



## DISCIPLINE - HOW LONG IS TOO LONG?

It is now taking longer than in the past, to investigate complaints. Simply, the Law Society is not processing matters as quickly as the intake of complaints. In addition to the investigation time, a practitioner must then endure the additional time required to process a discipline proceeding through a hearing by the Discipline Tribunal. For a member subject to the process it is excruciatingly long and for the public to observe the delay can be enormously frustrating. Although there are many recognizable and perhaps understandable reasons for the cumulative delay, the Law Society must devise alternate strategies and devote necessary resources to achieve timely outcomes.

Undoubtedly this is a live issue on the radar of senior management who will wrestle with the problem and propose achievable standards so that both the profession and the public will continue to have confidence in the self-regulatory discipline process. It must be recognized that our members while subject to the lengthy discipline process, and are "presumed innocent", suffer significant personal and professional consequences. For more detail see the reports of the Professional Regulation Committee to Convocation in December, 2015 and January, 2016 at [www.lsuc.on.ca](http://www.lsuc.on.ca).

**STRATEGIC PLANNING:** Benchers have now established for themselves an ambitious agenda of priorities intended to be addressed by 2019. The top objective is to establish the Law Society as a leading, organizationally effective regulator. Lifelong competence and enhanced access to justice have also been identified as goals. The hard work now begins with the development of time lines and potential costs that will require Convocation approval. Benchers will have to be diligent to ensure the planning focus is not lost.

## **CONSULTATION: COMPLIANCE BASED ENTITY REGULATION**

Convocation established a Task Force to study and make recommendations on options for professional regulation that focus on the entities, or organizations through which lawyers and paralegals provide legal services. This approach represents a sea change from the current model which only targets individual practitioners. The Task Force has created a gold standard, comprehensive, consultation process seeking input on options for a proactive approach to regulation intended to serve the public interest by helping lawyers and paralegals improve practice standards and client service. A consultation paper (at [www.lsuc.on.ca](http://www.lsuc.on.ca) ) and early Law Society reports provide background information and set out a series of issues and related questions for consideration and comment. Submissions are due **by March 31, 2016.**

At this early stage, I can assure you that very few of us understand what is contemplated by the proposals whose stated objective is promoting better legal practice or, the consequences, if the changes radically alter the regulatory reach of the Law Society.

On Monday February 8, 2016 between 5:00 p.m. and 7:00 p.m. the Law Society is offering a free informational webcast to provide lawyers and paralegals with an opportunity to learn more about compliance-based entity regulation and to ask questions of Task Force members.

**It is necessary to register for the webcast offered in both English and French.**

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As well, free Consultation Rooms are available at no charge for client consultation and/or trial preparation. To book contact: [refstaff@lsuc.on.ca](mailto:refstaff@lsuc.on.ca).

## LAWPRO DATES to save money. Last date:

February 5 - qualify for \$50.00 early payment discount

September 15 - claim up to \$100.00 CPD credit for 2017

November 3 - be eligible, if approved, for \$25.00 e-filing discount for 2017

For more information visit: [www.lawpro.ca](http://www.lawpro.ca)

**LAW COMMISSION OF ONTARIO:** It has released a very important Interim Report on Legal Capacity, Decision Making and Guardianship for public consultation. Input is sought from the public and the profession to assist in shaping a Final Report by 2017. The project's analysis and draft recommendations build on the Commission's previous work involving aging and disabilities.

Contact Law Commission: <http://www.lco-cdo.org/>

**CDLPA:** The County & District Law Presidents' Association has renamed itself as the Federation of Ontario Law Associations ("Associations"). The Associations receive significant financial support from the Law Society and represent those lawyers across Ontario who are members of their Local Law Associations. It remains difficult to understand why our profession pays, through Law Society dues, significant amounts to support the Associations but does not do likewise for the financially independent Ontario Bar Association that seeks to be the voice of the profession with extensive service offerings. Perhaps there will be a time when the Associations must be financially self-sustaining if the lawyers of the local Law Associations wish to continue to be represented by them.

**LAW SOCIETY PORTAL:** Changes mean that we now must regularly check the Documents section of our Portal Accounts for important reminders about administrative obligations that are posted. The revised Portal with improved security options should make use easier. Stay tuned.

## BLACK HISTORY MONTH CELEBRATION 2016:

**February 9, 2016**    *The Illegal: An Evening with Lawrence Hill discussing his newest book*

Presentation: 5:30 - 7:15 p.m. in the Lamont Learning Centre or via simultaneous webcast.

Reception: 7:15-8:30 p.m. in Convocation Hall.

## LAW SOCIETY DEADLINE:

2015 Annual Reports are due March 31, 2016, and must be filed through the LSUC Portal at <https://portal.lsuc.on.ca>.

Lawyers and paralegals who fail to file their annual report by May 30, 2016, will be charged a \$100 late fee and be subject to administrative suspension.

Questions about the annual report should be directed to [bylawadmin@lsuc.on.ca](mailto:bylawadmin@lsuc.on.ca) or by calling By-Law Administration Services at 416-947-3315 or 1-800-668-7380, ext. 3315.

## ANNUAL GENERAL MEETING:

Plan to come on May 11, 2016 at 5:15 p.m. at Osgoode Hall.

**NEW PRACTICE COACH AND ADVISOR:** Convocation has approved a new initiative, estimated to cost \$250,000 in 2016, to help the profession with short term advice on file specific matters and longer term coaching to foster best practices. The voluntary initiative will be implemented through a new coach and advisor unit. The initiative will initially focus on a number of identified communities in need of the support. Participants will be able to claim all 12 required CPD hours.

**WEBCAST:** Watch Convocation at your convenience through the archive on YouTube. In addition, the Law Society posts various past programs that are a rich resource on a variety of informative topics.

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