

Banack's Bencher News #96

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Bencher Election – 2011 – Plan Now

OPPORTUNITY KNOCKS: The next Bencher election will be held in May 2011. Convocation has reviewed the election process to make it less expensive for candidates to compete. The 2011 Bencher Election materials will be distributed electronically saving over \$200,000.00 in printing and distribution costs. Individuals may request written material. The Law Society will make available to candidates, at a cost through a third party provider, address labels and voters' email addresses of lawyers who gave permission for their email addresses to be used in that fashion. The coming election will provide a unique opportunity for new candidates. This will particularly be the case because it should be less costly to run for election, and most importantly, because a number of incumbent Benchers will not seek re-election voluntarily or as a result of the newly instituted term limits. A change in the composition of elected Benchers is essential for a vibrant and effective self-regulating body. There will be province wide information sessions during the upcoming months of December and January. Look for the dates in the Ontario Reports. Join in!

JOBS: The number of candidates in the licensing process continues to increase in dramatic fashion. This puts ever-increasing pressure on law firms to offer articling positions. An extensive survey was conducted in 2009-2010 to collect information about articling positions. About 95% of the firms in the Province participated in a telephone survey. An effort to secure additional placements was a significant failure. Although lawyers in the Province had strongly proclaimed the importance of the articling program, few additional firms were prepared to step up and offer new articling positions. With an ever-increasing group of applicants in the licensing process, the ability to sustain a viable articling process assuring all applicants of a position is becoming more doubtful. As Treasurer Pawlitza once said, "A freight train is coming down the tracks".

PRACTICE DEFICIENCIES: An extensive spot audit process and practice management review has disclosed a number of common issues creating risks for lawyers:

- i Absence of contingency planning and giving a Power of Attorney to another lawyer;
- i Lack of a written agreement or confirmation of retainer;
- i Failure to confirm client instructions in writing;
- i Failure to maintain dockets and to properly document discussions;
- i Failure to document and record dealings with prospective clients;
- i Failure to organize files and absence of office policies;
- i Not backing up and securing electronic data.

For help in any of these areas, visit the Law Society – The Knowledge Tree, the Succession Planning Toolkit and read the e-bulletin resources that have been published since 2004 providing important, timely information.

SUCCESSION PLAN: The C.B.A. has distributed a great article we should all read:

www.cba.org/cba/practicelink/solosmall_people/successionplan.aspx

Public Education Series – Mark Your Calendars:

Nov. 9, 2010 - Canadian Association of Black Lawyers Fall Seminar	Apr. 27, 2011 □ Holocaust Memorial Day
Nov. 16, 2010 □ Louis Riel Day	May 24, 2011 □ Asian & South Asian Heritage Month
Feb. 8, 2011 □ Black History Month	June 8, 2011 □ Access Awareness-Disability Issues & Law Forum
Mar. 2, 2011 □ International Womens Day	June 16, 2011 □ National Aboriginal Day
Mar. 29, 2011 □ Rules of Law Series	June 23, 2011 □ Pride Week

In Memoriam - Laura Legge - January 27, 1923 to October 5, 2010

Mrs. Legge will always be a revered treasure of the Law Society. First educated as a nurse, she attended Osgoode Hall Law School and was called to the Bar in 1948. She became the first woman elected as a Bencher of the Law Society in 1975 and made history when elected the first woman Treasurer in 1983 and was re-elected in 1984 and 1988.

In addition to a busy practice with commitments to the Law Society, the profession and her family, Mrs. Legge supported numerous community programs. Mrs. Legge was acclaimed by our profession with many significant honours and in 2003, was awarded Ontario's highest civilian award, The Order of Ontario. Laura Legge remained an active participant at Convocation throughout this year.

She will be deeply missed.

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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