which must be monitored carefully by the profession in the next six month period.

**A.D.R. PILOT PROJECT:** Negotiation and mediation will be offered in both the Audit and Complaints Departments. The Pilot Project will apply to new files. The files will not be pre-screened or otherwise selected. It is anticipated that approximately 600 files will be included in the Pilot. As a result of an advertisement in the Ontario Reports commencing in November, 1998, a total of 120 applications were received from many well qualified and experienced individuals willing to volunteer as mediators in the Pilot Project. The success of the Pilot Project will be measured by exit surveys, interviews and information provided by Law Society staff. Ultimately, I believe that the Pilot Project will demonstrate that ADR is an effective mechanism to resolve difficulties between lawyers and the Law Society or complainants, as is the case in other professions. Convocation can then consider a realistic budget that will provide compensation for the mediators.

**LIBRARY FUNDING:** The 1999 Law Society Budget increased the library levy by \$79.00, for one year, to provide additional funding for local libraries. The additional funding provoked a discussion of universal access to all libraries by all members of the Law Society because the libraries will now be principally funded by all members and not merely by the lawyers in each county belonging to local law associations. Convocation undertook to distribute about \$2 Million to the libraries being equivalent to the total local library fees in 1999. The local libraries and the Metropolitan Toronto Lawyers' Association requested this approach.

**FAX FEEDBACK: IT WOULD BE HELPFUL TO ME IF YOU  
WOULD RETURN THIS SHEET BY FAX TO 416-977-3316**

**TO ADVISE OF YOUR VIEWS IN RESPECT OF THE FOLLOWING:**

1) Do you support a proposal for a separate organizational body for the joint management of county and district law libraries?

**YES/NO**

2) Do you support the central collection by LSUC of library fees from all members of LSUC to fully fund the operation of the county and district law library system?

**YES/NO**

3) After consultation with the profession do you agree:

a) The Law Society should designate one or more computer accounting programs which meet the Law Society's bookkeeping requirements:

**YES/NO**

b) The Law Society should designate which practice management software program, such as Case Management software, represents the "industry standard" for the profession.

**YES/NO**

c) The Law Society should negotiate for the profession and/or buy in bulk for resale to the profession at a discount.

(i) Hardware:

**YES/NO**

(ii) Software:

**YES/NO**

4) Should Benchers be compensated by an honorarium for time spent:

a) In Convocation (in excess of 10 days per year)

**YES/NO**

b) For Committee Days (in excess of 10 days per year)

**YES/NO**

c) For Discipline Hearings (in excess of 10 days per year)

**YES/NO**

d) To a predetermined, specified amount per year

**YES/NO**

5) In relation to Benchers' compensation, do you have any suggestion(s) as to the referendum question(s) that should be put to the profession during the forthcoming election. Please forward them immediately by separate fax.

6) Do you support the merger of CBAO and CDLPA as supported by MTLA?

**YES/NO**

7) Do you support an amendment to the Law Society Act empowering (but not requiring) the LSUC to collect membership fees for the merged organization?

**YES/NO**

8) If there is a demonstrated, cost-effective, timely, locally available delivery service to permit self-study and other means of qualification determined after consultation with the profession, might you be in favour of mandatory continuing legal education?

**YES/NO**