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## **BANACK'S BENCHER NEWS #13**

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October 29, 1997

**A DIFFERENT WIND IS BLOWING THROUGH OSGOOD HALL:** The election of our new Treasurer has brought to the Law Society a different style of leadership. It is too early to assess the effect of the change. However, from a Bencher's perspective, I am being pressed to address more exciting and innovative thoughts which will hopefully result in improvements that can build on changes implemented in the last two years. For example, the Treasurer has changed the chairs of some of the important committees and has given various individual Benchers particular "one off" assignments to accomplish specific goals. Presumably, the idea is that direct assignment to a particular job will allow the designated Bencher to keep his/her eye on the ball and ensure progress on various issues that might otherwise have been lost in the bureaucracy of committees which may only meet once a month and not usually in December or through the summer.

While the initial change in style is easy to recognize, I believe that there will be numerous effective, substantive advances that are brought to fruition in the next two years. As an aside, it is not only the change in Treasurer which has occurred. In fact, it appears to me that the initial enthusiasm of the Benchers, many of whom were newly elected in May, 1995, has waned. At the outset, virtually all Benchers attended all Committee Days, special and regular Convocations, other meetings and, of course, discipline hearings. The initial high level of involvement has declined, perhaps because of the enormous time required and the pressure to serve clients, leaving a smaller core of individuals to handle a larger number of tasks. Except for the workload for some Benchers, this may not be all bad, as those who do attend and participate are, in fact, dedicated and get the job done to the extent possible. Maybe you should consider running for election in 1999.

**LEGAL AID:** Robert Armstrong has been given the job of handling this issue. It remains particularly difficult because the Memorandum of Understanding expires in 1999 and the recent McCamus Report recommended the creation of an independent body to manage Legal Aid, should it be permitted to survive in the future.

**CLIENT COMPENSATION COMMITTEE:** Since 1990, only \$1.00 per year of our membership dues was contributed to the Fund for client compensation. However, a recent actuarial investigation disclosed that the artificially low level cannot maintain the long-term viability of that Fund. An increase in our contribution to the Fund will be determined when budgeting is completed in November.

**\*\* SELF-REPORTING BY LAWYERS OF ANNUAL FINANCIAL CIRCUMSTANCES:** The current financial reporting to the Law Society is cumbersome and expensive when the vast majority of members are honest and maintain their books in accordance with Law Society regulations. Convocation has (subject to approval of the Attorney General and a Regulation change) approved a self-reporting model, eliminating the current role of a public accountant and permitting us to make necessary filings ourselves. It is expected that every lawyer may thus save a significant amount annually. However, to ensure compliance with the Regulations, Law Society audit teams will conduct spot audits to ensure the maintenance of books and records as required.

**LEGISLATIVE AMENDMENTS:** You will recall that last year the Government was given a series of statutory amendments sought by the Law Society in order to improve its functioning as a regulator. Those amendments have not yet been approved by the Government, however, discussions have been ongoing and there remains hope that they may yet be finalized by the Spring of 1998.

**CONTRACTING OUT:** The Law Society is now tendering for outside services such as mail room and printing for implementation in 1998. It is anticipated that existing Law Society staff will be reassigned to the new operation.

**BILLING CHANGES:** Convocation approved a report to provide for an early payment/discount plan (which will result in little or no discount after administrative costs are built in), monthly payment options, credit card payments and a special assistance fund as key improvements to member services. Hopefully, these changes can be implemented quickly.

**ELECTRONIC FORMS FILING:** A new E-mailing form has been developed for Member Information which will hopefully be available for use beginning in December, 1997. Efforts are being made to coordinate form filing between the Law Society and LPIC in order to create "one stop filing" and reduce our office administration cost.

**ARTICLING PLACEMENT:** Placement rates have remained in the range of 98-99%. However, the unemployed students are often those from visible minority and/or disadvantaged groups whose situations must be improved if the Law Society is to succeed in its Bicentennial Diversity Program. Current information discloses that the number of students being hired back by their articling employer continues to be around 40% of the graduating class.

**CONTINUING LEGAL EDUCATION:** New initiatives are being examined in light of the post-call learning report adopted by Convocation in January. However, a recent, exciting innovation results from a partnership with the University of Western Ontario that has generated on-line (internet) courses on dispute resolution and negotiation. The programs provide the obvious benefits of allowing learning at times convenient to lawyers, without concern for geographic location and hopefully a considerable savings in time and money. The project will obviously be monitored closely as a potential model for other subject matters. As well, satellite, province-wide distribution of programs has become more cost-effective as demonstrated by the forthcoming Electronic Registration Program on November 10, 1997.

**COUNTY LIBRARIES:** The Law Society initiated a superb technological program to allow all practitioners cost-effective access to a broad range of publications that impact on the very face of our county libraries. Each library has been provided with a package of seven CD-Rom publications, appropriate PC's, CD-Rom towers and printers and librarians are being trained in their use. In addition, a two-year contract with Quicklaw founded by the Law Foundation will allow members to complete on-line searching free of charge in their own library using a personally assigned password.

**COMMUNICATIONS:** The re-vamped Law Society web site can be accessed at WWW.LSUC.ON.CA. For the six month period ending September 30th, in excess of 150,000 web pages were accessed by visitors to the site. You may wish to join the group to understand what is available and to complete the web site sign-in to allow you access to member-only functions and supply the Law Society with your own E-mail address.

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