

Banack's Bencher News #64

Volume 3
Issue 19

Larry Banack, Certified by the Law Society as a Specialist in Civil Litigation
Member of the Arbitration and Mediation Institute of Ontario

June 22, 2006

TREASURER ELECTION: As expected, by acclamation, Treasurer MacKenzie has been given an additional year in office. In comments to Convocation, the Treasurer pointed out that the issues he has most often addressed include regulation of paralegals, retention of women in the profession, libraries and information services, as well as sole practitioners and small firms. It seems he has correctly identified significant matters of concern.

LICENSING PROCESS: The new process is well underway with the bar admission students having completed their mandatory skills based session. The first solicitor's examination will be written on June 26, 2006 and the first barrister's examination will be written on July 6, 2006. Following this, examinations may be taken in November 2006 and March 2007. They may be taken in any order and students will be called to the bar following successful completion of the examinations.

BENCHER ELECTION: This Convocation has now sat for three of its four year term. An election is to be held in May 2007. Now is the time to begin considering the possibility and making the arrangements necessary to run for election. Information will be coming from the Law Society in due course, however, any Bencher will be happy to speak with you about the benefits and consequences of being elected. Convocation has approved that in 2007, lawyers will be permitted to vote for Bencher candidates in the traditional way by paper ballot, or over the internet.

ANNUAL AWARDS: In a ceremony held on May 25, 2006, the Law Society Medal was awarded to Sheila Block, Neil Gold, Steven Grant, Eva Marszewski, Elizabeth McIntyre, Leon Paroian, Linda Silver-Dranoff and Benjamin Zarnett. In addition, the prestigious Lincoln Alexander Award was presented to Patricia DeGuire.

DOCTOR OF LAWS: At the call to the Bar Ceremonies in July 2006, degrees of Doctor of Laws, *honoris causa* will be given by the Law Society to Emily Carasco, the Honourable Patrick Lesage, Diana Majury, Dr. Edward Ratushny and Clayton Ruby.

DISCRIMINATION AND HARASSMENT COUNSEL: Cynthia Petersen has been reappointed as Discrimination and Harassment Counsel for a further three year term. Since 2002, Ms. Petersen has been assisting individuals who believe they have been discriminated against or harassed by Law Society members or student members and has helped the Society develop information and educational programs relating to discrimination and harassment. She may be reached at assistance@dhcounsel.on.ca.

EMERITUS MEMBERSHIP STATUS: Convocation approved in principle a new membership category referred to as the "Emeritus" Lawyer. Retired lawyers who had been engaged in the active practice of law, in the immediate preceding period for a minimum of 10 out of 15 years may be allowed to provide legal services through Pro Bono Law Ontario, without paying the regular Law Society annual fee, in addition to other applicable criteria. LawPro will continue to provide coverage to Emeritus lawyers who provide approved pro bono legal services associated with PBLO. During a three year review, the program will be assessed and consideration will be given to the advisability of expanding the availability of Emeritus status to lawyers in other non-practising membership categories.

RETIRED LAWYERS AS ESTATE TRUSTEES: Convocation also agreed to allow a lawyer over 65 years of age, permanently retired from the practice of law, to act as an estate trustee, a trustee for an intervivos trust or, as an attorney for property to be exempt from the payment of Law Society's annual fees on the basis of various conditions which allow for Law Society oversight.

PRACTICE MANAGEMENT REVIEW: The existing program will be expanded in order to identify any existing competence deficiencies and preventing competence deficiencies in the areas of practice management. These reviews do not address issues of substantive law. Lawyers will not be obliged to change existing, effective management practices. By 2009, 500 practice reviews will be conducted each year. Members will be selected for the preventative component of practice review from a group of lawyers in private practice within eight years from their call to the Bar. It is hoped that this program will achieve the same consistently high satisfaction rate experienced by members involved in the existing spot audit process.

INTERJURISDICTIONAL MOBILITY: In 2002, Ontario joined with seven other Canadian jurisdictions as a party to the National Mobility Agreement which enhances the mobility of lawyers within Canada. Since 2003, there have been ongoing discussions to encourage other jurisdictions to participate. Convocation has now approved a Territorial Mobility Agreement. The next step will be the consideration of necessary by-law amendments by Convocation, hopefully in November 2006. If finalized, lawyers will have the benefit of mobility throughout Canada in all jurisdictions other than Prince Edward Island, New Brunswick and Quebec.

LAW SOCIETY WEB SITE: The website includes links to a Virtual Museum and Exhibition Hall, including "Time Capsules" that set out the history of the profession. All 15 time capsules are available for review and can be accessed at www.lsuc.on.ca/about/a/history/time-capsule.

Have a happy and safe summer with family and friends. As in the past, should you have any questions, criticisms or suggestions, please do not hesitate to let me know.

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