

# Banack's Bencher News #77

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Larry Banack, Certified by the Law Society as a Specialist in Civil Litigation  
Member of the ADR Institute of Ontario

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**JUSTICE BONNIE WARKENTIN:** The public interest has been well served by the appointment of Bonnie Warkentin to the Superior Court of Justice, Northwest Region. Justice Warkentin was first elected as a Bencher in 2003. Justice Warkentin made enormous contributions to Convocation, including co-chairing the Emerging Issues Committee and the Retention of Women in Private Practice Committee. In June of this year, she had been appointed as Chair of the Finance Committee. We will miss her greatly and wish her well in this phase of her career.

**WILLIAM SIMPSON (OTTAWA):** As a result of the vacancy created in Convocation by the appointment of Justice Warkentin, Bill Simpson has rejoined Convocation on the basis of the votes cast in the last Bencher election.

**NEW LAW SCHOOLS:** Laurentian, Lakehead and Sir Wilfred Laurier Universities had all undertaken the process of seeking approval for the establishment of law schools. However, the Provincial Government has indicated that there will be no funding for such initiatives.

**LAWPRO PREMIUM:** Convocation approved a LawPro report rationalizing a base premium of \$2,450.00 per lawyer for 2009, being an increase of \$150.00 from last year. Lawyers should carefully consider the appropriateness of additional premiums for program options relating to varying the standard deductible of \$5,000.00 per claim, as well as increases in Innocent Party Coverage, reductions for restricted and part-time options, as well as the additional payments due for those intending to practise Real Estate Law. Once again, transaction levies paid by clients in respect of real estate and civil litigation matters significantly contribute to avoiding even larger premium increases. LawPro maintains a broad range of risk management initiatives, including a continuing legal education premium credit of up to \$100.00 per lawyer for pre-approved legal and other educational programs. Undischarged bankrupt lawyers are not eligible to purchase the real estate coverage option and therefore are precluded from the practice of that area of law.

**GOVERNANCE:** The Governance Task Force, meeting since May 2006, delivered its third report to Convocation. It sought approval for consultations on principles of governance for the Law Society with Benchers and key members and other stakeholders within the profession. The budget request to fund a facilitator to assist with those discussions had been turned down by the Finance Committee on the basis that an expenditure on consultations of this nature with the profession was not warranted. In 2007, Convocation adopted a report listing as one of the nine priorities of Convocation "Governance Structure". Benchers speaking with members of the profession are frequently confronted with the acerbic observation that Convocation is irrelevant and out of touch with the reality of the practice of law throughout the Province. Notwithstanding, Benchers engaged in a heated debate, surprisingly over the limited issue of whether there should be consultations to better understand and inform the work of the Task Force which might thereafter make recommendations to Convocation. By the end, the consultations were approved.

**LICENSING & ACCREDITATION:** Convocation received and adopted an important report from the Licensing & Accreditation Task Force. The latest attempt at reform of the Bar Admission Course pursues an integrated approach to professional responsibilities and practice training. Changes have been adopted to the pre-call requirements for the 2009/2010 licensing process and a new post-call professional development program will come into effect beginning June 2010. The Task Force recommends no substantive change to the current articling program. Recently expressed concerns of a crisis in the articling program compared to a freight train running down the tracks have been effectively derailed.

**NEW REQUIREMENT:** Remember that amendments to By-Law 7.1 which establish rigorous Client Identification and Verification requirements for Ontario's lawyers and licensed paralegals come into effect on October 31, 2008. Please view the complete notice on the Law Society's website.

**OLAP:** Convocation received the 2007 Annual Report from the Ontario Lawyers' Assistance Program. In 2007, OLAP assisted approximately 20% more lawyers than the previous year. Approximately 223 individuals were assisted. The Program is of enormous importance and can literally be a lifeline for lawyers in distress. If you are such an individual or know of a colleague, call Toll Free 1-877-576-6227. All contact with OLAP is completely confidential.

**CONVOCATION REPORTS:** All reports to Convocation can be viewed at <http://www.lsuc.on.ca/news/>. In order to more fully understand the issues facing Convocation, you may wish to review previous editions of Banack's Bencher News at [http://www.kmlaw.ca/publications/banacks\\_bencher\\_news\\_home.aspx](http://www.kmlaw.ca/publications/banacks_bencher_news_home.aspx).

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