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2009 IN REVIEW

2009 was a challenging year. A number of important initiatives were undertaken:

- "Practice Tips" were published weekly in the Ontario Reports in respect of essential professional responsibility and practice management information;
- Retention of women: Locum Registry currently lists 46 lawyers who are seeking a locum position;
- Total registrations for continuing legal education programs declined by approximately 20% over 2008;
- A survey is being conducted of articling candidates and principals in 2009 in order to assess the revised Professional Responsibility and Practice Course which became available on-line to lawyer licensing candidates as of August 2009;
- A survey is being conducted within the profession to collect information about articling positions in order to assess the scope of the articling market and placements across Ontario;
- Mortgage fraud complaints have declined from approximately 5 per month in 2008 to about 2 complaints per month in 2009;
- Since 2001, 43 mortgage fraud prosecutions have resulted in 26 lawyers being disbarred or being permitted to resign; 16 were suspended and one had a lesser penalty imposed;
- Investigations in respect of unauthorized practice complaints have increased by over 28%;
- Conduct proceedings were initiated against 54 lawyers and 2 paralegals;
- A total of 107 files have been considered by the Hearing Panel and a total of 7 files have been considered by the Appeal Panel;
- The Compensation Fund paid, in the first nine months, approximately \$1.4 million on 59 claims. Multiple claims against a single lawyer have resulted in the payment of 24 grants with a further 61 applications under review, resulting in a reserve for those claims of \$2.8 million;
- Those called to the bar in June 2009 reported that only 57% of candidates had secured some type of employment in comparison with 65.7% for the preceding year;
- The parental leave assistance program resulted in the approval of 39 applications, 29 from women and 10 from men, providing a fixed sum of \$700 per week to eligible applicants for up to 12 weeks to cover expenses associated with maintaining practices during a maternity, parental or adoption leave;
- Over 28,000 lawyers have indicated an intention to e-file their 2009 Lawyer Annual Report and do not wish to receive a paper copy. This represents a significant increase over previous years; and
- The Treasurer's Civility Forum was undertaken by the Treasurer convening a series of 11 meetings across the Province, bringing local members of the judiciary together with lawyers and paralegals to raise awareness of the increasing incivility and unprofessional conduct occurring in courts, and law offices generally, to promote the engagement of practitioners to find ways to reverse the trend.

ANTICIPATING 2010

- January 1 - Lawyer Referral Service has continued to have a significant decrease in calls. The previously imposed \$6.00 administrative fee has been eliminated and callers are asked to dial a toll-free 800 line for free referral;
- February 26 - Deadline for filing nominations for the prestigious Law Society Medal, Lincoln Alexander Award and Laura Legge Award;
- March - The first paralegal election will be held and be conducted entirely on-line;
- April - The new Complaints Resolution Commissioner will take office; The long awaited trial of the *Law Society v. Ernst & Young, et al* is scheduled to begin;
- June - A Treasurer's election campaign will be under way in earnest shortly, resulting in a new Treasurer leading Convocation;
- July - Law Pro's premiums will increase significantly due to increased claims, declining investment returns and anticipated affect of the HST.

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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