

 **Banack's Bencher News**

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Volume #2 Issue #5

January 27, 2000

CDLPA BUDGET: The Law Society has previously provided an annual budget to enable County and District Presidents to meet with the Treasurer, as provided by statute and to facilitate meetings of those representatives from across the Province. The Chair of CDLPA also attends a monthly meeting held by the Treasurer with other law associations that coincides with the monthly CDLPA Executive Meeting held in Toronto. In addition, the Law Society provided funding to assist the merger discussions with the CBAO. This year, CDLPA sought an increase in its budget from \$119,000.00 in 1999 to \$150,000.00. Law Society funding is in addition to the CDLPA revenue generated from its own membership which, for the past several years, has been approximately \$120,000.00 annually. A December motion to end the funding of CDLPA was adjourned to January. In the interim, Benchers received numerous letters from various County and District Presidents, supporting the increased budgetary request. These triggered a heated debate that questioned why this particular lawyers' association should receive funding while other organizations such as the Advocate's Society and CBAO do not. Convocation concluded that the proposal to eliminate the CDLPA funding at this stage was not appropriate and was inconsistent with Convocation's efforts to ensure that lawyers throughout the province may be properly represented. Accordingly, Convocation approved the CDLPA budget request for the current year in the amount of \$150,000.00, which will be reconsidered for the future, in the context of the LSUC strategic planning effort now underway.

BAR ADMISSION RESULTS: The pass mark for the recently completed Bar Admission Course examinations ranged from 56% to 65%. 350 students failed at least one examination. The overall passing rate was approximately 85% prior to the writing and marking of supplemental examinations. Although attendance is no longer mandatory in Phase Three, the recorded attendance ranged from 75% for Civil Litigation to 52% in Business Law.

LAWYER FUND FOR CLIENT COMPENSATION: The Fund exists to address losses suffered by clients as a result of dishonesty on the part of their lawyer in connection with his/her law practice. We each pay a contribution of \$210.00 to the Fund through our annual dues. In recent years, the annual claims cost has been in the range of \$4 million. However, because of an effort to clear old outstanding claims, fund payments for 1999 exceeded \$6 million. The number of open claims has been declining since 1997 and new claims are coming in at a slower pace than they have in the past. Hopefully, if

this favourable claim experience continues, our annual contribution to the Fund may soon be reduced.

INSURING MDP'S: Any non-lawyer partner of a multi-disciplinary practice must be insured by LPIC to the same primary level of coverage that lawyers are required to maintain.

LAWYERS FEED THE HUNGRY PROGRAM: The Annual Membership Fees Invoice now permits us to make a voluntary tax deductible contribution to this program on a no cost basis to the Law Society. The money received will fund the once per week dinner, breakfast and bag lunch program maintained by volunteer lawyers at Osgoode Hall. Proceeds from the contributions will also be available to lawyers wishing to establish similar programs anywhere in the Province. If you have not sent in your fees, please consider making a donation.

BAR-EX (PREVIOUSLY KNOWN AS LAWYERS' WORKBENCH): Terranet has renamed Lawyers' Workbench as Bar-Ex. The initiative will permit lawyers to electronically obtain information and services as quickly and inexpensively as possible. After technological and business issues are addressed, the system will hopefully be fully operational in the near future. Visit the website www.bar-ex.com

ELECTRONIC SIGNATURES: As transactions and forms may now be completed electronically, it is essential to establish a mechanism by which the identity of an author of a transmission may be certified and relied upon by a recipient. The B.C. Law Society and Quebec Notaries already have an operational system. The Law Society has been working closely with Law Societies across the country to identify areas of consensus and determine if a joint effort can result in an effective and unified system across Canada. This is a matter of urgency because private, commercial providers are attempting to occupy the field as certifying authorities on a "for profit" basis. The majority of Law Societies in Canada agree that the exclusive right to signify the status of members must be retained by the regulator itself. A form of Ontario certification is already in existence in respect of electronic registration of documents that will be expanded with the forthcoming integrated justice initiative. Convocation has agreed in principle that the Technology Task Force proceed with the matter and return as soon as possible with a concrete proposal.