

**Minutes for the Meeting of the Benchers
February 10th and 11th, 2011
Hotel Saskatchewan, Regina**

Present:

Paul Korpan, Q.C., Loreley Berra, Beth Bilson, Q.C., Thomas Campbell, Thomas Healey, Robert Heinrichs, Joel Hesje, Q.C., Peter Hryhorchuk, Laura Lacoursiere, Heather Laing, Eileen Libby, Q.C., Miguel Martinez, George Patterson, Darcia Schirr, Q.C., Lorraine St. Cyr, Dr. Greg Stevens, Della Stumborg, Evert Van Olst, Gregory Walen, Q.C. and Reginald Watson, Q.C.

In attendance:

Tom Schonhoffer, Q.C., Donna Sigmeth, Tim Huber, Melanie Hodges Neufeld, Jody Martin, Andrea Johnston, Lana Vindevoghel, Toby Willis-Camp and Sam Bergerman

1. CALL TO ORDER

The meeting commenced at 1:14 p.m. on Thursday, February 10, 2011.

Andrea Johnston introduced new staff member, Lana Vindevoghel.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Stephen Orlowski and Lorne Mysko. Michael Megaw, Q.C. was present for Thursday morning only. Loreley Berra was absent on Friday.

3. ACCEPTANCE OF AGENDA

A motion to accept the Agenda, as amended, was presented by Robert Heinrichs and seconded by Darcia Schirr, Q.C. The motion was carried unanimously.

4. ADOPTION OF MINUTES

A motion to adopt the Minutes of the meeting held December 2 and 3, 2010 was presented by Heather Laing and seconded by Lorraine St. Cyr. The motion was carried unanimously.

5. MATTERS ARISING FROM THE MINUTES

The Benchers Compensation Policy was tabled at the last meeting.

6. AGENDA ITEMS FOR DISCUSSION

1. Reports

i. President's Report

Paul Korpan, Q.C., presented his report. Highlights of his report included:

- Mr. Korpan attended the following:
 - Second annual PBLS Gala held in Regina on January 28, 2011
 - Queen's Counsel Ceremony on January 30, 2011
- Mr. Korpan reported on the following:
 - Beth Bilson, Q.C. was presented with the Distinguished Service Award at the CBA Mid-Winter Meeting on February 4, 2011
 - Mr. Korpan and Greg Walen, Q.C. have been invited to attend the Law Society of Manitoba Convocation and the Law Society of Alberta Benchers Retreat in June
 - Mr. Korpan, Greg Walen, Q.C., Tom Schonhoffer, Q.C., and Graeme Mitchell, Q.C. will attend the Federation meeting in March
 - Mr. Korpan invited the President of the Law Society of Upper Canada to attend Convocation this year
 - A new committee has been established to address the changing market and face of the profession

ii. Executive Director's Report

Tom Schonhoffer, Q.C., presented his written report.

In addition, Mr. Schonhoffer reported the following:

- Office renovations will start on February 15 and are expected to last three weeks. Construction will present a substantial disruption to office productivity.
- Representatives of the CBA and the Federation are meeting next week to compare opinions on conflict.
- The Federation will seek further information from the Law Societies on the future harm section of the Model Code.

iv. Greystone Investments

Chris Chernecky and Blair Ledingham presented their report.

2. Committee Reports

i. Admissions & Education

Minutes of the meeting held October 12, 2010 were provided for information.

Evert Van Olst reported on the committee's meeting held today. The committee dealt with specific recommendations from Andrea Johnston on the CPD Program, but was unable to complete the agenda. The rest of the recommendations will be reviewed via conference call. Ms. Johnston will make her report available to all Benchers for review.

ii. Discipline Committee

Minutes of the meeting held October 21, 2010 were provided for information.

iii. Ethics Committee

Minutes of the meeting held October 21, 2010 were provided for information.

iv. Executive Committee

Minutes for the meeting held November 10, 2010 were provided for information.

v. Professional Standards Committee

No minutes were presented.

7. AGENDA ITEMS FOR DECISION

i. Appointments

a. Senior Life Members

For 2011, eleven lawyers have been members of the Law Society for 50 years and may be eligible for a Senior Life Membership. A memo with recommendations was considered by the Benchers.

A motion to award the following members a Senior Life Membership for 2011 was presented by Loreley Berra and seconded by Robert Heinrichs. The motion was carried unanimously.

Joseph Dierker, Q.C.	Allan Beke
Ronald Price-Jones	William Tufts
Robert Bertram	Ernest Gaudet
John Beke, Q.C.	Gordon Neill, Q.C.
Robert Emigh, Q.C.	Barry Collins, Q.C.
	Edwin Tollefson, Q.C.

A policy will be developed to establish further criteria for the Senior Life Membership award.

iii. Bencher Compensation Committee

A memo dated February 10, 2011 from the committee reporting on the results of the surveys on Bencher compensation was reviewed by the Benchers.

A motion to accept the committee's recommendations was presented by Lorraine St. Cyr and seconded by Miguel Martinez. The motion was carried unanimously.

iv. Rule Amendments – Rule 94.(3)(a)

A motion to pass the amended Rule 94 was presented by Evert Van Olst and seconded by Lorraine St. Cyr, on first reading. The motion was carried unanimously.

A motion to have the second reading of the Rule amendment on the same day was presented by Loreley Berra and seconded by Heather Laing. The motion was carried unanimously.

A motion to pass the amended Rule 94 was presented by Della Stumborg and seconded by Beth Bilson, Q.C., on second reading. The motion was carried unanimously.

ii. Investment Policy

The Benchers reviewed the Law Society's Investment Policies and Goals. Tom Schonhoffer, Q.C. undertook to review the policy and will bring the policy back to the Benchers if changes are required.

The Benchers went in camera at 3:19 p.m. Law Society staff were excluded.



The meeting reconvened at 9:00 a.m. on Friday, February 11, 2011.

6. AGENDA ITEMS FOR DISCUSSION

1. Reports

iii. Graeme Mitchell, Q.C., Federation Council

Mr. Mitchell presented his report on the Federation Council. Highlights included:

- On December 16, 2010, Mr. Mitchell participated in a conference call with Federation Council members. There are two main issues to report:
 - The reports on the Conflicts and Future Harm sections of the Model Code are contentious among the Law Societies. A standing committee, chaired by Gavin Hume of the Law Society of British Columbia, has been struck to attempt to resolve the differences. On March 17, 2011, the Federation Council will vote on the Future Harm section.
 - An *ad hoc* committee has considered the applications of two law schools seeking accreditation: Thompson River University in Kamloops and Lakehead University in Ontario. The committee recommended approving the applications and the committee's report was passed in early February, 2011. However, the Law Societies will still have the discretion to admit graduates from these schools as members.
- In November the structure of the Federation changed as follows:
 - President: Ronald J. MacDonald, Q.C.
 - First Vice-President: John J.L. Hunter, Q.C.
 - Second Vice-President: Gerald R. Tremblay, C.M., O.Q., Q.C.
- The CanLII levy has increased.

Mr. Mitchell was instructed to abstain on the vote on the Future Harm section.

Paul Korpan, Q.C. advised the Benchers that a ½ day sentencing forum will be held prior to next Convocation. The forum will be facilitated by Alma Wiebe, Q.C. and will be held in camera with no input from Law Society staff. Mr. Korpan invited the Benchers to contact him with suggestions.

8. SENTENCING

The Benchers convened as the Discipline Committee, Joel Hesje, Q.C. acted as Chair and Tim Huber was invited to make submissions for the Law Society. Jonathan Goby was self-represented.

A transcript of the proceedings was prepared by Shelley Fairbairn, CSR, Royal Reporting, Regina.

9. INFORMATION

The following was presented for information:

- a. **Social Justice: LSUC's record should prompt debate on self-regulation** – by Alan Shanoff, Law Times, Jan. 10, 2011
- b. **Continuing education now mandatory in Ontario** – Lawyers Weekly, Jan. 14, 2010
- c. **Inside the crystal ball – one possible future for lawyers and law societies**, by Jordan Furlong, Benchers' Bulletin, Winter 2010, p. 10

10. DATE AND PLACE OF THE NEXT MEETING

The next Convocation is scheduled for April 13th, 14th and 15th in Saskatoon.

THOMAS J. SCHONHOFFER, Q.C.
Executive Director

TJS/el