

# CONVOCAATION AGENDA

Convocation Date: April 25 – 27, 2018  
Location: Bessborough Hotel, Saskatoon  
Commencement and End Time: Thursday, April 26<sup>th</sup> beginning at 8:00 am until  
Friday, April 27<sup>th</sup> at 1:30 pm.

## 1. Approval of the Agenda

### 1.1 Apologies for Absence

Apologies for absence have been received from Judy McCuskee, Ronni Nordal, Dean Martin Phillipson and Jay Watson. David Bishop and Sean Sinclair both have trials scheduled during the week of Convocation. They will advise of any changes.

### 1.2 Confirmation of Agenda

### 1.3 Bencher Conflict of Interest Disclosures

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

- i. Investment Strategies
- ii. Special Fund
- iii. Bencher Self-Evaluation
- iv. Legal Services Task Team

## 2. Approval of the Minutes of February 9, 2018

### 2.1 Amendments

### 2.2 Confirmation of Minutes

### 2.3 Business Arising from Minutes

## 3. Strategic Initiatives

### 3.1 Work Plan

Updated work plan provided by Barbra Bailey.

### 3.2 Improve Confidence in the Law Society among Stakeholders

- i. Communications Strategy

a. Communication Reports

For information, enclosed is a Communication Report prepared by Anna Willey, Communications Consultant.

b. Law Society Publications

A copy of the [2017 Annual Report](#) has been posted to our website in time for the Annual General Meeting. (a copy is also included for information.)

The spring issue of the [Benchers' Digest](#) has also been posted to our website.

c. Pre-Strategic Planning Environmental Scan

The staff held a retreat on April 12th & 13th in Elbow, Saskatchewan. The purpose of the retreat was for facilitated discussion to structure an environmental scan in advance of the *Strategic Planning Session* scheduled for June Convocation. Tim Brown, Q.C. will provide an update.

ii. Aboriginal Graduates

The Dean at the College of Law brought it to our attention that Aboriginal graduates are finding it difficult to find articles.

This item was brought to the Benchers' attention at February Convocation. There are numerous factors to consider in addressing this issue and Administration is currently working with the Chairs of A & E and Equity & Diversity to determine ideas and solutions to bring before the Benchers at a Convocation later in 2018.

iii. Blanket Exercise

Law Society staff and Ronni Nordal, Chair of Equity & Diversity, attended a Blanket Exercise on April 4<sup>th</sup> to increase awareness regarding residential schools and colonization. A Blanket Exercise is scheduled for the Benchers at September Convocation.

iv. CPLED 2.0

Tim Brown, Q.C. will update the Benchers with respect to this initiative.

### 3.3 Improve Capacity, Competency and Knowledge of Members

i. Innovating Regulation – Update

The Prairie Provinces met on March 14<sup>th</sup> in Winnipeg, with the Executive in attendance.

The staff working group is working on a summary report based on the discussions held in Winnipeg on March 14<sup>th</sup>. The working group will also explore how the various options discussed in Winnipeg could be achieved or enhanced through an online platform and will gather more information. Once all the information is gathered, it will go to the Access Committee; therefore, it will not be ready for April Convocation. Barbra Bailey can provide an update at the meeting.

### **3.4 Improve Access to Legal Services**

#### **i. Legal Services Task Team**

Discussion topic for the Thursday afternoon of Convocation. Gerald Tegart, Q.C. will lead the discussion.

#### **ii. Access to Justice**

Tim Brown, Q.C. will report on the Strategic Planning Session of the Saskatchewan Access to Justice Working Group facilitated by the Law Society on March 20, 2018.

## **4. Society Governance**

### **4.1 Operational Reporting**

- i. President's Report**
- ii. Executive Director's Report**
- iii. Federation Council Report**

### **4.2 Financial Reporting**

#### **i. Financial Statements for the Period ended March 31, 2018**

Attached are the financial statements for the period ended March 31, 2018.

#### **ii. Quarterly Investment Report**

Attached is the report for the period January 1 to March 31, 2018.

#### **iii. Law Society Investment Strategies**

Administration has been working with Loren Gee, CFA, MBA from Greystone to produce an updated investment policy. A redlined version is attached which outlines the changes.

Following Loren Gee's presentation at February Convocation, a motion was made to authorize Greystone's BondPlus fund as a permissible investment to be heard during the March 29, 2018 conference call to approve the 2017

audited financial statements. It was so tabled to allow Administration to work with Loren Gee to make the necessary amendments to the Society's Investment Policy. The amended policy was not ready in time for the March 29, 2018 conference call and the original motion was further tabled to April 27, 2018. Motions will be required to approve the changes to both the Investment Policy and the permissibility of the BondPlus fund.

#### **4.3 Special Fund**

The Trust Safety Committee is reviewing the Special Fund structure and policies. For background information, attached is a memo entitled *The Future of the Special Fund*. Monte Gorchinski will provide a verbal report.

#### **4.4 Results of the Bencher Self-Evaluation**

Attached is a summary of the Bencher self-evaluation report provided by Barbra Bailey. David Chow, Chair of Governance, will speak to this at April Convocation.

#### **4.5 Governance Policy Manual**

- i. Governance Policy Manual - *B-IV: Executive Director Policy, Executive Expectations section (ii)(d) regarding Finances*

Pamela Harmon, CPA, CA requested that the Governance Committee review the policy respecting the Executive Director's Executive Limitations regarding spending where there are variances from the annually approved budget. It is not clear whether the Executive Director is expected to report to the Benchers on budget variances of 5% or more with respect to a specific line item or the overall budget. Administration has been reporting on all significant variances, and while it is not onerous to report, they would like to clarify the Benchers' expectations about when they receive reports. The Governance Committee discussed the policy and was of the view that, while they assume it should be by line item, it does not make sense to report on this level of variance for smaller line items. The Committee felt that decisions about reporting on budget variances could be left to the Executive Director's discretion and has recommended an amendment to the policy to reflect this.

A motion is required.

#### **4.6 Appointments**

- i. Designated Complaints Counsel (DCC)

At February Convocation, 14 DCC were appointed by the Benchers. Attached is a memo from Valerie Payne with additional interested volunteers for approval by the Benchers. (A copy of the February memo is also included for information.)

A motion is required.

ii. Senate of the University of Saskatchewan

Karen Prisciak, Q.C. resigned from this board. To fill the position, a notice was sent to the membership and 14 resumes were collected. Please find them attached, along with a letter from Karen Prisciak, Q.C., outlining the requirements and qualifications for this position.

A vote will be held via secret ballot to select one qualified candidate for the board.

iii. Federation Council

The term for Gregory Walen, Q.C. will expire December 31, 2018.

A Nomination Committee must be struck, consisting of the President, Vice-President, Executive Director and two Benchers. Jeff Baldwin and Sean Sinclair are the only Benchers who expressed interest, therefore, they are elected by acclamation.

The next step will be to solicit interest for Federation Council from the membership via email blast. This will be done at the end of April.

iv. Public Representative Benchers

During the first two weeks in May, ads will be published in 5 newspapers across the province to invite applications from the public. Ads will also be placed on websites of other organizations that may be able to assist us in broadening our search. Resumes will be collected until June 15<sup>th</sup> and the selection process will take place over the summer in a joint effort by the Minister's office and the Law Society Executive Director and President (or his designate). A progress update is contained in Tim Brown, Q.C.'s Executive Director's Report.

## **5. Regulation**

### **5.1 Legal Profession Act, 1990 - Amendments**

Attached for information is a memo from Barbra Bailey on proposed legislative amendments.

## 5.2 Insurance Levy

The Benchers will be asked to consider the proposed Insurance Levy for the year beginning July 1, 2018. In the absence of Brad Hunter, Q.C., Insurance Counsel, Perry Erhardt, Q.C., as Chair, will explain the recommendation to the Benchers and propose a resolution. To assist the Benchers in deliberation, attached is a memo from Brad Hunter, Q.C.

A motion of the Benchers is required.

If the Insurance Levy is approved by the Benchers, a copy of *Schedule 1, Law Society Fees and Assessments*, is included for approval, as this Schedule appears in the Law Society Handbook and forms part of the Rules. First and second motions to approve the Annual Assessment at the new rate will be required.

## 6. Committee Reports

- a. Access to Legal Services
- b. Admissions & Education
- c. Audit
- d. Conduct Investigation
- e. Discipline
- f. Equity & Diversity
- g. Ethics
- h. Executive
- i. Governance
- j. Insurance
- k. Legal Resources
- l. Professional Standards
- m. Trust Safety

## 7. Informational Items

### a. Equity & Diversity

[But I was Wearing a Suit](#) – a Youtube video the Equity & Diversity Committee would like the Benchers to view. It is about stereotyping and bias within the legal profession – Indigenous lawyers were asked to submit their stories about the racism and stereotyping they faced in the practice of law.

### b. Technology

Attached is a memo from Tim Brown, Q.C.

**c. Environmental Scan**

Law Society priorities across Canada – attached is an update on what each Law Society in Canada is working on. (This is a combined file that contains bookmarks for easy reference.)

**d. Reports**

- i. Law Foundation – Annual Report 2016-2017
- ii. Federation Report – from Valerie Payne, Complaints Counsel

**8. Meeting Finalization**

- 8.1 Review Actions to be Taken**
- 8.2 Confirm Items under 1.4**
- 8.3 Meeting Evaluation**
- 8.4 Next Meeting – June 20 – 22, 2018 (Elkridge)**
- 8.5 Motion to Adjourn**

**9. Bencher *In-Camera* Session with Executive Director****10. Bencher *In-Camera* Session without Executive Director**