

 **Banack's Bencher News**

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**CEO REPORT:** Mr. Heins, in his new position as CEO, is in the process of reviewing the systems and structures at the Law Society. Once his assessment has been completed, we will hopefully see changes that improve the effectiveness of the organization. It is anticipated that Convocation will receive regular reports from the CEO in order that the profession will have a timely and complete understanding of Law Society operations.

**COMMUNICATIONS:** The Law Society has been attempting to improve communications. In particular, check out Lawyers Link which is the Law Society's members-only interactive newsletter, accessible from the Law Society's website. Unfortunately, the website otherwise leaves a lot to be desired. Hopefully, that will be improved with changes coming in the next several months. Recent feedback from lawyers disclosed a lack of awareness of Law Society programs. The Public Affairs Department has prepared a Members' Information Package containing detailed information relating to twelve program and service areas that may be of assistance to you. Information Packages are available for distribution at local or regional meetings by contacting the Law Society at 416-947-3319.

**COUNSEL FEES:** Convocation approved an increase in hourly rates for lawyers retained to provide outside counsel to the Law Society to maintain parity with amounts paid by LPIC to counsel in Toronto. The new rate ranges from \$120.00 for a lawyer at the bar less than three years to \$275.00 for senior counsel with more than twelve years' experience. There are guidelines in place for retaining and supervising outside counsel that are available for review from the Law Society.

**FAX FEEDBACK:** The last Bencher's bulletin invited a response in respect of issues facing us as a profession. Thank you for the many responses received. The most frequently reported problems were fee cutting, competition, insufficient revenue, increased complexity of the law, time and expense of the litigation process, and lack of civility in the profession.

It was interesting that these most commonly expressed concerns are beyond the legislative mandate of the Law Society, other than the number of lawyers in the profession. Most of the problems, if they are to be resolved, require intervention and representation by a strong unified advocate for the profession. However, many of the responses recorded support for Law Society CLE, improved

administration, LPIC and Title Plus.

**MULTI-DISCIPLINARY PRACTICES:** The Canadian Bar Association adopted a resolution from Ontario strongly supported by the Treasurer and other Benchers in attendance, requiring that a lawyer or lawyers must effectively control both the legal practice and business of the MDP. It is anticipated that lawyers can now capitalize on the opportunities of MDPs while preserving the core values of our profession.

**APPEAL PANEL:** The Honourable Sidney Robins, formerly of the Ontario Court of Appeal, has been appointed by Convocation as the Chair of the Law Society Appeal Panel replacing The Honourable John Arnup who has completed his term. The Appeal Panel hears appeals from decisions of Discipline Committees as the substance of such matters is no longer heard by Convocation.

**CALL TO THE BAR:** The February call to the bar resulted in approximately 1,100 newly minted lawyers in Ontario of which 54.5% were women. As a result of ongoing bar admission reform, students in the future will be able to complete the required education and articling period on a more flexible timetable than presently exists. Accordingly, in 2002, there will be the traditional call to the bar in February, 2002 and another ceremony in September.

**LAWYERS' COMPETENCE:** In the past year, there has been an extensive, multi-faceted consultation process within the profession to consider available alternatives for the implementation of the Law Society's new statutory competence mandate. Convocation considered the extensive report and debated its underlying principles and proposed approach. A continuum of professional development has been accepted in principle that includes practice guidelines, practice enhancement (voluntary self-assessment and voluntary peer assessment on a pilot project basis), continuing legal education, specialist designation and remedial components. There will now be further consultation with the profession concerning the proposed design of each of the components, including issues related to cost, flexibility, accessibility, affordability and timetable. It is anticipated that Convocation will consider those issues later this year. Now is the time for you to have a say in this matter. Please participate in the forthcoming discussions. You may review the report on the Law Society website or by requesting a copy from the Law Society.

**EXPENDITURES:** From the existing Osgoode Hall Capital Fund, Convocation approved budget expenditures in 2001 relating to technology of \$715,000.00 and repairs and maintenance to Osgoode Hall of \$2 Million. The technology expenditures are necessary to avoid obsolescence of existing hardware and upgrade the Law Society Computer Network to enhance the effectiveness of operations and interaction with the profession.