



REPORT OF THE NOVEMBER, 2015 PLENARY

2016 EXECUTIVE

Eldon Horner, Chair

Jaye Hooper, 1st Vice Chair

Mike Winward, 2nd Vice
Chair, Treasurer

Cheryl Siran, Past Chair

Nathan Baker, Central East
Region

Lisa Barazzutti, Northeast
Region

Christopher J. Edwards,
East Region

Sonya Jain, Family Law
Chair

John Krawchenko, Central
South Region

Rene Larson, Northwest
Region

Merredith MacLennan,
Real Estate Chair

Joseph Neuberger, Toronto

Jane Robertson, Central
West Region

Alfred Schorr, Paralegal
Committee Chair

William Woodward,
Southwest Region

Michael Ras, Executive
Director

Kelly Lovell, Executive
Assistant

Report from the Chair

For anyone, like me, who has been coming to our Plenary meetings for a few years, the November 2015 meeting will certainly stand out as one of our most memorable because it was the last of an era – the “CDLPA” era. This meeting was our last before we become the “Federation of Ontario Law Associations” and, I think, it was a great success.

The name change was the first item of business but the final decision was delayed until our Friday morning session because a remarkable discussion was taking place all day and well into the evening. It was the culmination of a long and arduous process that engaged the Executive, our Past Presidents and many other stakeholders across Ontario. You can view a video of the actual debate at this [link](#), but I can tell you that the discussions took place over the months leading to Plenary and in the halls and hospitality suites well into the evening. I’m pleased with the end result, and I think we made an important move to rebrand our association to better reflect what we’re doing and what we hope to do in the future.

From the beginning, we set out to modernize while respecting the long history of the County & District Law Presidents’

Association. We hope we have made it clear that our intent is to remain true to our original mandate: to be the voice of the practising lawyer in Ontario. At our Board strategic retreat last June, we came to the conclusion that a name change was needed simply because “KEDULPA” was an awkward acronym and there were too many elements of the name that confused, rather than described what we were doing on a daily basis and who we represent.

Our new name, the **Federation of Ontario Law Associations**, as well as our new and refreshed logo and all the other elements of the rebranding that is currently underway, give us an excellent opportunity to remind the practising bar, our partners in other associations and all the stakeholders involved in the justice system that local law associations represent the lawyers “at the coal-face” of the justice system. Practising, private-bar lawyers who are members of local law associations working in towns, cities and communities across Ontario, in firms of all sizes, are an essential, but all-too-often forgotten element of the justice system.



Eldon Horner, Chair

Our new name also reflects the critical role of local associations in providing the regulators and governors of our justice system, such as the Law Society and Attorney General, with a perspective on how the system is working in every community of the province. This is a mandate that “CDLPA” has always had and the Federation will continue. Our new name makes it easier for us to communicate that role in the media and with all our stakeholders.

Our name change wasn’t the only item on the agenda and the rest of the Plenary was very busy dealing with a breadth of issues. In this Plenary we experimented with some format changes and I’m pleased that the survey responses suggest you liked those changes. Our shorter

committee reports, “Quick Hit” speeches by guests and, in particular, the presentations by our partner organizations such as the Ontario Trial Lawyers Association, the Ontario Bar Association and the Roundtable of Diversity Associations (RODA) were all very well received. We have more on these presentations later in this report, but I just want to say thank you to all the speakers and declare that we’ll be making this a regular feature of future plenary meetings.

In November we added more interactive, break-out sessions. On Thursday, it was our “Beer & Bull” session where associations exchanged ideas on how to improve their own operations and on Friday, it was a breakout looking at ways the Presidents and their library staff can collaborate to make their local practice resource centres better. In the future we will work to improve the logistics, but I was pleased with the quality of dialogue and flow of ideas that came from these sessions.

For the first time at this Plenary we invited our library staff partners to have their annual conference at the same time. **The Conference for Ontario Law Association’s Libraries (COLAL)** was held in parallel to our plenary and this gave us an opportunity to share ideas and collaborate on ways to improve our critical practice resource centre network. It was also an opportunity to say to our library staff something that we should all be saying more often: We appreciate and respect the hard work they do on behalf of the practising bar.

Our three keynote speakers were also greatly appreciated by all the Plenary delegates as well as our friends from the COLAL conference.

Treasurer Janet Minor hosted our dinner and reception on Wednesday evening and spoke about the Law Society’s priorities and gave a moving and personal account of the steps being taken by the Law Society on

indigenous issues, particularly arising from the Truth & Reconciliation process. **Patrick Monaghan**, the Deputy Attorney General, gave a great summary of the issues and challenges facing the justice system in Ontario and implored all the stakeholders, including the practising bar, that “we can do better” in the administration of justice in Ontario. On Thursday evening, The **Honourable**



Patrick Monaghan and Eldon Horner taking questions

Justice Frank Iacobucci, former justice of the Supreme Court and a passionate advocate for aboriginal justice in Canada gave a wonderful speech on the plight of aboriginal Canadians in our justice system. Without a doubt, his words were an inspiration to each and every one of us in the room and we were honoured by his presence.



Vice Chair, Jaye Hooper with our special guest, the Honourable Frank Iacobucci

I would be remiss if I didn’t conclude my report with a few thanks. On behalf of everyone, I’m grateful to the sponsors who came on board for this Plenary. It was our largest showing of sponsors in many years with **LawPRO, Economical**

Select Insurance, LexisNexis, Carswell/Thomson Reuters and CPD On-line all stepping forward with generous financial support. I hope that you will reciprocate their generous support.

Thank you to **Kelly Lovell**, our long-time stalwart, who organizes all the logistics and works like a duck (with feet moving furiously underwater but maintaining a calm exterior for all of us to see!). And to **Mike Ras**, whose efforts and innovation have moved us forward by leaps and bounds in recent years.

Some of our Regional Reps ended their terms at this Plenary. **Barb Morgan** from the Northwest served one term and represented her area with great passion. **Jackie McGaughey-Ward** from the Northeast was eager to continue to serve, but her health is a higher priority and that is where her focus is now. We thank them both for their service to the practising bar and, in particular, wish Jackie a return to good health soon.

A special thank you to my predecessor, **Cheryl Siran**, who leaves big shoes to fill. Her energy and enthusiasm for the Federation is overwhelming and set a standard for everyone who will follow. A lot is made of how leadership of this association is a time-consuming and all-encompassing endeavour (and I’m learning first-hand how true that is) but I’m especially impressed considering the great distances that Cheryl had to travel. Those of us “down east” easily forget how large a province Ontario is and that Cheryl is in a different time zone. That distance never stopped Cheryl during her 18 month term. She accomplished a great deal (CDLPAs response to ABS; modernizing the administration of the association; raising our profile with so many partner groups ... the list goes

on) and never missed a meeting, despite the great distance. Most importantly, she did it all with good humour and demonstrated great leadership at every turn. She set a standard for all of her successors. I'm also pleased that Cheryl has agreed to join the LibraryCo Board as one of the CDLPA/FOLA appointees so her travel schedule to Toronto will continue to be rigorous for the foreseeable future.

I look forward to my term as Chair of the Federation of Ontario Law Associations and to serving all of you.



Links in this Document

Most of the Plenary was video-taped and recorded and those recordings are provided by clicking on the links that are **embedded in the title/heading** of each section for which we have video. The in-camera sessions and the speeches which took place in the evening were not recorded and cannot be provided.

For speakers who used power-point, their presentations are embedded in the video.

Some speakers did not provide permission to broadcast their remarks and their sessions are omitted. If you have trouble with any of the links, please contact mike.ras@fola.ca

Executive Director's Report

In September, I celebrated my two year anniversary with "CDLPA" with a contract extension and a change in title. For two years I have had the title Director of Public Affairs, with a focus on building the advocacy infrastructure and voice of the Association on a wide range of issues. Over those two years, I came to realize the great potential that exists with this association to do and be so much more. With a little effort, fundraising opportunities presented themselves which put CDLPA on a more sound financial footing. Conversations with



Michael Ras,
Executive Director

creative companies and partners have opened up possibilities for ways that the Association could provide greater business support for practising lawyers. Discussions with other legal associations have opened up possibilities for even more cooperation and collaboration.

So when discussion at the Board strategic retreat in June turned to whether the next step in the evolution of the association should include the hiring of an Executive Director, I quickly volunteered and applied for the job. I am honoured that the Board accepted and we came to an agreement that expands my job description. The specific plans are evolving, but generally I see my mandate focused in three streams: continue the 30 year legacy of strong advocacy on behalf of the practising bar; help associations across Ontario grow and be more relevant and active for their membership; and, find new ways and develop relationships where the Federation can support the business interests of practising lawyers.

The next critical step in our evolution is our rebranding. As Eldon notes in his report, the "KEDELPA" name was awkward and too often I or members of the Board were faced with the circumstance of having to describe who we are and what we do, and too often those conversations were happening with members of the practising bar – the very people we purport to represent! I'm excited by the new name and by the opportunity it gives us to re-tell our story, raise our profile and be an even stronger voice on behalf of the practising bar.

Beyond the re-branding activities, I anticipate that 2016 will be a very busy year with many contentious issues coming forward that will require our careful attention. Entity-based regulation, the ongoing discussion of the future of our practice resource centres, increased pressure on the family bar, pressure from some quarters to expand paralegal scope of practice – and so many other issues – will require the informed and careful response of our Federation. We also have some interesting proactive communication activities planned in the area of real estate law that will, we hope in the long-term, alleviate some of the pressure on the real estate bar.

As I note in every one of our Regional conference calls, I am eager to come out and meet with your associations at

events or meetings that you may be having. I can't make them all, but when I can, I would appreciate the opportunity to come out and hear directly from members and to brief them on what we are working on. Let me know when your meetings are taking place and I'll hit the highway!

Thank you for allowing me to represent all of you.



Treasurer's Report

Our Treasurer, **Mike Winward**, reported that financially the Federation is "in very good shape". Financial statements were provided to the Presidents and delegates in advance and summarized the state of CDLPA's finances as of October 31, 2015. Since this report, there has been no appreciable difference in those projections to the end of the year. Full financial statements will be provided in our 2015 Annual Report in which is distributed in February of 2016.



*Mike Winward,
Treasurer*

The highlight of Mike's report is that a little over two years ago, a three year deficit was projected with a return to balance in 2016. This deficit was in recognition of the additional expenses associated with the hiring of a Director of Public Affairs and certain other investments that were being made to strengthen CDLPA. Mike was pleased to report that the budget will, in fact, be balanced a year ahead of schedule. The 2015 budget will be balanced, with a small surplus, as a result of both an increase in net income and a decrease in operating expenses. Our budget projections going forward continue to show a modest surplus.

On the income side, a few associations reported an increase in membership, which resulted in additional dues revenue to CDLPA. The Toronto Lawyers' Association increased their contribution in 2015 which is an appreciated, but unexpected and un-budgeted increase. Additional sponsorship revenues were secured over the course of 2015 and relationships with those sponsors are being cultivated to ensure they remain "happy sponsors" into 2016 and beyond. All three of

these additional revenue streams are sustainable and stable into future years. Revenue from the "CDLPA Goes to China" trips have also contributed significantly, with even more revenue projected for 2016 as registration has just closed for the April 2016 trip with over 70 people signed up. We are being deliberately conservative in our projections for these trips as we believe demand will eventually tail off, but so far we have been pleasantly surprised.

Mike also reported that Convocation recently voted to accept our Three Year Funding Proposal, including a modest 1% increase in our allocation for 2016. Their ongoing support, which includes funding for the hard costs associated with travel and our meeting costs, is appreciated.

On the expense side, we continue to be good stewards of our members' money as we seek ways to reduce our costs at Plenary and Executive meetings and across our entire operation. Expenses are tracking more than \$20,000 less in 2015 than in 2014 and all of these savings are from finding operating efficiencies and reduced travel. Notably, our overall expenditure for travel is lower in 2015 despite the fact that our Chair, Cheryl Siran, travelled much farther and more frequently, a testament to her frugality on behalf of the membership. Each of our major meetings (both plenary meetings and the annual strategic retreat) were considerably less expensive this year than last, a testament to some excellent price negotiation by Kelly.

Insurance Coverage for Associations

Mike's time at the podium was shared with **Bob Richardson** of **Jones Brown Insurance Brokers**. Bob manages the Commercial General Liability Policy and the Director & Officers coverage of LibraryCO, CDLPA and all of the local associations. We commend his presentation



*Bob Richardson, Partner
- Jones Brown Insurance*

to you if you have any questions regarding the insurance coverage on your association activities. Bob noted that the insurance renews each year on April 1st and that his office will provide all associations with a certificate of their coverage. The addresses for each association have been provided to Bob so watch your mailbox for those certificates.

Committee Reports

Real Estate

Merredith MacLennan, the real estate committee chair of CDLPA, was joined by **Sid Troister**, a new Bencher of the Law Society and a noted real estate law practitioner. Merredith focused her comments on the work of the Real Estate Action Committee (a committee of CDLPA and the OBA) and the Real Estate Liaison Group (a committee of the Law Society, LawPRO, CDLPA and the OBA) and highlighted the progress that has been made in each of our four areas of focus:

1. Claims and competence issues, including regulatory and education issues:
 - There has been considerable discussion of various regulatory measures that can be taken to address the high number of claims arising from the real estate bar and especially those claims that arise from a lack of appropriate continued professional development. There are no easy or quick-fixes in this area, but the Law Society and LawPRO in particular are eager to find the right solutions.
2. The real estate bar's response to proposed "Alternative Business Structures"
 - The committees were very active in providing a response to these proposals, and expressed particular concern with any moves that would open up the ownership or operation of real estate law firms by lenders, title insurers, real estate agents, etc. We were pleased that the Law Society committee examining ABS' have heard our concerns and has already recommended against any model that would involve ownership of law firms by outside entities.
3. Solicitor representation and stakeholder issues
 - In May, Merredith reported on the considerable efforts undertaken by CDLPA to support and encourage more solicitors in their efforts to be elected as Benchers. That



Merredith MacLennan, Real Estate Committee Chair



Sid Troister, Bencher

effort produced a modest return with six solicitors now sitting in Convocation, including Sid Troister. Since that election, the Treasurer has struck a special committee of convocation to look specifically at real estate issues. This committee is chaired by Jerry Udell and Sid Troister, two highly respected real estate practitioners and both have stated in public and private that they are committed to working closely with us on matters affecting the real estate bar. Merredith also noted how refreshing it has been that Jeff Lem, also a Bencher and respected real estate law practitioner, is now the Director of Titles at the Ministry of Government & Consumer Services. He has committed to consulting with the practising bar and has been very open to our ideas.

4. Business issues – the real estate bar's place in the real estate market
 - On this front, Merredith lamented that the real estate bar has to do a better job making consumers aware of the true value that real estate lawyers bring to a transaction, especially in comparison to real estate brokers and agents, mortgage brokers and others involved in a typical transaction. Those professions are using celebrity endorsements (such as Don Cherry's endorsement of a mortgage broker) and sensational advertising (a SWAT team crashing through the windows of an unsuspecting home owner who didn't use a real estate broker) to pump up their value, while real estate lawyers are too often relegated to being the "paper pushers" and an "unnecessary overhead expense" (at least in the eyes of some consumers). In 2016, we intend to present some plans that will enhance the profile and value of real estate lawyers. Stay tuned!

Sid Troister commented briefly on the importance of CDLPA/FOLA as an effective voice for the real estate bar, especially as the Ontario Real Estate Lawyers Association has disappeared in recent years. This void is an opportunity for The Federation to step in and

be an even stronger voice for real estate lawyers who continue to face significant business pressures.

He concluded his remarks by urging anyone who is considering running for bench in 2019 to start networking and campaigning now!

Professional Standards

Mike Winward, 2nd Vice Chair of CDLPA, led this discussion which was a summary of the response that was given October 13 to the Law Society's Professional Standards Committee consultation on updates to the rules of professional conduct. The majority of our submission, which can be accessed [here](#), focused on proposed new rules that would strengthen the provisions on advertising and marketing. A lot of that focus has been on claims made by some personal injury lawyers and practices that many would find distasteful. Our submission also provided some solid advice to the Committee with respect to greater clarity around advertising what is included in fees and what are disbursements, particularly in real estate transactions.

Paralegal

Alf Schorr and **Joseph Neuberger** updated Plenary on their activity monitoring the developments in paralegal education and regulation. The paralegal education update can be accessed in the written report [here](#).



*Alf Schorr,
Paralegal
Committee Chair*

Joseph specifically noted that the Toronto Lawyers Association has struck a working group (which CDLPA/FOLA is part of) to specifically address concerns with paralegal competence, misleading

advertising, and to determine whether paralegals are, in fact, improving access to justice.

Alf then focused on the comments by some who are influential in the paralegal community, including some paralegal benchers, that are pushing for a broader scope of practice and how the Federation will likely respond to that in the near future.



*Joe Neuberger, Past
President of the
Toronto Lawyers
Association*

This particular session did not have a great deal of new content to share, but suffice to say that we anticipate it will be an area of intense activity in the months to come.

Legal Aid

In the area of legal aid, the news has been mostly positive in the past number of months as LAO has been rolling out the new money received in the last Provincial Budget.



*Jane Robertson, Legal
Aid Committee Chair*

Jane Robertson, Legal Aid Committee Chair, noted that Legal Aid Ontario has raised the eligibility ceiling a little bit (and the trend is going in the right way) and is now offering certificates for more areas of law. A summary of those changes can be found in Jane's written presentation [here](#). Since implementation of the new money in June 2015, we have received positive data that there are, in fact, more certificates being issued.

Of particular interest, LAO is developing expanded services in the area of domestic violence and is actively seeking input from the Bar on how to improve this service in this area.

LAO has also asked for our help in getting the word out to the Bar that there are new categories of eligibility and we encourage all of the Associations to distribute this information. Fact sheets on eligibility can be found at this [link](#) and a chart is included at the end of this report.

Looking forward, LAO is embarking on a consultation on open data/open government between January and March 2016. In an initial draft of this consultation paper that we saw, we had some great concerns with a few provisions related to the public disclosure of the fees charged by lawyers to LAO. Some feel that since in-house counsel at LAO who earn more than \$100,000 a year have their incomes disclosed as part of the annual "Sunshine List" disclosure, clinic lawyers and certificate taking lawyers who bill more than a certain amount each year should also disclose. Our strongly-held view is that this is a red herring argument and that there are no legal or solid public-policy reasons why the incomes of private-bar lawyers should ever have to be released. We eagerly await the Legal Aid consultation paper on this topic and will respond accordingly.

Jane also reminded the Presidents and the Regional VPs that an offer stands to have the Regional Directors

General from LAO attend the quarterly conference calls or any of the Association meetings so that members can express concerns or raise issues with LAO directly and hear from them on any new initiatives that might be taking place in their area.

Finally, Jane briefed Plenary on the retirement of **Bob Ward**, CEO of Legal Aid Ontario. At the time we didn't know who the new CEO would be, but since then we have learned that it is **David Field**, formerly the VP of Strategic Planning and Compliance at LAO and a long-time veteran civil servant who has held a number of senior executive positions, including as Chief Financial Officer of the Ministry of the Attorney General. We look forward to working with Mr. Field and were pleased that he reached out to the Federation on his first day in the job. It was a good start to the relationship.



We were pleased to have CPD Online as a sponsor for this Plenary. CPD Online already enjoys a partnership with the TLA and CCL and CPD Online is looking for partnerships and revenue-sharing opportunities with other associations across Ontario.

The Federation encourages local associations to check out CPD Online and consider their programming as part of any CPD programs your association might be considering. Contact Paul Byrd at paul.byrd@cpdonline.ca

Law Society Update – Report from Rob Lapper, CEO of the Law Society of Upper Canada

Please note, the video of this session is not available.

Rob Lapper delivered his normal “state of the Law Society Address”, which is always a highlight of plenary because



Robert Lapper, CEO of the Law Society of Upper Canada

of the detail and breadth of topics that he covers. We have attempted to summarize his report as well as we can in these pages, but there are some details that were not captured, or have been shared in other places in this report.

LAW SOCIETY BUDGET & 2016 FEES

For the 3rd consecutive year, the fee charged to lawyers is holding steady. The fee will again be \$1,866/lawyer and \$966/paralegal. The Law Society is holding the line on most expenses and, despite some media reports, there is no deficit projected. In fact, the budget for 2016, approved at the October convocation, includes at \$1 million contingency to cover any new projects or unanticipated expenses for the year.

Mr. Lapper also noted that the fees compare favourably to other large law societies in BC (\$1,902/lawyer) and Alberta (\$2,620/lawyer).

	2014	2015	2016
General Fee Lawyers	\$1376	\$1370	\$1371
Compensation Fund	238	225	254
LibraryCo	202	202	194
Capital	20	69	47
TOTAL	\$1866	\$1866	\$1866

	2014	2015	2016
General Fee Paralegals	\$796	\$804	\$810
Compensation Fund	150	123	139
LibraryCo	0	0	0
Capital	50	69	47
TOTAL	\$996	\$996	\$996

A flag for concern was raised in the Lawyers Compensation Fund which experienced two major defalcations in 2014 (on top of routine claims) which reduced the fund from \$15.6M to a projected \$13.6M by the end of 2015. The actuarial minimum for this fund should be approximately \$16M, so this budget includes a

special replenishment provision of \$700,000 in 2016 and \$900,000 in 2017.

LAW SOCIETY STRATEGIC PLANNING

The April bencher election saw the largest turnover of benchers since 1995 with 21 new benchers joining convocation. At the beginning of every new term, the Law Society undertakes a strategic planning exercise that looks at all the initiatives of the Law Society and attempts to prioritize them going forward. The results of that exercise is summarized in this graphic (reproduced in larger format at the end of this report):



COMPLIANCE BASED ENTITY REGULATION

A major initiative of the Law Society in the coming year will be the study and eventual introduction of compliance based entity regulation. The Law Society currently regulates individuals, not firms, but study of regulatory systems around the world shows that a more effective and efficient regulatory system could arise if entire entities are regulated instead. The Law Society has a task force currently looking at this in great depth and the mandate of this Task Force is to seek the input of the bar over the course of the winter, with the objective of reporting to convocation in the spring. Considering this is a key priority of Treasurer Minor, and her term ends in June, we expect every effort will be made to maintain this aggressive timetable.

Initial study shows that properly applied entity regulation can be a more proactive and less prescriptive way to

ensure compliance with regulatory standards and that in other jurisdictions where this has been done, there are fewer complaints and lower compliance cost. Rob also explained that this move to investigate entity regulation is a separate and distinct initiative from the alternative business structure discussion. He further shared that many other provincial law societies are going down this road at the same time.

For many large law firms, their large internal compliance policies already mean they have a de facto entity regulation. For very small law firms and sole practitioners, this move to entity regulation will have almost no impact. The real impact will be felt by small and medium-sized law firms ranging in size from a few lawyers to a few dozen and it is on their behalf that the Federation is watching closely to ensure the regulatory regime that is developed in fact reduces the paper and time burden of regulatory compliance. This will be a very active file for the Federation over the coming year.

ALTERNATIVE BUSINESS STRUCTURES

The issue of “ABS” remains a “hot topic” for many members and Mr. Lapper reported that the Law Society is still studying the ideas behind it. Mr. Lapper assured our audience that the primary lens through which they are looking at the issue is the lens of public interest and public protection. They are asking the central question: *Can some form of ABS help lawyers and paralegals meet the evolving legal needs of the public?*

The committee examining ABS produced an interim report in September and their initial assessment concluded that on the subject of majority ownership by non-licensees, the benefits do not outweigh the risks. The idea of majority ownership was something that many of our members were concerned with, particularly in the real estate bar, and we consider it a victory that the Law Society has signaled that this is off the table.

The Professional Regulation Committee continues to look at issues of minority ownership, expanded franchise arrangements and ownership structures that could include civil society participation (such as ownership of a law firm by a charity, which is a model that has found some success in Australia where the Salvation Army started “[Salvos Legal](#)”).

The Committee continues to take a measured and careful approach with consultation at every turn and a focus on finding strong empirical evidence. We are supportive of

this approach, as it formed the basis of our recommendations submitted in early 2015.

MENTAL HEALTH & WELLNESS TASK FORCE

Another top priority for the Law Society is to develop policy and systems to better deal with mental health and addictions in the legal profession. The task force is currently consulting and doing research with a goal to developing a mental health and addictions strategy to better support licensees and their clients.

The goal of the task force is to report in spring 2016. This Task Force is a key initiative of Treasurer Minor and she wants to see some concrete action happen before her term expires in late spring.

Mr. Lapper also noted the success of “MAP – the Member Assistance Program” which is operated by Homewood Health as a service open to all lawyers, paralegals and their families. Mr. Lapper reiterated that the Law Society receives no other information on who is using the program beyond high-level usage metrics and that the service is completely anonymous and confidential. He reported that Homewood had supported 650 cases year to date, which is a 3% take-up rate among the bar. This rate is a bit below what would be expected in a typical professional environment. The top three uses for the service are: psychological counselling (49%); work-related counselling (17.2%) and marital or relationship counselling (16.9%). Mr. Lapper also reported that a new peer mentoring program is in place with approximately 30 peers matched up with professionals in need of support and counselling.

The Federation encourages all of our Presidents to continue advertising and promoting this service to their members. A brochure describing the service is provided on the last page of this report and can be found at this [link](#).

CHALLENGES FACED BY RACIALIZED LICENSEES

Mr. Lapper reported on the work of the “[Challenges Faced by Racialized Licensees Working Group](#)” which was struck in 2012. The Committee has more consultations planned this winter and expect further reports and recommendations for action in 2016 that will address the fact that racial status remains a persistent barrier to entry and advancement in the profession.

TAG – The Action Group on Access to Justice

TAG is an organization facilitated by the Law Society, funded by the Law Foundation with a mandate to be a forum for stakeholders to come together with ideas and strategies to improve access to justice in Ontario.



Presently, there are nine clusters of activity:

Targeted legal services

- How can lawyers and paralegals be encouraged to find innovative ways to meet the diverse needs of their clients?

Steps to justice – common legal problems and next steps in digital format

- This initiative creates practical information about common legal problems and related “next steps” in a digital format.

Custody and access assessor task force

- This project brings together a range of family justice system participants to address the impact of frivolous and vexatious litigants on court processes and the subsequent shortage of qualified custody and access assessors.

Public legal education and information

- This cluster will facilitate information sharing and collaboration among PLEI organizations and like-minded community organizations in order to enhance impact and reduce duplication of resources.

Mental health & wellness

- Currently there is a limited amount of training for licensees who work with clients that have mental health issues. This poses critical questions about professional sustainability and how to proceed when there are concerns about a client’s capacity and competency.

Rural and remote libraries

- How can justice system workers and librarians increase access to legal information and quality referrals to accessible clinics across Ontario?



Aboriginal justice

- This cluster will focus on collaborative work that promotes Aboriginal restorative justice and will proceed in conjunction with the Debewin Implementation and Advisory Committees established in response to Justice Iacobucci’s Report on Aboriginal Participation in Juries.

Inclusive technology

- Working with the Law Commission of Ontario, Social Justice Tribunals Ontario, Community Legal Education Ontario and other collaborators, this cluster will involve broad engagement of community and legal organizations to develop principles that ensure that technology is used to increase access to justice.

Equity as access: Systemizing Data Collection

- The goal of this cluster will be to systemize the collection of demographic data of justice users with a focus on speciality legal clinic clients.

Mr. Lapper also spent time reporting on a number of other initiatives. We are leaving the details of these out of this report in the interests of space or because they are reported on in other ways in other parts of this report.

He reported on:

- *Mentoring Programs for Ontario Lawyers and Paralegals*
- *The status of the Pathways Pilot Project (the Law Practice Program and enhancements to articling)*

- *Libraries (reported on later in this report)*
- *Real Estate (reported on in the committee report from Meredith MacLennan)*
- *Aboriginal Initiatives*
- *The Law Society Protocol on French Language Services*
- *Consultation on rules of professional conduct (reported on in the Committee reports section)*
- *Law society tribunal changes, including a review that is currently underway on the tribunal model*

If you have a particular interest on any of these areas and want more information, please contact Michael Ras at mike.ras@fola.ca.

KEY STATISTICS

Always a highlight of Mr. Lapper’s report is his reporting on some of the key statistics and measures at the Law Society.

Some of the highlights include:

- Mortgage Fraud
 - 2.2 new cases average per month (down from 4.5 on average not too long ago)
 - 63 lawyers currently under investigation; 14 prosecutions currently underway
 - 118 mortgage fraud prosecutions resulting in:
 - 45 licenses revoked
 - 18 permission to surrender licenses
 - 52 licences suspended
 - 3 other or lesser penalty
- Complaints
 - Rates for lawyer – 5.6%; paralegals 5.5%

DETAILED ANALYSIS OF COMPLAINTS RECEIVED IN THE DIVISION

	Q1 2015	Q2 2015	Q3 2015
Complaints against Lawyers	862	946	955
Lawyer Applicant Cases *	7	62	26
Complaints against Licensed Paralegals	134	158	116
Paralegal Applicant Cases *	33	96	28
Complaints against Non-Licensees / Non-Applicants	43	50	45
TOTAL	1079	1312	1170

* Applicant cases include good character cases and UAP complaints

Once again, we thank Mr. Lapper for delivering an excellent and detailed update to the Plenary delegates.

Quick Hit's:

The Thursday afternoon of our program was spent hearing “quick hit” presentations by guest speakers on topics of interest to the Plenary delegates. Instead of offering a detailed report on each of these, a brief summary is offered and we urge the reader of this report to click on the video to hear directly from the speaker. The length of the video is noted next to each title to help you budget your time.

MENTORING TASK FORCE

Jacqueline Horvat, Bencher and Co-Chair of the Law Society Mentoring Task Force

6 minutes

- *A briefing from the Law Society of Upper Canada on their new Mentoring Task Force*

ONTARIO JUDICIAL APPOINTMENTS ADVISORY COUNCIL

W. Ormond Murphy, CDLPA Appointment (past Chair of CDLPA)

15 minutes

- *Briefing and discussion on the Ontario Court of Justice appointment process*

COMMUNITY LEGAL EDUCATION ONTARIO

Fara Wali, Legal Content Developer & Project Manager

11 minutes

- *Briefing on the work of CLEO and their “Steps to Justice” project.*
- www.cleo.on.ca

ROUND TABLE OF DIVERSITY ASSOCIATIONS

Lai-King Hum, Chair

12 minutes

- *A briefing on the work of RODA*
- *RODA Members are:*

- Arab Canadian Lawyers Association
- Association of Chinese Canadian Lawyers
- Canadian Association of Black Lawyers
- Canadian Association of South Asian Lawyers
- Canadian Hispanic Bar Association
- Canadian Italian Advocates Organization
- Canadian Muslim Lawyers Association
- Federation of Asian Canadian Lawyers



- Hellenic Canadian Lawyers Association
- Iranian Canadian Legal Professionals
- Korean Canadian Lawyers Association
- Macedonian Canadian Lawyers Association
- OBA Equality Committee
- Sexual Orientation and Gender Identity Conference
- South Asian Bar Association
- Toronto Lawyers Association
- Women's Law Association of Ontario

THE LAW COMMISSION OF ONTARIO

Nye Thomas, Executive Director

9 minutes

- *A briefing from the new ED of the Law Commission on his vision for the future of this important institution*
- *A longer briefing on the Law Commission is provided here in writing because of the interest in their work expressed by many of our members.*



*Aneurin (Nye) Thomas,
Executive Director*

The mandate of the Law Commission is in recognition of the need for an independent body to undertake research complex legal and social questions that look at economic, demographic and social trends. They are also

conscious of their “relevance mandate” to focus their work on practical matters of law and avoid the esoteric topics that are sometimes studied by legal academics.

A few of the projects done in the past (all projects hyperlinked):

- Vulnerable Workers and Precarious Work
- Family Law Reform
- Provincial Offences Act
- Joint & Several Liability
- Fees for Cashing Government Cheques
- Division of Pensions Upon Marriage Breakdown
- The Law and Persons with Disabilities
- Violence against Women Curriculum Modules Initiative
- A Framework for the Law as It Affects Older Adults
- Review of the Forestry Workers Lien for Wages Act

- Capacity and Legal Representation for the Federal RDSP
- Simplified Procedures for Small Estates

The projects currently being worked on:

- Improving the Last Stages of Life
- Defamation Law in the Age of the Internet
- Legal Capacity, Decision-making and Guardianship
- Class Actions
- Simplified Policy Tools

[Upcoming projects](#) include:

Redefining Parentage

The Redefining Parentage project is designed to develop a systematic way to address issues arising from new reproductive technologies and evolving conceptions of the family. While court cases have dealt with some of these issues, and other jurisdictions have made some strides, the province of Ontario presently lacks a legislative framework that acknowledges how parenting relationships have changed over the past few decades.

Multifaceted Approaches to Community Safety

In this project, the LCO seeks to better understand alternative mechanisms and roles for enhancing community safety including how other jurisdictions have benefited from initiatives that have coordinated a range of different expertise. The report will lay the foundation for designing effective multidisciplinary approaches to community safety for Ontario and possibly create a legislative framework.

Regulation of Public Space

The project relating to Regulation of Public Space will take a multidisciplinary approach to explore issues that include the following: What is public space? What is the interrelationship between public and private space? What is the role of design in affecting the use of public space? What is needed for public space to be accessible and safe for all users? The project will look at the issue from the perspective of different Ontario communities. The purpose of the project is to provide guidelines, or identifying factors and variables, to be taken into account

when legislating on different matters affecting public space.

ONTARIO BAR ASSOCIATION

Ed Upenieks, President

8 minutes

A briefing on the agenda and priorities of the OBA



*Ed Upenieks,
President, Ontario
Bar Association*

ONTARIO TRIAL LAWYERS ASSOCIATION

Allen Wynperle, Treasurer of OTLA

12 minutes

A briefing on the agenda and priorities of OTLA

Beer & Bull Session – Improving your association

This year, in an effort to get more dialogue flowing, we conducted an experiment borrowing an idea from the National Association of Bar Executives bi-annual meetings. The “Beer & Bull” session is held at the end of a long day of presentations and combines a social mixer (the beer) with a series of questions that delegates answer in smaller break-out groups (the bull).



These sessions were not videotaped, but the discussion was lively with many ideas exchanged that (we hope) the Plenary delegates will bring back to their local associations.

Over a beer or a glass of wine, Plenary delegates examined three topics (with ideas shown in no particular order or ranking):

1) Your best ideas to build membership for your association.

Ideas included:

- Promoting the access to the law librarian for legal research ... this service isn't as widely known or appreciated as you might think!
- Reduced fees for some CPD's offered to members
- Lunch & learn CPD's for members only
- Combining social events with CPD's for members only
- Offering membership in adjoining counties for reduced rates in each
- Making sure the full list of membership benefits is communicated every year
- More collegial events involving members as well as Crown's and other justice stakeholders such as CAS
- Access to courthouse access passes
- Mentorship programs through the Association

2) Best ideas to improve communication to your membership ... what's holding you back now?

Ideas included:

- Hold the AGM at a brewery or other “fun” establishment

- Recognize members when they hit milestones (e.g. 25 years in practice, etc.)
- Retirement recognitions
- Always have a compelling speaker for meetings such as AGMs
- “Free stuff” at meetings (e.g. sponsors cover meals)
- Utilize multiple channels to communicate and recognize that some members (still) don't use e-mail
- Social media has limited appeal, but it is growing
- The CDLPA/FOLA post-plenary report is a good platform to get information out to the membership
- Bundle the post-plenary report from CDLPA/FOLA with a report on activities from the Association

3) Best ideas to find new revenue sources for your association

Ideas included:

- Advertising space sold on the association web-site (keep it small and tight ... don't overreach)
- Sell ad space in association newsletter
- Make a small profit on hosted CPD's
- York Region association has a Mock Trial program, utilizing real judges. For this community program, a program is produced with advertising sold.
- Raise money for a scholarship or bursary to sponsor a student to attend law school on the condition they “come back home” – a project that builds community goodwill
- Annual “Awards Ceremony” can be a profit centre for the association if done well
- “Rent a locker” programs in the courthouse
- Some associations have a loan program for members looking to start a practice and there is a revenue from the interest

Looking for another source of revenue? Check out our partnership with **Economical Select** group home and auto insurance. The Federation of Ontario Law Associations will split “our share” of the commissions with your local association. Call Mike Ras for more details.

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We offer convenient payment options (with no interest, service charges or fees) and 24-hour claims service across North America.

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As a Federation of Ontario Law Associations group member, you qualify for a 30% discount on your auto insurance policy and a 20% discount on your home insurance policy.

Plus you can take advantage of additional discounts² on your property policy if you are a mature homeowner, are claims-free or mortgage-free, have a security/fire alarm or have a newer home.

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Are there any other benefits for group members?

Yes! As a group member, you will get our Second Medical Opinion coverage enhancement³ free of charge with your active property policy. This coverage enhancement allows you to get a second medical opinion through a global network of over 20,500 physicians, specialists and sub-specialists organized by WorldCare®.

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LawPRO Update

Another staple of CDLPA Plenary's is the update provided by LawPRO on the state of the professional liability insurance company for the profession. Once again LawPRO CEO Kathleen Waters delivered an informative presentation on the activities of the company and the trends taking place in the industry.

Ms. Waters' presentation, together with her slide presentation can be viewed here.



Ms. Waters' presentation focused on four agenda items:

- Midyear financial highlights
- 2016 E&O program highlights
- LawPRO's collaboration with the

Ontario Justice Education Network (OJEN)

- Dealing with "Rule 48"

MID YEAR FINANCIAL HIGHLIGHTS

Ms. Waters noted that the financial stars have aligned in 2015 and the state of the insurance program is strong. With respect to the "minimum capital test" ratio, the regulator believes that an insurance company of the size and type of LawPRO needs a ratio of at least 214% and she was pleased to report that the mid-year numbers showed 249%, which is an improvement from June 2013 of 239%.

As a result of this strong performance, the base premium for 2016 will remain the same again and, in fact, has remained stable since 2011. The base premium remains \$3,350.

2016 E&O PROGRAM HIGHLIGHTS

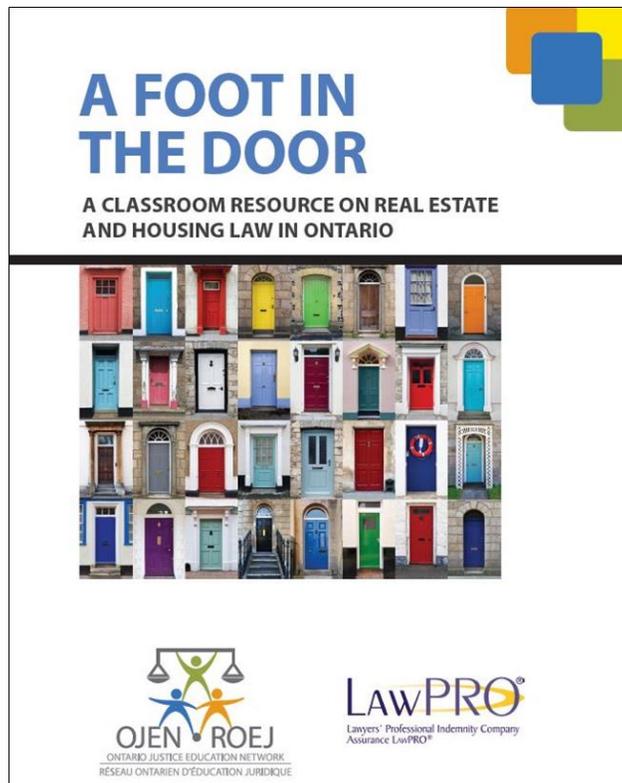
The only major change to the 2016 insurance program is with respect to the Real Estate Practice Coverage Option (REPCO). Because LawPRO has seven years of data and a better appreciation of the claims environment, the premium is dropping from \$250 to just \$100 in 2016.

In 2016 LawPRO will bring paralegals who are shareholders in professional corporations with lawyer partners under the LawPRO mandatory program. This

will standardize the insurance policy for all the owners of law firms.

LAWPRO'S COLLABORATION WITH THE ONTARIO JUSTICE EDUCATION NETWORK (OJEN)

Ms. Waters spent time in her presentation briefing Plenary on an exciting initiative they are undertaking in partnership with OJEN called "A Foot in the Door" – a classroom resource on real estate and housing law in Ontario.



This is a classroom resource available to help teach legal and financial literacy to Ontario teens. The curriculum is aimed at Grade 12 Law classes as an optional unit and is aimed at raising the real estate and financial knowledge level of consumers. LawPRO and OJEN have written to every MPP in Ontario and encouraged them to work with their local schools. They are also urging all the teachers who utilize this curriculum to contact a local real estate lawyer to come in as a guest speaker and help teach the course. This is an idea that we fully endorse. Any opportunity to get real estate lawyers into the community, promoting the value that real estate lawyers bring to the transaction will be useful.

The topics covered in the curriculum are:

- 1) Introduction to Real Estate Law
- 2) Developing your negotiation skills
- 3) Rental housing
- 4) Purchase & sale of a home
- 5) Mortgages
- 6) Housing & human rights

The materials can be accessed at:
<http://ojen.ca/resource/9301>

DEALING WITH "RULE 48"

For litigators, the topic of the day is the January 1, 2017 deadline for any statement of claim filed before January 1, 2012, whereby the claim will be administratively dismissed, without notice.

LawPRO is interested in this topic because of the cost incurred as a result of claims from administrative dismissals. As this chart shows, it is a significant area of claims each year.

Rule 48.14 claims summary

Year	Number of Claims	Cost (Incurred)
2012	194	\$3.7 million
2013	234	\$2.4 million
2014	205	\$2.8 million
2015 (to Oct. 31, 2015)	61	\$827,000



She also spent some time reviewing the root causes, in the experience of LawPRO, of files being administratively dismissed.

1. The file has languished because damages are minimal and/or there are difficult issues of liability
2. A lawyer's personal crisis or unexpected hiatus from legal practice leads to the ball being dropped on multiple files
3. A junior lawyer is overwhelmed

To help lawyers coping with these matters, LawPRO has produced a "Rule 48" transition toolkit, which can be accessed [here](#):

New Rule 48.14

(Administrative Dismissals) Transition Toolkit

...making a difference for the legal profession

Effective January 1, 2015, a new Rule 48.14 brought significant changes to the administrative dismissal regime in Ontario. After several hundred claims and almost \$10 million in claims costs in just three and a half years, LawPRO was happy to see old Rules 48.14 and 48.15 revoked.

While LawPRO believes the new rule may stem the tide of administrative dismissal-related claims under the old rules, the changed deadlines, processes and transition provisions introduce new claims risks that may trap the unwary lawyer. Remember, **under the new rule courts will automatically dismiss any action not set down for trial five years after commencement, without sending notices of any type to parties or their lawyers.** Your tickler systems must remind you of relevant dismissal deadlines.

LawPRO encourages all lawyers to familiarize themselves with the requirements under the new Rule 48.14 and make all necessary changes to internal firm systems and processes. While claims may happen for reasons beyond your control, many of the claims risks under Rule 48.14 can be significantly reduced or eliminated with some proactive claims prevention efforts.

This Toolkit provides advice and tools lawyers and law firms can use to lessen the risk of a claim under the new rule. For ease of reading, all references to Rule 48.14 in this Toolkit are to the new rule, unless noted.

There are four tools in this Toolkit:

- 1 A Firm Transition Checklist containing a list of the steps firms should take to update ticklers and other firm systems and processes to ensure Rule 48 requirements are met on all files.
- 2 An Individual File Checklist containing a list of the steps to be taken and ticklers to be updated for an individual file.
- 3 A File Progress Plan that can be used to help actively manage and monitor the status and progress of work on an individual file.
- 4 A Rule 48 Transition Training PowerPoint® to help train law firm lawyers and staff on Rule 48 and file management best practices (available at practicepro.ca/Rule48).

An electronic version of this Toolkit and LawPRO's Rule 48 Transition Training PowerPoint are available at practicepro.ca/Rule48

The worst case scenario: When lawyers drop the ball on all their files

A very dangerous scenario arises when a lawyer takes an unexpected hiatus from legal practice (for example, due to illness, substance abuse or family emergency) or is still in the office but overwhelmed and "not present," which leads to the ball being dropped on several files, or even his or her entire practice. This triggers a "cluster" of administrative dismissals and it is a scenario that LawPRO sees all too frequently, even at law firms that should have systems to prevent this from happening. When we see these clusters it appears that the departed lawyer's active files were not being monitored by a staff person or transferred to a colleague.

Lawyers and law firms should be prepared for unexpected work interruptions. Consider the possibility that an illness, injury or other contingency could cause someone to struggle with keeping up, or even leave practice for a significant amount of time. Ask yourself: does your firm have systems that will recognize and be prepared to handle these situations? Who will handle urgent client matters in these circumstances? Will the lawyer taking over a file be able to review files to identify matters requiring prompt action? Consider how you would improve your firm's systems to address these situations.

Ms. Waters then informed Plenary that two new "claims fact sheets" – on litigation claims and real estate claims – are available. These are popular tools that help a practitioner understand the causes and effects of claims in different practice areas. These fact sheets can be accessed here:

- [Real Estate Claims Fact Sheet](#)
- [Litigation Claims Fact Sheet](#)

Ms. Waters also gave a briefing on some of the new products and services available from TitlePlus to help real estate lawyers in their day to day practice.



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Plain and Simple pricing includes:
 Premium, processing fees and taxes
 All mortgages insured under the same policy
 Legal service coverage

Simplify your practice today and offer the title insurance developed with the support of the members of the real estate bar.



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CDLPA is very appreciative of the sponsorship support that is provided by LawPRO year and after year and we look forward to a continued strong relationship going forward.



PROMOTING LAWYERS

Ms. Waters concluded her presentation focusing on the work that LawPRO has undertaken to promote lawyers to consumers and why they should be in touch with their lawyer.

LawPRO has done a number of articles on these topics, but more recently has produced some high-quality videos that can be accessed on the LawPRO YouTube Channel. Local Associations and individual law firms are encouraged to utilize these videos in your own communication to the public. These videos can be accessed [here](#) and we strongly encourage that you utilize this excellent resource.

Did you know...

65% of Canadians

DON'T

have a will?

Screen Capture from LawPRO video on wills

Update from LibraryCO

Janet Whitehead, Chair of LibraryCO and Board member Derry Millar, updated the Plenary delegates on the activities of LibraryCO and the work of the Board looking at reforms to the county law library system.

Janet's presentation focused on: providing an update on the work of the Board; providing an update on operating plans for 2016; and, getting ideas on how to innovate and make the system better.



Janet Whitehead, Chair of LibraryCO

(Photo taken from May 2015 plenary report)

She highlighted that, over the past year, the Board has worked hard to better understand the system and how it works; where it falls short and where it excels. She reported that the survey done earlier in the year went a long way to helping the LibraryCO Board understand what the front-line library staff are dealing with on a day-to-day basis. The Board has also poured through the financial records of the corporation to get a better handle on the financials.

The Board has received a number of submissions and had a number of conversations with innovators in legal information systems, such as the BC Law Library, and it has spoken to key partners in the system, such as the leaders of ProBono Law Ontario, Legal Aid Ontario and many others, where it has sought their perspectives on everything from governance reform to ways that the library system could collaborate and partner in the future.



At a Board level there has been some turnover with the appointment of Susan Elliott to the Federal court and the resignation of Rebecca Bentham, who regrettably decided to leave the Board after a year. Rebecca signed on for a year and that year is up! We all thank Rebecca for her great contribution to the Board and we know that she will continue to provide her input through her role with the Hamilton Law Association and its library.

Janet reported that at an operational level, the work of LibraryCO is “steady, ay steady”. The Board has not felt the need to make any major changes in the past year. They are confident that the money that has been allocated is being spent properly. There are always areas for improvement, but these improvements will be largely incremental in the coming year.

Janet reiterated that the operating budget for LibraryCo for 2016 will remain the same as 2015, but inside those numbers is some very good news.

- The budget for front-line service – the money being sent to the county law libraries – is increasing by 2% in 2016, by a total of \$133,000. LibraryCo and the Law Society have found this money by identifying savings from its own operations so that more funds can be directed back to front-line services.
- The budget for 2016 continues to call for investments in technology refreshment, training bursaries and the electronic resources that the county law libraries rely on.

Derry Millar reiterated the high regard that the entire Board has for the front line staff of the county law library system and reiterated that all the conversations of the Board have been about ideas to make the system “better”.

Derry reported that the Board has divided into four sub-committees:

- o Governance
- o Physical space
- o Licensee competence and research literacy
- o Finance/Funding



Derry Millar, LibraryCO

It was acknowledged that the work of these sub-committees has not been going as quickly as all parties had hoped, but the Board is working to accelerate that work in the coming months. Most notably, the Board is in the process of retaining a consultant who will do some survey work to help us better identify our future needs. This consultant will be looking a little bit at what the current usage is, but will be mostly focused on

identifying the needs of lawyers into the future. They will do this through both survey and focus group work that will involve lawyers at various stages of their career and in different practices, and will seek the formal input of law librarians as well. The work of this consultant will give LibraryCO and the shareholders the data and information that everyone needs to make the necessary changes and investments to build a better legal information system.



In the meantime, the Board continues to look at innovations and good ideas that could form a part of any system. As an example, LibraryCO

was particularly interested in the work being done by the Law Society and TAG to examine ways that law libraries could partner with public libraries to meet public access needs. Members of the Board have also met with representatives of the BC Law Library looking at some of the innovations coming from that system.

Derry concluded by noting that:

- We all want a system that is focused on enhancing the competence of lawyers in every way possible. Through the timely provision of legal information and answers to legal research; through the provision of continuing professional development in communities across Ontario, and eventually, through the development of knowledge management systems that can ensure every lawyer licensee has access to the information they need, when they need it.
- Second, LibraryCO believes that this system is going to need a variety of channels to deliver information and service to lawyer licensees. The law library will remain the physical hub, but lawyers will be looking for access to information and service in many ways, and we need a system that is designed to meet those needs.
- Third, LibraryCO knows that professional, skilled knowledge workers are critical to this system.

Technology is an augment to the human beings that are the backbone of the system; they are not a replacement.

- Fourth, the innovation that we all crave and that we all need, has to come from the front line staff and users of the system. It has to come from the front-line staff who identify better, faster, more efficient ways of doing their job. The Law Association leaders have a responsibility to continuously work with their staff and identify ways that they can deliver service better.

Janet and Derry then participated in a Q&A session which dealt with more of the issues, particularly ones arising from front-line staff, in greater detail. The entire session, including the Q&A can be viewed at this [link](#).



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APRIL 1 2015 TO MARCH 31, 2016



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Certificates are only provided for the most serious legal matters. A person who receives a certificate from Legal Aid Ontario (LAO) is able to retain one of over 4,000 private practice lawyers in Ontario who participate in the legal aid certificate program.

To qualify for a certificate, clients must be financially eligible and their legal matter must be covered by LAO. The chart on the right provides a guideline for the income eligibility levels to qualify for a certificate. Depending on your income, you may need to make monthly payments towards the cost of some or all of your legal fees. The new simplified test provides flexibility for vulnerable clients, particularly if they have mental health needs, are experiencing domestic violence, or are receiving social assistance.

STEP 1. CERTIFICATE ELIGIBILITY THRESHOLDS

You will likely qualify if your annual gross family income is **lower than column 1**. If it is higher, move to Step 2.

STEP 2. CONTRIBUTION AGREEMENT

Monthly payments may be required if your annual gross family income is **higher than column 1, but lower than column 2**.

NUMBER OF FAMILY MEMBERS	STEP 1. INCOME MUST BE LOWER THAN	STEP 2. INCOME MUST BE LOWER THAN
1	▼ \$12,135	▼ \$14,045
2	▼ \$20,993	▼ \$25,281
3	▼ \$23,932	▼ \$29,461
4	▼ \$27,042	▼ \$33,843
5+	▼ \$30,016	▼ \$38,157
Single boarders	▼ \$7,978	▼ \$9,214

DUTY COUNSEL & SUMMARY LEGAL ADVICE SERVICES

Duty counsel lawyers help low-income people who appear in court without a lawyer. Financial testing may be required to determine eligibility for some duty counsel services.

Summary legal advice is available to eligible clients through LAO's toll-free number (1-800-668-8258) and in Family Law Information Centres.

DUTY COUNSEL ELIGIBILITY THRESHOLDS

You will likely qualify if your gross family income is **lower than:**

NUMBER OF FAMILY MEMBERS	INCOME MUST BE LOWER THAN
1	\$20,225
2	\$30,337
3	\$34,832
4	\$41,573
5+	\$48,315



Strategic priorities for 2015–2019

Lead as a professional regulator

- Enhance regulatory effectiveness to advance protection of the public
- Ensure appropriate considerations for mental health and equity are integrated into regulatory processes

We will review our processes and explore new regulatory approaches while continuing to manage risk. We will examine policies and procedures to ensure equitable treatment for every individual and group we interact with. We will also consider opportunities for additional mental health supports and resources.

Increase organizational effectiveness

- Continue to enhance the public-interest in the policy-making process
- Review governance methods and structures to ensure efficiency and effectiveness
- Enhance measurement and assessment of our services and programs

We will assess our governance structures, policy-making processes and programs and services, focussing on key objectives, costs and effectiveness.



Prioritize life-long competence for lawyers and paralegals

- Evaluate and enhance licensing standards and requirements
- Improve and increase practice supports
- Consider comprehensive mentoring services

We will consider education beyond traditional CPD formats, and work with the professions to develop initiatives that institutionalize mentoring, advisory services and other types of support.

Enhance access to justice across Ontario

- Increase collaboration with access to justice partners and other stakeholders
- Develop and implement a more concrete access to justice action plan

We will extend our efforts to collaborate with justice partners and other stakeholders to identify and implement solutions to access to justice challenges.

Engage stakeholders and the public with responsive communications

- Improve communication with lawyers and paralegals through greater accountability, transparency and collaboration
- Build a better understanding of the Law Society among the public through heightened engagement

We will review our existing practices and consult broadly to strengthen our relationship with lawyers, paralegals, the public and other stakeholders, and build greater awareness of the Law Society.

YOUR MEMBER ASSISTANCE PROGRAM (MAP)

For Lawyers, Judges, Paralegals, law students, and their families



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Pre-Retirement
Shift Work

ONLINE RESOURCES

THE RIGHT INFORMATION AT THE RIGHT TIME

Access our Member website anytime for e-Learning, interactive tools, health and wellness assessments, and a library of health, life balance, and workplace articles.

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Chair's Award

This year, the Chair's Award for outstanding achievement of a law association goes to the Hamilton Law Association. Outgoing Chair, Cheryl Siran, chose the HLA after seeking nominations and chose the HLA for the exemplary service they provide to the practising bar and leadership they continually exhibit within the Federation.



The HLA delegation accepting the Chair's Award

In offering this award, Cheryl stated:

Regardless of size, many different Associations have shown development, innovation or improvement over my term, and I wish to congratulate you all, particularly those who were nominated. It was not an easy choice!

I have chosen this year to recognize one Association whose work for both its members and for CDLPA has been very active. This Association has demonstrated a continued desire to innovate and improve its Association for its members and offer increasing value for membership. For CDLPA, they have consistently offered their assistance and even their members and staff to participate in CDLPA committees and Boards as representatives. I have also recently learned, from reading their continually updated and active website that they are one of the oldest law associations in Ontario, being created in 1879.

I am pleased to announce that my term's Chair's Award is awarded to the Hamilton Law Association.

As a brief outline, here are some of their many accomplishments:

- *offer extensive CPD programs in the form of annual conferences, topical seminars and lunchtime round table discussions covering various aspects of the law*
- *run a library with over 30,000 books, electronic resources, monographs, reports and other paper bound legal services*

- *publish the HLA Journal 6 times yearly*
- *have 9 internal committees covering areas from CPD to new lawyers*
- *have an active social media presence through website and twitter*
- *promotes a spirit of collegiality amongst its members by hosting a number of social events including its Annual Dinner each Spring*
- *their Executive Director Rebecca Bentham agreed to act as a CDLPA appointment to Library CO, a significant role with a significant time commitment*

Many associations could learn from their recipe, their hard work and their desire to improve, which they should be quite proud of and, has resulted in much success for them as an Association ... I wish to recognize them for these efforts and more, and invite Executive Director Rebecca Bentham, Current President Kirsten Hughes, and past-president John Krawchenko on behalf of the Hamilton Law Association to accept the award.

For more on the great work that the Hamilton Law Association does on behalf of its members, check out their nomination package at this [link](#).



The Hamilton Law Association

Please distribute this report to your members!

We encourage you to share this newsletter with all of the members of your association. If you wish for us to e-mail this document directly to anyone, please let us know.



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Special Thank you to the Sponsors of the Fall 2015 CDLPA/Federation of Ontario Law Associations Plenary

