

# Banack's Bencher News #99

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## **Voting Deadline: Tomorrow -- April 29th at 5:00 p.m.**

is your deadline to vote in the current, important Bencher Election. With many incumbent Benchers not seeking re-election, there are numerous opportunities for new candidates to fill those vacancies and potentially replace previously elected Benchers.

**ONLY 12,567 LAWYERS HAVE VOTED OUT OF 42,000**

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**WILLIAM KAPLAN:** Mr. Kaplan was elected by Convocation on February 24, 2011 to fill the vacancy arising as a result of the appointment of Glenn Hainey as a Judge of the Superior Court of Justice of Ontario. Mr. Kaplan has brought a fresh, insightful perspective to Law Society deliberations. Unfortunately, he is not a candidate in the current election.

**NEW LAW SCHOOLS:** We have not had a new law school in approximately 30 years. Canadian Law Societies previously delegated to the Federation of Law Societies of Canada responsibility to consider new law program applications and make recommendations on whether they should be approved. The Federation Committee considered requests to initiate Law Degree Programs at Lakehead University, Thunder Bay and Thompson Rivers University in British Columbia. The Law Society approved the Committee's recommendations so that recipients of common law degrees from those institutions will be able to apply for admission to our Law Society. The schools still require governmental authority for the programs. Beginning in 2012, Lakehead plans to admit 55 first year students with a full time teaching faculty of 7, including the Dean. The initiative is intended to provide Northern Ontario with access to a Canadian law school, emphasize working with Aboriginal people, redress declining participation in small law firm practices and provide an educational focus related to the resource-based Northern Ontario economy. The program will contain a unique opportunity for cooperative work-study placements. An expressed concern is whether the Northern Ontario Bar can provide the necessary annual articling and cooperative work placements without putting in jeopardy the Law Society's current requirement of an articling term before students can be called to the Bar.

**LAW COMMISSION OF ONTARIO:** In November 2009, the Law Commission of Ontario launched its review of the *Provincial Offences Act*. Its interim report was released in March 2011. The full report, as well as the background consultation papers, are available at <http://www.lco-cdo.org/en/content/provincial-offences-act>. Convocation approved a response to the interim report concerning two particular matters.

**LAW SOCIETY AWARDS:** The Law Society has announced the following 2011 recipients:

<b>LAW SOCIETY MEDAL AWARD</b>	Roderic Ferguson Cynthia Petersen	Alfred Mamo Carol Shamess	David Nahwegahbow Ronald Slaght
<b>LINCOLN ALEXANDER AWARD</b>	Stanley Tick		
<b>LAURA LEGG AWARD</b>	Fay Brunning		

**LICENSING EXAMS:** The licensing examinations are offered three times per year. Candidates have three years within which to complete the licensing process. Previously, candidates could potentially write each examination nine times in an effort to achieve a passing score, without any special permission. Then, if unsuccessful could reapply to repeat the three year cycle again. Most other Provinces only allow a candidate an opportunity to attempt to rewrite the exam on two occasions. British Columbia permits three. Convocation has decided that beginning in 2012, lawyer and paralegal licensing candidates be limited to writing each licensing examination a maximum of only three times during the permitted three year period. However, an application can be made to the Director, Professional Development and Competence, for permission to make a fourth attempt.

**CONTINUING PROFESSIONAL DEVELOPMENT:** We must now annually participate in and report to the Law Society 12 hours of CPD. The requirement was imposed after years of debate and consultation with the Profession. However, some aspects of the program will be reviewed. For example, prepaid programs or webcasts that are missed by a lawyer due to a professional obligation have given rise to complaints that interactive learning is a necessary requirement and that self-study activities are not eligible. Criticisms have also been made in respect of the time, effort and expense of Law Society status letters recently mailed to the Profession. These and other concerns will be considered in an assessment undertaken after there has been a sufficient opportunity to monitor the requirements. Hopefully, that will begin as soon as possible but not likely before 2012.

**CONVOCATION REPORTS:** Convocation Reports can be viewed at <http://www.lsuc.on.ca>.

To review previous editions of Banack's Bencher News at <http://www.kmlaw.ca/publications>

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