

Minutes for the Meeting of the Benchers Held Friday, October 28, 2016 Hotel Saskatchewan, Regina

Present:

Perry Erhardt, Q.C., Jeff Baldwin, Leslie Belloc-Pinder, David Bishop, David Chow, Monte Gorchinski, Rennie Harper, Brenda Hildebrandt, Q.C., Heather Hodgson, Erin Kleisinger, Q.C., Judy McCuskee, John McIntosh, Q.C., Rosanne Newman, Q.C., Ronni Nordal, Ronald Parchomchuk, Martin Phillipson, David Rusnak, Q.C., Sean Sinclair, Gerald Tegart, Q.C., Ian Wagner and Craig Zawada, Q.C.

In attendance:

Donna Sigmeth, Q.C., Barbra Bailey, Jody Martin, Melanie Hodges Neufeld and Ruth Armstrong, Office Manager, for part of the meeting. Rennie Harper attended via conference call until 2:30 pm (before the levy was voted on).

Call to Order:

The meeting commenced at 1:10 pm on Friday, October 28, 2016.

1. Approval of the Agenda

Moved by Leslie Belloc-Pinder, seconded by Jeff Baldwin, to approve the Agenda as written.

The motion carried unanimously.

1.1 Apologies for Absence

An apology for absence was received from Jay Watson. Scott Moffat was not in attendance. David Rusnak, Q.C. missed the morning portion and attended at 1:00 pm. Rennie Harper attended part of the meeting via conference call.

1.2 Introduction of Guests

Jeff Hirsch, President of the Federation of Law Societies and Roberta Campbell, President of the Law Society of Manitoba, will attend the President's Dinner, but they will not attend the Bencher meeting.

1.3 Confirmation of Agenda

1.4 Bencher Conflict of Interest Disclosures

Sean Sinclair stated he will recuse himself from any discussion about the renewal of the trustee contract with Robertson Stromberg.

1.5 Agenda Items, Committee Reports and Documents Which Are Not Open to the Public

There should be nothing specific in the budget itself that requires confidentiality, although questions from the Benchers might raise issues. The morning portion of the meeting from 10:45 am to 1:00 pm was held *in camera*, therefore, was not open to the public.

2. Approval of the Minutes of September 16, 2016

2.4 Amendments

None.

2.5 Confirmation of Minutes

Moved by John McIntosh, Q.C., seconded by Ian Wagner, to approve the Minutes of the Bencher meeting held September 16, 2016.

2.6 Business Arising from Minutes

None.

3. Agenda Items for Decision

3.1 Budget 2017

Donna Sigmeth, Q.C. presented the proposed budget for 2017 using Power Point slides in accordance with her attached memo and related documents for each department.

A memo was provided for consideration from Melanie Hodges Neufeld setting out possible options to address the Library budget shortfall, as well as a summary document explaining the work done at the libraries.

A motion to approve the 2017 cost budget was moved by Jeff Baldwin, seconded by Brenda Hildebrandt, Q.C. The motion was carried.

A motion to approve the current practicing levy for 2016 – 2017 at \$1,950 (up from \$1,750) was moved by Erin Kleisinger, Q.C., seconded by Brenda Hildebrandt, Q.C. 7 were in favour, 12 were opposed. The motion was defeated.

A motion to approve the current practicing levy for 2016 – 2017 at \$1,800 (up from \$1,750) was moved by Ian Wagner, seconded by Craig Zawada, Q.C. 8 were in favour, 11 were opposed. The motion was defeated.

A motion to approve the current practicing levy for 2016 – 2017 at \$1,750 was moved by Dave Rusnak, Q.C., seconded by Ronni Nordal. 12 were in favour, 7 were opposed. The motion carried.

3.2 Pro Bono Law Saskatchewan

PBLS requested that the Law Society increase its support as per the memo from Kara-Dawn Jordan, Executive Director. The Executive Committee did not recommend an increase in funding at this time. As the Executive Committee included this in its overall budget proposal, this was dealt with in item 3.1.

3.3 Appointments

i. Saskatchewan Legal Aid

The term for Amanda Dodge expires December 31, 2016 and she is interested in serving another term. According to Law Society policy, appointments are usually made for two-year terms with the possibility for renewal to a maximum of six years. Ms. Dodge is eligible to serve a second term and the Executive Committee recommends Amanda Dodge serve a second term.

Moved by Leslie Belloc-Pinder, seconded by Dave Rusnak, Q.C., to re-appoint Amanda Dodge for a second term from January 1, 2017 to December 31, 2018. The motion carried.

ii. Legislative Assembly – Standing Committee on Public Accounts

The Standing Committee requested nomination of a member of the Law Society based on particular criteria. The Standing Committee may elect not to appoint the candidate. There was only one interested applicant and the Benchers reviewed his qualifications.

Moved by Sean Sinclair, seconded by Brenda Hildebrandt, Q.C., that Jason K. Majid be recommended to the Legislative Assembly, Standing Committee on Public Accounts. The term of the appointment is for the duration of the 27th legislature, which may not exceed 5 years. The motion was carried.

iii. Designated Complaints Counsel (DCC)

A second out-of-province Designated Complaints Counsel (DCC) is required and Katherine Whitburn of the Law Society of Alberta has agreed to act in this capacity.

Moved by Ian Wagner, seconded by John McIntosh, Q.C., that Katherine Whitburn of the Law Society of Alberta be appointed as Designated Complaints Counsel for a 2 year term, from November 1, 2016 to October 31, 2018.

3.4 Bencher Election Reform

The Law Society of Manitoba conducted reform of their electoral process recently; therefore, having someone from the Law Society of Manitoba to speak to this would be very useful. The Executive recommends that a facilitated discussion be set for February 2017 Convocation to allow the new Executive Director to obtain some governance training in advance of the February meeting. Administration will also be in touch with the Law Society of Manitoba to organize speakers.

4. Communications Strategy

One of the responsibilities of the new Executive Director is to hire a new Communications Coordinator. Donna Sigmeth, Q.C. has highlighted all budget line items that pertain to “communication” for reference by the future Executive Director.

The Benchers recommended that this search begin immediately, with input from the new Executive Director.

5. Financial Statements

Financial statements for the period ended August 31, 2016 were provided for information.

6. Regulation

6.1 Rule Amendments

A memo from Barbra Bailey regarding amendments to Rule 92 “Procedure at Meetings of the Benchers,” along with a black-lined copy of the corresponding Policy that is maintained in the Governance Policy Manual, was provided to the Benchers for consideration.

This item was deferred until December Convocation.

6.2 Law Society Fees and Assessments

Practicing fees for 2016-17 were approved under Budget item 3.1.

The balance of the fee increases listed in the Fee Schedule and in the “CPD Chart for CPD Activities” was deferred to December Convocation.

7. Reports

7.1 President’s Report

Perry Erhardt, Q.C. attended the Federation meeting in New Brunswick October 19 – 22, 2016. He will also speak to the Professional Responsibility class at the College of Law next week.

8. Informational Items

The following were provided for information:

- a. Recipient of the Law Society Entrance Scholarship 2016-17
- b. University of Saskatchewan Senate report from Alma Wiebe, Q.C.

9. Meeting Finalization

9.1 Review Actions to be Taken

Budget follow-up, including Fee Schedule increases for approval.

9.2 Confirm Items under 1.4

The trustee contract was not discussed, so Sean Sinclair did not need to recuse himself.

9.3 Meeting Evaluation

The Benchers asked that the Agenda for the October budget meeting be limited to budget matters, unless there are matters that are time-sensitive.

9.4 Next Meeting

The final Convocation of the year is scheduled December 1 and 2, 2016 at the Radisson Hotel in Saskatoon.

9.5 Motion to Adjourn

Dave Bishop moved to adjourn at 4:04 p.m.

10. Bencher In-Camera Session

DONNA SIGMETH, Q.C.
“Acting” Executive Director

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