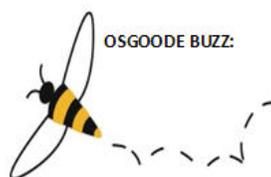




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SCHOOLS IN:

Convocation met on May 23rd for the first time following the recent Bencher election. Newly elected Benchers have participated in multi-day orientation sessions. The regular business of Convocation continued with many new faces at the table. The Treasurer recognized that the slate of elected Benchers opposed to the Statement of Principles will require a Convocation debate on the subject in the near future either at a Special Convocation or its regular meeting on June 27th.

NEWEST BENCHER:

Following the recent Bencher election, Malcolm Mercer as incumbent Treasurer no longer serves as an elected Bencher. Accordingly a vacancy was created among the 20 Benchers elected in Toronto, that has now been filled by Tanya Walker who will serve in Convocation for the next 4 years.

APPOINTED LAY BENCHERS:

The Government appoints 8 Lay Benchers who traditionally serve one or two terms of Convocation. The Government has now appointed 6 of 8 new Lay Benchers. The only re-appointed Lay Benchers are Gerald Sheff and Seymour Epstein. We thank departing Lay Benchers for their tremendous work on behalf of the public interest in Convocation, Committee and in discipline matters. We say good-bye to Gisele Chretien, Suzanne Clement, Jan Richardson, Baljit Sikand and Catherine Strosberg.

TREASURER'S ELECTION:

By the deadline, nomination forms were filed on behalf of Malcom Mercer (nominated by Isfahan Merali and Sidney Troister) and Chi-Kun Shi (nominated by Cheryl Lean and Murray Klippenstein). Accordingly there will be a 6 week contested election process culminating in a vote by Benchers in Convocation on June 27, 2019. Ms. Shi who received the third highest vote count amongst Toronto candidates is said to be supported by the slate of Benchers elected on the StopSop platform. Stay tuned to learn whether the recent election of a majority of newly elected Benchers will be sufficient to reverse the precedent by which presiding Treasurers are traditionally re-elected to serve a second, one year term. Stay tuned.

DISCIPLINE TRIBUNAL REPORT:

Convocation received a comprehensive report on the activities of the Discipline Tribunal. It has no back log of cases as it has closed about the same number of cases as were opened (149). The majority of cases heard were related to conduct. In 2018 there were 34 matters dealt with in writing which has reduced cost and inconvenience of parties. Only 5% of cases were adjourned on the day of the hearing. While this is a reduction from previous years, it still represents an enormous inconvenience and cost. It took about 193 days to get to a first hearing day and on average 348 days to completion. Thereafter most written decisions are released within 90 days but some extend longer in difficult or complex cases.

As compared to recent years 3230 adjudicator hours were devoted to the discipline process which is a significant reduction from 5 years ago. About 40% of the cases were heard by single adjudicators while 55% of the hearings were heard by 3 members of the Hearing Panel. All in all, the Tribunal process appears well run and is scrutinized by timely statistics considered by the Tribunal Committee. However, this Tribunal data does not incorporate the time taken within the Professional Regulation Division from intake through investigation to commencement of the proceeding. As a result of the separately reported work of two different Law Society divisions, lawyers can be subject to the discipline process for far too many years. Convocation needs to establish a policy target length for the entire process.

OSGOODE HALL COURT ROBINING ROOMS:

Historically the Osgoode Hall court house robing rooms are located in the Law Society premises and not the public court house. The current men's and women's robing rooms with preparation/meeting space are very different in size. Presently the men's robing room has 69 lockers with significant underutilized space. The women's robing room has 12 lockers. This of course does not reflect our profession's current 50/50 demographics and current law school cohorts of 65% women and 35% men. Having considered many factors including a recent petition and social media dialogue the Law Society CEO has made an operational decision to renovate the men's area to make it gender neutral and provide a common meeting area for all lawyers. Renovations to allow for enclosed private change areas are to begin in June. While some faith based groups may be offended by gender-neutral robing rooms, Convocation was not permitted to debate the underlying operational decision respecting 2019 views of equality and elimination of discrimination. Benchers have not considered whether the same principles apply to the separate locker areas made available to Benchers. The Convocation debate displayed the first schism among newly elected Benchers pushing back against the tension between operational process and policy. More to come.

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