Banack's Bencher News #88

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Governance: Fax Feedback

A completely unscientific poll of a random group of lawyers conducted between November 20, 2009 and December 3, 2009 in which respondents voluntarily replied (and not necessarily to all questions) by fax or email to Larry Banack, resulted in the following which was shared with Convocation:

1)

Q: TERM LIMIT: I think a person should be entitled to serve as an elected Bencher for:
(a) 8 years (b) 12 years (c) Indefinitely without limit (status quo)

A: (a) 8 years – 66 (b) 12 years – 34 (c) Indefinitely – 17

2)

Q: After governance reform, should the role of <u>former Treasurers</u> be limited to that of an Emeritus Bencher participating only in discipline matters and Law Society Committees?

A: YES: 94 NO: 27

3)

Q: After governance reform, should the role of <u>former Attorneys General</u> be limited to that of an Emeritus Bencher participating only in discipline matters and Law Society Committees?

A: YES: 100 NO: 21

4)

Q: After governance reform, should the designation of Life Bencher status (for elected Benchers who have served 16 years) be eliminated?

A: YES: 73 NO: 24

5)

Q: Should Convocation encourage the appointment of non-Bencher lawyers and paralegals and non-licensees to Law Society Committees?

A: YES: 61 NO: 59

Convocation debated these issues for over four hours. The discussion was heated, adversarial, pointed and displayed the best and worst aspects of the cut and thrust of parliamentary democracy. At the end of the day, after numerous motions and amendments were considered:

Convocation overwhelmingly voted in a Roll Call vote, the results of which you will be able to review in the future, that after governance reform, except for certain grandparenting provisions:

1) A person will only be able to serve as an elected Bencher for 12 years;

2) (a) the role of former Treasurers and Benchers with 12 years of service will be limited to that of an Emeritus Bencher participating in only discipline matters and Law Society Committees;
(b) the designation of Life Bencher status will be eliminated;
(c) the ex officio Bencher status of former Treasurers and Attorneys General will be ended.

These changes, requiring legislative amendment, constitute an important, progressive step forward for the future regulation of the Profession in the public interest.

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.

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