

# Banack's Bencher News #57

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**REFERENDUM:** The deadline for voting in the Bencher Remuneration Referendum is **7:00 p.m. February 28, 2005**. You received Referendum information by mail, but it can be reviewed at <http://www.lsuc.on.ca>. In 1999, 48% of the lawyers who voted, were against "some form of honorarium being paid to Benchers". 34% were in favour and 18% did not respond. Your vote is important in putting this issue to rest. If you are interested in my view, please click [http://www.koskieminsky.com/find\\_out\\_more/pdfs/BENCHER\\_REMUNERATION\\_REFERENDUM.pdf](http://www.koskieminsky.com/find_out_more/pdfs/BENCHER_REMUNERATION_REFERENDUM.pdf)

**CHIEF JUSTICE MCMURTRY:** The Law Foundation of Ontario Guthrie Award will be presented to the Chief Justice to reflect his life-long contributions to the legal profession and the community at large. The presentation will take place on March 1, 2005. All funds raised will go to the Roy and Ria McMurtry Endowment which is being created in their honour and directed to the charitable purposes of their choice. For inquiries, email to [guthrieaward05@www.lawfoundation-on.org](mailto:guthrieaward05@www.lawfoundation-on.org).

**ADMISSION TO THE BAR 2006:** The new licensing process for admission to the Bar has proceeded as planned. Over 1,700 lawyers have been involved in the development to date. The five week mandatory Skills and Professional Responsibility Program begins in May of each year and will be offered in Windsor, London, Ottawa and Toronto. In addition, two separate day-long licensing barrister and solicitor examinations will be offered three times per year. Examinations will be open book and questions will be multiple choice. The grading will be on a pass or fail basis. The examinations will be written during the articling term and candidates will have three years within which to complete and pass the examinations; that is to say, there will be nine opportunities to write each examination and achieve a pass score. Annual evaluations will be established for all components to ensure that the objectives of the licensing process are achieved. The government has confirmed that candidates will be eligible for OSAP. Detailed information can be found at <http://education.lsuc.on.ca/newlicensingprocess/home.jsp>.

**REFERENCE MATERIAL:** Remember, Law Society members have free on-line access to the updated 2004 Bar Admission Course reference materials in both English and French. They are available on-line, are fully searchable at no charge and may be accessed through the Law Society website.

**MONEY LAUNDERING:** Consistent with an initiative of the Federation of Law Societies challenging federal money laundering legislation, Convocation has amended the By-laws and the Rules of Professional Conduct. Lawyers are now prohibited from receiving \$7,500.00 (Cdn.) **cash** from a person in respect of any one client file. In addition, new record keeping requirements apply to any receipt of cash. Lawyers will now be held responsible and suspicions should be raised about the legality of any transaction for which a lawyer receives instructions.

**COMPLAINTS RESOLUTION COMMISSIONER:** The Law Society has appointed its first Complaints Resolution Commissioner since authorized to do so by the *Law Society Act* in 1998. Clare Lewis, Q.C. has been appointed to the position for a two-year term. He will be responsible for reviewing concerns about complaints which are closed by Law Society staff without formal discipline. He is also authorized to provide alternate dispute resolution for members, complainants and the Law Society. To learn more, go to [http://www.lsuc.on.ca/news/pdf/feb0705\\_clare\\_lewis.pdf](http://www.lsuc.on.ca/news/pdf/feb0705_clare_lewis.pdf).

**TSUNAMI RELIEF:** Convocation approved an expenditure of \$44,000.00 to be spent in Ontario for development, education and communication initiatives to assist affected communities. Translation costs comprise the largest portion of the approved budget. The main objective is to facilitate the provision of pro bono legal services to members of communities in Ontario which have been affected by the disaster.

**ACCESSIBILITY OF ONTARIO LAW SCHOOLS:** A comprehensive study released in October, 2004 was presented to Convocation in January. The study is available at <http://www.commonlaw.uottawa.ca/eng/news/access/Report.pdf>. The study assessed the impact of the deregulation of tuition for professional programs since 1997. Tuition at four of the five Ontario law schools had more than doubled and tuition at the other has more than tripled. In addition, all other related expenses (excluding tuition) have also increased.

**CONTINUING LEGAL EDUCATION:** In 2004, 72 Law Society CLE programs were attended by over 20,000 participants. This includes programs offered through the interactive learning network, teleseminars and webcast programs on Bar-ex. The total 2004 participation represents a continuing increase in programme attendance in each of the last four years.

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