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- (11) A Bencher is not entitled to vote by proxy.
- (12) Subject to subrule (13), a resolution to add to, amend or delete from these Rules or *The Code of Professional Conduct* is not valid unless:
 - (a) the resolution is read twice; and
 - (b) a majority of Benchers voting on each reading vote in favour of the resolution.
- (13) A resolution referred to in subrule (12) shall not be read twice on the same day, unless two-thirds of the Benchers present at the meeting and voting consent.
- (14) A meeting of the Benchers may be adjourned from time to time and from place to place.
- (15) The Benchers may conduct a meeting of the Benchers by joining together two or more locations by telephone or by any other means of communication which permits all persons participating in the meeting to hear each other, and a Bencher participating in such a meeting is, for the purpose of this Rule, present at the meeting.

Reimbursement for Bencher Expenses

93. (1) The Society shall reimburse Benchers described in section 6(2)(a) and (b) for all reasonable and necessary expenses actually incurred in performance of their duties.
- (2) The Society shall reimburse, in the case of expenses actually incurred by Benchers described in section 6(2)(c) of the *Act*, the greater of:
- (a) the amount determined under section 6(6) of the *Act*; or
 - (b) all reasonable and necessary expenses actually incurred in performance of their duties.

Remuneration of Benchers

94. (1) The President shall receive remuneration in an amount fixed by the Benchers.
- (2) Benchers described in section 6(2)(a) and (b) of the *Act* may receive remuneration in an amount fixed by the Benchers.
- (3) Benchers described in section 6(2)(c) of the *Act* shall receive remuneration in an amount which is the greater of:
- (a) the amount determined under section 6(5) of the *Act*; or
 - (b) the amount fixed by the Benchers.

[Rule 94(3)(a) amended February 10, 2011]

Bencher Absence

95. Where an elected Bencher has been absent from two consecutive, regularly scheduled meetings of the Benchers in Convocation, the Benchers in Convocation may, by resolution, remove that Bencher from office.

[next rule is Rule 110]

PART 6

Committees

A. General

Establishment

110. (1) The following committees are established:
- (a) the Admissions & Education Committee,
 - (b) the Professional Standards Committee;
 - (c) the Discipline Committee;
 - (d) the Ethics Committee;
 - (e) the Executive Committee;
 - (f) the Insurance Committee;
 - (g) the Audit Committee;
 - (h) the Discipline Executive Committee;
 - (i) the Conduct Investigation Committee; and
 - (j) the Governance Committee.
- (2) The Benchers may, by Rule, establish any other committee for the better governance of the Society.

[Rule 110(1)(c) amended and Rule 110(1)(l) added September 17, 1993]

[Rule 110(1)(i) amended December 11, 1994]

[Rule 110(j) amended December 7, 1995]

[Rule 110(1)(l) amended December 11, 1998]

[Rule 110(1) amended to remove Committees: Annual Meetings, Finance, Libraries and Equity/Diversity December 7, 2007]

[Rule 110(1) amended to add Discipline Executive and Conduct Investigation Committees May 2, 2014, effective July 1, 2014]

[Rule 110(1) amended to delete the Legislation & Policy Committee and add the Audit and Governance Committees, Nov. 28, 2014]

Membership

111. (1) The President shall, in the case of every committee other than the Executive Committee, appoint the members and designate one of them as Chairperson and another of them as Vice-Chairperson.

(2) Any Vice-Chairperson of a Committee may perform the duties of the Chairperson of that Committee where it is desirable for him or her to do so in furtherance of the objects of the *Act* and the Rules.

(3) The members of a committee shall, if both the Chairperson and the Vice-Chairperson are unable or unwilling to act, choose one of their number to perform the duties of Chairperson.

- (4) A member of a committee appointed under subrule (1) holds office until the earlier of:
- (a) ceasing to be a member of the Society; or
 - (b) being removed from office by the President.

(5) The President may fill a vacancy on any committee with respect to which the President has the power of appointment.

- (6) The President;
- (a) is an *ex officio* member of each committee established under Rule 110; and
 - (b) may be appointed as an active member of any committee.

[Rule 111 amended March 27, 1992 & September 17, 1993]

Duties

112. A committee shall, in addition to the duties assigned to it by the *Act* and these Rules, perform any duties assigned by the Benchers.

Quorum

113. (1) At a meeting of any committee other than the Discipline Committee, a majority of members present constitutes a quorum.

(2) In determining whether a quorum exists, the President's membership shall be counted only if the President is an active member of the committee.

Majority Decisions

114. Unless the *Act* or these Rules state to the contrary, a committee may act by majority decision.

Procedures

115. Unless the *Act* or these Rules state to the contrary, a committee may set its own practice and procedures.

[next rule is Rule 125]

B. Standing Committees

Admissions & Education Committee

125. The Admissions & Education Committee shall:

- (a) perform the duties assigned to it by Part 7 and 7A of these Rules;
 - (b) when necessary consult with the University of Saskatchewan, College of Law respecting the education of students, including the curricula of the Faculty of Law;
 - (c) set standards and procedures for, and supervise the training and education of students-at-law while articling to a principal or serving as a law clerk;
 - (d) make inquiries of a student-at-law, principal or justice that it considers necessary to ensure that the standards set under subrule (c) are being complied with;
 - (e) prohibit a member from acting as a principal to a student-at-law where the Committee is satisfied that the training and education provided to the student do not meet the standards set under subrule (c);
 - (f) supervise:
 - (i) the Bar Admission Program, the Bar examinations, and other assessments; and
 - (ii) the provision of continuing legal education to members;
- and act as liaison with any other organization in the provision of these services; and
- (g) perform any other duties assigned to it by the Benchers.

[Rule 125 amended December 8, 1994 and February 5, 2004]

[Rule 125 amended to remove reference to the former Mediation Rules April 25, 2013]

[Rule 125(a) amended, November 1, 2014]

[Rule 126 Annual Meetings Committee deleted December 7, 2007]

Professional Standards Committee

127. (1) The membership of the Professional Standards Committee consists of those Benchers appointed under section 35(1) of the *Act*.

- (2) A member of the Committee holds office until the earlier of:
 - (a) ceasing to be a Bencher; or
 - (b) being removed from office by the Benchers.
- (3) The Benchers may fill a vacancy on the Committee.
- (4) The Committee shall:
 - (a) perform the duties assigned to it by the *Act* and Part 8 of these Rules; and
 - (b) supervise the Society's activities respecting unauthorized practice.

[Rule 127 amended February 4 and 5, 1993]

Discipline Committee

128. (1) The Chairperson and each Vice-Chairperson of the Discipline Committee hold office until the earlier of:

- (a) ceasing to be a Bencher; or
- (b) being removed from office by the Benchers.

(2) A Bencher member of the Discipline Committee holds office until that member ceases to be a Bencher.

(3) The President shall fill a vacancy in the office of Chairperson, and may fill a vacancy in the office of each Vice-Chairperson.

(4) The Committee shall perform the duties assigned to it by Part 8 of these Rules.

[128(2) & (4) amended May 2, 2014, effective July 1, 2014]

Ethics Committee

129. (1) The Ethics Committee:

- (a) may give opinions and make rulings on questions of professional ethics, for the guidance of the profession;
- (b) shall make recommendations to the Benchers and to the Discipline Committee respecting professional ethics and the development of and revisions to *The Code of Professional Conduct*; and
- (c) shall administer the Society's Rules respecting the marketing of legal services.

(2) *The Code of Professional Conduct* published by the Society and as amended from time to time constitutes a Rule of the Society.

Executive Committee

130. (1) The Executive Committee shall consist of:

- (a) the President of the Society, who shall be Chairperson of the Committee;
- (b) the Vice-President of the Society, who shall be the Vice-Chairperson of the Committee;
- (c) the Immediate Past President of the Society, if that person is a Bencher;
- (d) not more than 5 other Benchers, appointed by the President; and
- (e) the Executive Director shall be a non-voting member of the Executive Committee.

(2) A member referred to in subrule (1)(d) holds office until the earlier of:

- (a) ceasing to be a Bencher; or
- (b) being removed from office by the President.

(3) Where the office of a member referred to in subrule (1)(d) is vacated, the President may fill the vacancy.

(4) The Committee shall:

- (a) perform the duties assigned to it by these Rules;
- (b) make recommendations respecting the manner in which the interests of the Society will be advanced before governments, the public, the media and the profession; and
- (c) act on matters that arise between meetings of the Benchers; and
- (d) supervise management of the finances of the Society.

[Rule 130(1)(e) added December 10, 1992]

[Rule 130(1)(e) amended; (4)(d) added December 7, 2007]

[Rule 131 Finance Committee deleted December 7, 2007]

Insurance Committee

132. The Insurance Committee shall supervise administration of the Society's insurance program in accordance with section 11 of the *Act* and Part 10 of these Rules.

[Rule 133 deleted December 8, 1994]

[Rule 134 amended December 7, 1995]
 [Rule 134 Legislation & Policy Committee deleted Nov. 28, 2014]

Discipline Executive Committee

135. (1) The Discipline Executive Committee consists of Benchers appointed by the President in accordance with Rule 111.

(2) The Discipline Executive Committee may perform any duties assigned to the Discipline Committee by the *Act*.

Hearing Committee

136. (1) Subject to Rule 450, a hearing committee appointed pursuant to section 47 of the *Act* shall consist of not more than three persons and may include:

- (a) Benchers;
- (b) former Benchers and members, as needed; and
- (c) any other persons who have reached the age of majority and have had tribunal hearing training or experience approved by the Benchers, as needed.

(2) The Chairperson of a hearing committee appointed in accordance with section 47 of the *Act* shall be a Bencher.

(3) Where possible, one member of any hearing committee appointed in accordance with section 47 of the *Act* should be a public representative Bencher.

(4) In the absence of a member of a hearing committee appointed pursuant to section 47 of the *Act* and this Rule:

- (a) the Chairperson of the Discipline Committee may fill a vacancy; or
- (b) the hearing committee may continue in the absence of that member.

(5) A hearing committee appointed pursuant to section 47 of the *Act* and this Rule is not a committee within the meaning of section 7.1 of the *Act* and the duties of the Chairperson of a hearing committee to hear and determine a formal complaint shall not be delegated to any other person.

Conduct Investigation Committee

137. (1) The conduct investigation committee appointed in accordance with section 35.1 of the *Act* shall consist of a minimum of six persons and may include:

- (a) Benchers, former Benchers and members; and
- (b) any other persons who have reached the age of majority and have had investigation training or experience approved by the Benchers;

but a majority of the members of the Committee must be Benchers.

Conduct Investigation Panel

138. (1) For each complaint referred to the Conduct Investigation Committee, Complaints Counsel shall identify not more than three members of the Conduct Investigation Committee, subject to each member's:

- (a) business or personal conflicts of interest;
- (b) Society-related conflicts of interest; and
- (c) availability;

to constitute a conduct investigation panel, in accordance with section 7.1 of the *Act* and Part 8 of these Rules, to carry out the duties of the Conduct Investigation Committee set out in Part 8(D) of these Rules.

(2) When identifying the most appropriate members of a conduct investigation panel constituted in accordance with (1), Complaints Counsel shall also take into account each member's:

- (a) knowledge and expertise as it relates to the subject matter of the complaint; and
- (b) Society-related workload.

(3) When determining the appropriate number of members for a conduct investigation panel constituted in accordance with (1), Complaints Counsel should consider the seriousness and complexity of the complaint.

[Rules 135 Libraries Committee and 136 Equity/Diversity Committee deleted December 7, 2007]
[Rules 135 – 138 added May 2, 2014, effective July 1, 2014]

[next rule is Rule 149]