



ERROR: RYERSON UNIVERSITY

My current newsletter sent today contained an error for which I apologize.

The Ryerson proposal, as presently framed, does NOT contemplate that its placement in third year will obviate the need for experiential training in licensing. Ryerson has not said that nor has it indicated that it will be seeking such accreditation which was sought by and was granted to Lakehead University law school.

That reference was my mistake. I am sorry.

THE GOOD, THE BAD AND THE UGLY? YOU CHOOSE....

ANOTHER NEW LAW SCHOOL:

Convocation approved a recommendation of the Federation of Law Societies for Ryerson University to proceed with a common law degree program. Tuition fees are projected to be \$20,000 per year. Ryerson still must receive support of the Province and secure escalating funding in the coming years. Admission requirements are said to be comparable to other law schools. It is expected that the third year of the course will include a professional placement to obviate the need for traditional articles similar to the program at Lakehead University. The expansion of another law school may allow many students presently leaving Canada to pursue their legal education in Ontario. Despite enormous access to justice problems which we are now alert to, if there is an increased number of qualified lawyers the employment market for new graduates may grow more bleak than it is currently. Students must beware and be informed before committing to a legal education if they wish to pursue the traditional, private practice of law. However, a legal education remains a great base for other interesting and challenging pursuits.

SPENDING YOUR MONEY:

As a follow up to the Law Society name change approved in November, 2017 Convocation has now approved a communications awareness campaign. In order to enhance public awareness of the profession and engage lawyers in the process, there will be an advertising, public relations, information sharing and a social media campaign. The goals are to reinforce the relevance of the Law Society to Ontarians and elevate its reputation across stakeholder groups. Hopefully the program will enhance the public's perception of our professionalism, responsibility and respect for lawyers. The cost of the initiative is included in a \$900,000 budget that had been set for strategic communication initiatives. It will be very difficult for the profession to judge if it gets value for this enormous amount of our money.

STATEMENT OF PRINCIPLES:

A group of lawyers using the website stopsop.ca have created a platform for information sharing and to voice dissent to the requirement that Ontario lawyers confirm their individual adoption of a statement of principles in our Annual Return. The question requiring response by March 31st requires a yes or no answer. There is a provision for an explanation if a lawyer chooses to answer in the negative. This site is an interesting one that you should consider before completing your Annual Return for the content it provides and to give you an opportunity to join 924 other lawyers (so far) proactively disagreeing with the Law Society initiative.

GOVERNANCE:

A Task Force has been working since 2016 to achieve greater transparency, inclusiveness, effectiveness, efficiency and cost-effectiveness of Law Society operations at the level of Convocation. Reducing the size of Convocation and Committees is likely a given. By the Fall there should be concrete proposals tabled for consideration to improve how the profession will be governed for years to come. This is a most important initiative undertaken to implement long needed change. Greater attention must be given to who gets to be a Benchers. Diversity in Convocation must recognize young or early lawyers, students, law professors and those in alternate practice environments perhaps even through a diverse appointment process rather than just the traditional election regime. Hopefully sufficient time and broad consultation will be undertaken to ensure changes are timely and meaningful. To understand the order of magnitude of the work undertaken by Benchers, in 2017 there were 20 committees with 140 meetings, 11 working groups with 65 meetings and 3 task forces with 18 meetings. In addition many Benchers devote time to the discipline hearing process and other Law Society duties. It is an enormous but rewarding task. Consider running for election in 2019 and watch for coming reforms of how Benchers are to be compensated for their efforts.

COACH AND ADVISOR NETWORK:

In 2017, there were 550 requests for time with a coach or advisor which were addressed by 190 volunteer lawyers and paralegals. Top requests for assistance include opening a practice, client service, financial management and substantive and procedural client inquiries. This is great Law Society resource for you to access. Check it out at www.lsuc.on.ca.

COMPETENCE:

Recent experience found that from over 2000 practice audits approximately 31% of lawyers and 56% of paralegals did not meet standards of professional competence. The most common deficiencies arose from Powers of Attorney, business arrangements, use of retainers, contingencies, conflicts, phantom clients, key dates and books and records. These failures all require follow-up to increase compliance. Enormous attention and resources must be devoted to improve these results without delay.

The highest percentage of new complaints arise from lawyers in private practice for more than 40 years while lawyers with under 5 years in practice receive significantly fewer complaints. Most complaints received relate to service, integrity, governance, financial and conflict issues.

March 20, 2018 - CONTINGENCY FEES

This is the deadline for comments concerning the proposed Mandatory Standard Contingency Fee Agreement, Guide for the Public and Rule Amendments. These broad reforms are intended to look like they protect access to justice and safe guard against unscrupulous practices and unreasonable fees. However, many lawyers consider them to be overreaching in extending protection to some groups that do not need it and interfering with

a lawyer/client relationship that is not justified. HAVE YOUR SAY. DON'T HOLD BACK. BE HEARD OR BE SATISFIED. Please reply online at www.lsuc.on.ca and copy your elected Benchers so they can be informed of your views.

March 31, 2018 - FILE YOUR ANNUAL REPORT

May 9, 2018 - ANNUAL GENERAL MEETING

The Law Society will hold its meeting at 5:15p.m. at Osgoode Hall. Please attend or join by webcast to view the meeting online.

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**