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### **CERTIFIED SPECIALIST PROGRAM:**

In May, Convocation acted precipitously and without consultation with the profession to peremptorily wind up the decades old program as of December 31, 2022. Many lawyers felt blind-sided and poorly served by those Benchers who favoured the decision. After a hectic summer of effort four Benchers advanced two separate motions for Convocation consideration. With a fresh look amid the heavy breathing of those unhappy with the prior decision it has now been decided that the May decision be suspended pending further consideration. Hence Certified Specialists will be able to continue use of the C.S. However, the Competence Task Force will consult with the profession and advance a recommendation to Convocation. This is a stunning example of how the profession can effectively influence the politics of Osgoode Hall. Perhaps current Benchers recall that an election is just around the corner in 2023. Make plans now to stand for election and serve the profession in a critically important way.

### **NEW TECHNOLOGY RESOURCE CENTRE:**

You can find technology supports and resources for your practice at [LSO.ca/TechResources](https://LSO.ca/TechResources) and [LSO.ca/RessourcesTechnos](https://LSO.ca/RessourcesTechnos). The curated content should help with selecting office technology, how to use various technologies, security and data protection, cybersecurity, cloud computing, and working remotely. Check it out – for your own good.

### **MANDATORY MINIMUM COMPENSATION:**

Last April, Convocation adopted a policy requiring mandatory minimum compensation for lawyer licensing candidates for the term beginning May 1, 2023. It had been hoped that a policy would have been debated this month. Stay tuned for this thorny issue.

### **MANDATORY SUCCESSION PLANNING:**

The LSO is considering whether to require us to implement mandatory succession planning for our practices, which is something we ought to be doing anyway. To understand the reasoning please read the Professional Regulation Committee [report](#) to Convocation. The laudable goal, is that we properly plan for the unexpected. If suddenly, we are unable to work what happens to clients' needs, trust money and valuable papers? How will our family members possibly manage the transition of our life-time work? The Law Society does have a trustee services division but it can not be a cost effective or efficient alternative to our own advance planning. Perhaps merely having a designated lawyer friend able to sort through our files will be sufficient. A [consultation](#) is open until November 30 for your feedback. This is important so our friends and families are not burdened by what we have not planned for.

### **KLIPPENSTEIN V. THE LAW SOCIETY:**

As noted in June, this unfortunate law suit initiated by Bencher Klippenstein continues. Pleadings have been exchanged as an exercise in determining whether an elected Bencher is entitled to production of various information and records. All lawyers should be exacerbad by a failure of the Law Society governance process to find an acceptable “made at home” resolution rather than resort to the Court. This is no way to spend the money of the profession and is a distraction from the work required of elected Benchers.

### **BUN FIGHTS:**

Benchers after a public debate today, voted on what is a usual routine matter, being the Treasurer’s recommended appointment of an elected Bencher to the Tribunal Hearing Panel. Benchers spoke about vendettas, defamation and behind the scenes machinations. As well a debate was required to consider the Treasurer’s nominee to be the Ontario representative to the Federation of Law Societies of Canada. Both appointments were approved ultimately by a large majority of voting Benchers. We all must wonder what is going on in our elected Convocation which is to govern the profession in the public interest. The subtext appears to be questions of process, governance, independence of Convocation, distrust and other festering issues.

### **BENCHED:**

A motion to repeal the Bencher Code of Conduct was tabled before debate got under way. Proponents of the motion believe that the Code has been weaponized, causing more harm than good. Although a majority agreed to avoid the debate today, there remains the undercurrent of extreme dissatisfaction and frustration with the status quo.

### **CONVOCATION:**

Newly minted Treasurer Horvath had given Convocation notice that business would be conducted differently than in the recent past. Speakers are required to stay on topic and are given time limits. Motions will be put to a vote when the Treasurer concludes that the debate has been exhausted. Bravo. Perhaps the Treasurer’s innate civility and respect will infuse elected Benchers to strive to listen, learn and accommodate. There is a reason we were born with two ears but one mouth.

### **BENCHER ELECTION:**

As noted above the next Law Society Bencher election is in April 2023. Nominations will open mid-October and close February 24, 2023. New

candidates will be required to complete a 45 minute online *Bencher Candidate Orientation and Education*. It will provide details about the Law Society, the role of Bencher, the type of commitment and responsibilities involved and the relationship with Law Society management. More Information about the Bencher election will be on the Law Society website in October. Don't sit on the sideline. The role of an elected Bencher and the composition of Convocation is critical to our profession.

### IN MEMORIAM

THROUGH THE SUMMER WE LOST GIANTS WITHIN THE PROFESSION WHO WERE IMPORTANT CONTRIBUTORS TO OUR WELL BEING AS A SOCIETY. THEY WERE EACH UNIQUE AND SPECIAL. THEY WILL BE MISSED BY ALL OF US FORTUANTE TO KNOW THEM. MAY THEIR MEMORIES ALWAYS BE FOR A BLESSING

MAX EISEN  
CLAY RUBY  
DOW MARMUR  
IRVING ABELLA

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