

# Banack's Bencher News #65

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**CARLOS SOUSA • 1949-2006:** Carlos Sousa's passing on August 9, 2006 was a shock to all who knew him. As mentioned in the Law Society's Tribute at <http://www.lsuc.on.ca/news/a/archives/?i=10249>, he leaves behind his wife Natalia and two sons, Christopher and David. The dedication to his career was evident to everyone who knew him and he was well known at the Law Society. He began his career with the Law Society in 1978 in the maintenance department where he assisted the gardener and later became wine steward. These undertakings became his vocation and pride. Our condolences are with his family at this time of loss. We hope they know what a remarkable and lasting impression Carlos made on everyone he came in contact with at the Law Society. His absence creates an enormous void.

**NEW LICENSING EXAMINATIONS:** Convocation received a comprehensive report, including statistical data, qualitative input and recommendations for improving the process. It is significant to note that of the students who sat for the first writing of the examinations in June and July, 95.3% passed the barrister examination and 92.4% passed the solicitor examination. These results are consistent with the results in the previous Bar Admission process. There are two further sittings of the examinations in November 2006 and March 2007. Students have three years, or as many as nine sittings to achieve a passing score.

**PARALEGALS:** With the passage of Bill 14, the Law Society now regulates all legal service providers, including independent paralegals. The legislation, effective May 1, 2007, will require all paralegals to be licensed, insured and subject to regulation. Two paralegals will sit in Convocation thus affording them a formal role in the regulation of all legal service providers. The Law Society has identified seven Benchers to be appointed to the Paralegal Standing Committee once the Committee is established by Law Society By-Law.

**HEARING PANELS:** Bill 14 also expanded the ability of Convocation to appoint non-bencher lawyers to hear discipline cases.

**2007 FEES:** The bad news is that for 2007, there will be an increase in our total fees to \$1,601.00 which is up 6.1% or \$92.00 from last year. The good news is that with the \$100.00 reduction in the base LawPro insurance levy, the total cost of full-time practising members will decline by \$8.00 from 2006. The principal reason for the increase in our fees relates to enormous additional costs arising from the investigation and prosecution of cases, new programs to be implemented in 2007 and Law Society salaries reflecting employment costs within Toronto. For students, the licensing fee will increase from \$2,600.00 to \$2,750.00 which is only possible by reason of a contribution from lawyers in the amount of \$32.00 per member. Greater particulars and information concerning the 2007 budget can be obtained at the Law Society website <http://www.lsuc.on.ca>

**ADJUDICATOR CODE OF CONDUCT:** Convocation approved a code of conduct applicable to all Benchers as a guide to panels in their responsibilities as adjudicators. The Code is consistent with models applicable to other regulators and will provide a framework for the benefit of the profession and public to ensure that the Law Society's tribunal processes are consistent, transparent and fair. It is expected that the Code will be posted on the Law Society website for all to review.

**HUMAN RIGHTS VIOLATIONS:** The Law Society will send letters of intervention in respect of the cases of five members of the legal profession and the judiciary arising from the fulfillment of their legitimate professional duties. Those individuals reside in China, Tunisia and Sudan. Convocation also approved the establishment of a group of Benchers to be responsible for monitoring these human rights violations.

**PROFESSIONAL REGULATION:** With the approval of the budget, this division of the Law Society will continue to regulate the profession by responding to complaints, investigating and prosecuting regulatory matters and contributing to new regulatory policy and rules, particularly as they arise as a result of the licensing of paralegals. The Law Society continues to receive an ever-increasing number of complaints, investigations and discipline cases annually.

**LIBRARYCO INC.:** The approved budget for LibraryCo of approximately \$7.1 million is funded by a contribution of \$224.00 per member compared to the 2006 funding that required only \$219.00 per member.

**CONVOCATION REPORTS:** To review this month's Convocation Report, it can be found at [www.lsuc.on.ca/news/b/conv/](http://www.lsuc.on.ca/news/b/conv/)

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