



LAW SOCIETY DISCIPLINE PROCESS:

In the past year, we have seen evidence that more complaints are handled through a triage process resulting in fewer matters being referred to investigation. About 50% of all complaints made relate to service issues in traditional areas of civil litigation, matrimonial and real estate practice areas. Sole practitioners are the subject of a significantly larger proportion of complaints than other lawyers. Through great effort there has been a dramatic decrease in the backlog of investigations. In 2016 the Proceeding Authorization Committee authorized that 204 matters proceed, of which 169 were directed toward a discipline hearing. The time required by members of the hearing panel has been reduced by 40% and a smaller number of appeals were initiated. Although the number of fraud investigations is at the lowest level since 2011 there were still 29 mortgage fraud investigations undertaken last year. In recent months, many new initiatives were implemented to better manage electronic data and enhance the investigation and hearing process. The Law Society has made significant strides in professionalizing the complaint, investigation and hearing process.

COMPENSATION FUND ALERT:

There is now a deficit of \$3.3 million in the Fund. The current balance of \$9.5 million is below the minimum level of \$13 million required by Convocation policy. There have been significant grants made as a result of recent major condominium defalcations. The Fund will be closely monitored as current policy allows for a three year period within which the minimum level can be restored.

LAW SOCIETY EQUITY INITIATIVES:

Pride Month celebration

Thursday, June 1, 2017

Participate with the Law Society of Upper Canada and the Sexual Orientation and Gender Identity Law Section of the Ontario Bar Association for this annual program featuring a panel discussion on the Just Society Report released by Egale Canada in 2016, as well as a networking reception.

Panel Discussion: 5:15 - 7:15 p.m. in the Donald Lamont Learning Centre and as a live webcast

Reception: 7:15 - 8:30 p.m. in Convocation Hall
Osgoode Hall, 130 Queen St. W., Toronto

The UN Convention on the Rights of Persons with Disabilities: The View from Canada

Tuesday June 6, 2017

Join ARCH Disability Law Centre and the Law Society of Upper Canada for a thought-provoking conversation about using the UN process to advance disability rights.

Panel Discussion: 4:00 - 6:00 p.m.*

Reception: 6:00 - 8:00 p.m.

Osgoode Hall, 130 Queen St. W., Toronto

Both portions of the program will take place in the Donald Lamont Learning Centre.

*This portion of the program will also be available as a live webcast

If you are interested in attending either of these programs, please RSVP to:

equityevents@lsuc.on.ca | 416-947-3413 | 1-800-668-7380, ext. 3413

REFERRAL FEES:

In February, Convocation decided to impose a monetary cap on referral fees and introduce transparency measures to protect consumers of legal services. The Law Society has now imposed a sliding referral fee cap from 15% (up to fees of \$50,000 which represents about 2/3 of all personal injury claims) to an absolute cap of \$25,000. Upfront payment of referral fees is prohibited prior to the delivery of paid legal services. The regulatory effort is designed to ensure transparency and compliance. This is all about clients having complete information and control concerning the referral agreement. Lawyers will have an obligation to annually report referral conduct and have enhanced requirements for books and records retention including disclosure of referral fees received. This protocol will not apply to pre-existing, enforceable referral agreements.

PARALEGALS 10 YEAR ANNIVERSARY:

As a culmination of extraordinary effort of former Bencher Bill Simpson, May 1, 2007 was the legislative implementation date from which paralegals became licensed. Since that date they have been recognized as important contributors to the provision of legal services in Ontario. There are now 8,311 paralegals licensed by the Law Society. There is a sharp divide within the profession and public as to the future scope of paralegal practice in the wake of the recent report by Justice Bonkalo recommending that a partial answer to the deluge of unrepresented litigants in Family Court can be addressed by extending the rights of paralegals to representation of clients in that venue. The Law Society and Attorney General are considering the results of a public consultation before determining a course of action.

LAWYERS FEED THE HUNGRY PROGRAM:

This important outreach program by the profession that began in 1996, under the leadership of the late Marty Teplitsy, supports our communities in Toronto, Barrie, Ottawa, London and Windsor. The program has been very well managed in moving toward self sufficiency thus reducing dependency on Law Society funding. I suggest you consider supporting the initiative by visiting www.lawyersfeedthehungry.ca.

LAWPRO YEAR IN REVIEW:

Over 26,000 full time Ontario lawyers are the beneficiaries of a well run, successful insurance company. The Law Society's equity as sole shareholder of LAWPRO increased by \$15.4 million in 2016.

AGM:

The webcast annual meeting was held on May 10th. The vexing problem of the scope of paralegal practice was raised by Notice of Motion that was discussed but tabled.

AWARDS SEASON:

The 2017 Law Society Medal recipients are:

- **Patrick Case**, Guelph
- **Larry Chartrand**, Ottawa
- **Sarah E. Colquhoun**, Thunder Bay
- **Michael Eizenga**, Toronto
- **Marie Henein**, LL.B., LL.M, Toronto
- **Joanna Radbord**, Toronto
- **Gary Yee**, Toronto

LINCOLN ALEXANDER AWARD: Thora H. Espinet, Toronto.

LAURA LEGGE AWARD: Breese Davies, Toronto.

WILLIAM J. SIMPSON DISTINGUISHED PARALEGAL AWARD: Dena D. Castro, Hamilton.

J. SHIRLEY DENISON AWARD: Grace Alcaide Janicas, Sault Ste. Marie.

2017 HONORARY LLD RECIPIENTS ANNOUNCED:

The following will be receiving the degree of Doctor of Laws, honoris causa (LLD) at this year's Call to the Bar ceremonies:

- The Honourable Mary Jo Nolan
- Thomas G. Conway
- The Honourable Juanita Westmoreland-Traoré
- Sheila Watt-Cloutier
- Dr. John Borrows
- The Honourable George R. Strathy, Chief Justice of Ontario

I am sending this public service newsletter to you at the email address you provided or published, as permitted by Canada's Anti-Spam Legislation. If you no longer wish to receive it please "Unsubscribe" below.

**Larry Banack
Banack Resolutions, Inc.
Bay Adelaide Centre
333 Bay Street, Suite 900
Toronto, ON M5H 2T4
email: larry@banackresolutions.com
Phone: (416) 477-6880**