



### A PENNY SAVED:

Treasurer Schabas wisely cancelled January Convocation because not enough policy work had been developed to warrant the cost of assembling Benchers from around the Province. Convocation routinely meets 8 or 9 times per year.

### A PENNY NOT EARNED: Referral fees

Benchers considered a report of a working group which had issued a call for feedback that closed in September and studied the issue of referral fees. Two alternate policy proposals were considered: prohibit referral fees or impose a monetary cap with transparency measures for client protection.

It was concluded that the prohibition of referral fees would not reduce total fees nor enhance client protection. In deciding to maintain referral fees, with a monetary cap, it is believed that clients' best interests are served by facilitating introductions to qualified lawyers best able to handle a matter. The working group will return to Convocation with recommendations as to an appropriate cap and additional means of enhancing the transparency of the referral fee system to protect clients. Stay tuned.

## ADVERTISING & FEE ISSUES:

Well before the press began pursuing the area, the Law Society formed a strategic priority team to investigate and where required, prosecute in the area of advertising and referral fees. By the end of 2016 about 90 cases were under active investigation. Since last June, a working group has been examining issues of advertising and marketing that may be false or misleading and fees that are not transparent.

As part of a timely and focused response to these issues Convocation has approved amendments to the Rules of Professional Conduct regarding advertising. It will now be required that advertising by a licensee disclose the type of license held. In respect of the type of awards and honours that may be advertised further guidance will follow. Finally it was decided to prohibit advertising the availability of "second opinions" which can be considered as misleading when it is intended to attract clients already represented by counsel to merely switch firms. More work is needed in this area to maintain public confidence in our ability to regulate the profession in the public interest.

## HUMAN RIGHTS AWARD:

A ceremony was held in the Lamont Learning Centre on February 22<sup>nd</sup>, to celebrate the Human Rights contributions made by Cindy Blackstock, PhD and human rights defender Waleed Abu al-Khair.

## BLACK HISTORY MONTH PROGRAM FEBRUARY 28, 2017:

***From Activism to Legislation: Black Heroes of the Canadian Civil Rights Movement*** - Join the Canadian Association of Black Lawyers and the Law Society of Upper Canada for their annual Black History Month program. This year's program will feature an interactive panel to focus on the legislative history of the Ontario *Human Rights Code*, and the history of Black civil rights activism within Canada. Join the **Panel Discussion** from 5:30 - 7:15 p.m. in the Lamont Learning Centre with a reception to follow. This program is also available as a live webcast by prior registration.

## INTERNATIONAL WOMENS DAY PROGRAM MARCH 9, 2017:

Join The Law Society, the Barbra Schlifer Commemorative Clinic, the Women's Legal Education and Action Fund (LEAF), the Women's Law Association of Ontario, and the Women Lawyers Forum of the OBA for a panel discussion about the challenges facing women running for, or serving in elected office in Canada. The **Panel discussion** will be in the Lamont Learning Centre from 5:00 p.m. to 6:30 p.m. with a reception to follow. This program will also be available as a live webcast.

## LAWPRO LEVIES:

April 30<sup>th</sup> is the date transaction levies must be paid or exemption forms filed from lawyers not practicing civil litigation and/or real estate in 2017.

## ANNUAL GENERAL MEETING:

The Law Society AGM will be Wednesday May 10, 2017 at 5:15 p.m. at Osgoode Hall. Plan to attend or join by webcast.

## PRESSING ETHICAL AND PRACTICE MANAGEMENT ISSUES:

For guidance contact the Law Society at 416-947-3315 and ask to be connected to the Law Society's strictly confidential [Practice Management Helpline](#) available Monday to Friday 9am to 5pm. The Practice Management Helpline responds to most inquiries within one business day.

## 2016 COMPLAINT TRENDS:

As in the past, sole and small firm practitioners (up to 5 lawyers) receive the largest number and proportion of complaints (74%). Most of the new complaints are service related issues (50%), followed by integrity issues (46%), governance issues (17%), financial issues (10%) and conflict issues (8%). Civil litigation is the area that receives the highest proportion of new complaints for lawyers.

## SOCIAL MEDIA:

In 2016 the Law Society implemented a strategic plan to market content through social media. Its Facebook page had 3,785 likes, 8,108 follow us on LinkedIn and over 10,000 Twitter followers. For example, the recent launch of the Coach and Advisor Network was announced on Twitter and LinkedIn.

Hopefully continued targeted messaging on timely topics will increase engagement of lawyers in matters of significance to the profession. Who knows, but in time perhaps social media will overtake and replace this newsletter?

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