

CONVOCAATION AGENDA

Convocation Date: December 5, 6 and 7, 2018
Location: DoubleTree Hotel, Regina
Commencement and End Time: Begins Thursday, December 6th at 8:00 am and ends
Friday, December 7th around 1:00 pm

1. Approval of the Agenda

1.1 Apologies for Absence

An apology for absence has been received from John McIntosh, Q.C.

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. PBLS Funding Request
- ii. Law Foundation Appointments

2. Approval of the Minutes

- a. Bencher Minutes from the meeting held September 14, 2018
- b. *In Camera* Bencher Minutes from the meeting held September 14, 2018
- c. Bencher Minutes from the meeting held October 26, 2018
- d. *In Camera* Bencher Minutes from the meeting held October 26, 2018

2.1 Amendments

2.2 Confirmation of Minutes

2.3 Business Arising from Minutes

3. Honourary Membership with the Law Society

From the Law Society of Alberta, Donald Cranston, Q.C., President, and Elizabeth Osler, Deputy Executive Director, will be in attendance. Dr. Kara Mitchelmore, CPLED CEO, will also be in attendance.

A motion is required to present an honorary certificate to our Law Society of Alberta counterparts.

4. Strategic Initiatives

4.1 Work Plan

An updated work plan has been provided by Barbra Bailey.

4.2 Improve Confidence in the Law Society among Stakeholders

i. Communications

a. Communications Report

Attached is a Communications Report from Anna Willey.

b. Strategic Communications Plan

The *Phase Two* report was provided in *draft* to the Benchers at September Convocation.

Completion of the *Phase Two* plan will be the task of the Communications Action Team.

ii. Strategic Planning

At October Convocation, the Benchers approved the 2019 budget, which was based on a 3-year strategic plan. Creation of the action teams is in progress.

A session has been organized regarding the 2016 – 2018 wrap-up and transition to a new Strategic Plan for December Convocation on Thursday afternoon at 1:00 pm. Time will be allotted for discussion. Attached is the Strategic Plan 2019-2021.

iii. TRC Advisory Committee

Administration has worked with some Indigenous members to finalize a list of invitees to join the Truth & Reconciliation Advisory Group. In providing their recommendations, consideration was given to regional representation (including treaty territory), age, gender, heritage, experience and perspectives. A final list of 8 was recommended, 7 of which are Law Society members and one Knowledge Keeper. The invitees have been approved by the President and are being contacted.

It is intended that the first formal meeting of the group will be arranged in conjunction with the first Convocation of 2019 and that information related to the mandate, governance and operations of the Society as well as an environmental scan of Indigenous initiatives undertaken by Societies across Canada will be provided to the group well in advance.

iv. CPLED 2.0

Dr. Kara Mitchelmore will make a presentation to the Benchers regarding the 2019 pilot project.

v. Gladue Database

A Free Law Society CPD course has been scheduled on December 4, 2018 entitled, [TRC Training: Gladue Rights and Settler Colonialism in Saskatchewan](#).

4.3 Improve Capacity, Competency and Knowledge of Members

i. Innovating Regulation

At December Convocation, a Bencher session is scheduled on Thursday afternoon at 1:45 pm to discuss this initiative. Administration will lead a discussion at the Bencher table about the work to date, the takeaways from the pilot project, and explain the incremental approach to entity regulation discussed by the Prairie Working Group.

The Benchers will be asked to consider a proposed regulatory framework for law firm regulation for approval in principal, in order to start moving forward to secure some of the operational pieces if the proposed framework is to go ahead. This discussion is also intended to benefit the incoming Benchers to provide them with some of the history of this project and provide them with some direction about how to move forward next year.

Two documents are attached for this discussion (previously provided via email on November 23, 2018):

- a. Executive Summary – Proposed Regulatory Framework for Law Firm Regulation
- b. Regulatory Framework to Support Implementation of Law Firm Regulation

ii. Cloud Computing Checklist and Best Practices

As previously discussed at Convocation, PSC obtained an opinion on cloud computing from ISM Canada. Attached for review are the following:

- a. Cloud Computing Guide – Best Practices & Checklist for Law Practices in Saskatchewan
- b. Cloud Strategy Review – Final Report

David Rusnak, Q.C. (Chair of PSC) will speak to this matter. PSC would like the Benchers to review and comment on implementation of this strategy going forward.

iii. Expanding the Practice Advisor Role

PSC has been discussing whether to expand the Practice Advisor Role to allow members to contact them directly with practice concerns.

Attached is a background memo from Stacey McPeck, Foluke Laosebikan, Ph.D. and Jeff Scott, Q.C. about the program and its potential challenges.

4.4 Improve Access to Legal Services

i. Legal Services Task Team

Legislative Services has drafted a Bill to be introduced into the Legislature based on consultations with Administration and we await the completion of the legislative process.

5. Society Governance

5.1 Operational Reporting

- i. President's Report
- ii. Federation Council Report (Erin Kleisinger, Q.C.)

5.2 Financial Reporting

i. Financial Statements

Enclosed are the financial statements for the period ended October 31, 2018.

ii. Quarterly Investment Report

Attached is the Quarterly Investment Report for the period July 1 to September 30, 2018.

iii. PBLs Funding Request (*In Camera*)

Attached is a funding request from Stephen McLellan, President of Pro Bono Law Saskatchewan. Time will be allotted for a brief submission to the Benchers on Friday morning.

A motion is required.

5.3 Election of President and Vice-President

Leslie Belloc-Pinder is the only declared candidate for the President of the Law Society in 2019.

At December Convocation, the Benchers will be asked to hold a secret ballot to elect a new Vice President for 2019.

To date, Gerald Tegart, Q.C. is the only candidate for the Vice-Presidential election. If no other candidates express interest, he will be acclaimed. If other interested candidates come forward, all will be allotted a 10-minute presentation to the Benchers at December Convocation. A vote will then be cast via secret ballot to determine the new Vice-President of the Law Society for 2019.

5.4 Appointments

i. Law Foundation of Saskatchewan (*In Camera*)

The Law Society appoints members to the Law Foundation. Attached is a memo from Tim Brown, Q.C.

All appointments require Bencher approval.

5.5 General Fund Reserves Policy

The Benchers voiced no objection to the *draft* policy provided at September Convocation.

A memo from Kara-Dawn Jordan, as well as the *draft* policy, are provided for final review and approval. As part of this process, the Benchers are being asked to consider approving an allocation of \$750,000 from the surplus to the Capital Reserve.

5.6 Bencher Committee Preferences

Attached is a form that the Benchers are asked to complete by indicating their preferences for Committee appointments.

6. Regulation

6.1 Rule Amendments

i. Part 7A - National Mobility and Interjurisdictional Practice

a. Definition of “entitled to practise law”

The Admissions & Education Committee is proposing amendments to the Rules to modify the definition of “entitled to practice” for the purposes of mobility. Therefore, amendments are required to Rule 192, Definitions and Rule 605(4), Saskatchewan Lawyers’ Insurance Association Inc.

Attached is a memo from Andrea Johnston dated November 22, 2018.

ii. Part 12 - Law Society Fees and Assessments

a. Rule 880 – Refund of Fees

The Admissions & Education Committee is proposing amendments to Rule 880 related to the circumstances in which a refund of fees may be issued.

Attached is a memo from Kiran Mand dated November 23, 2018.

iii. Conduct Investigation Committee (CIC) Review

The Discipline Executive Committee, CIC, General Counsel and Complaints Counsel developed a *draft* Procedure Manual which was provided to the Benchers at September Convocation.

The Discipline Executive Committee has drafted the attached proposed Rule amendments to operationalize the Procedure Manual.

iv. Ethics Committee

In November 2017, changes were made to the Law Society website to change “Professional Conduct Rulings” to “Ethics Rulings.”

As a house keeping matter, the Rules should have been changed as well, however, the change was not transferred to Law Society Rule 303(3)(c) and approval is requested to make the necessary amendments.

Bencher approval is required for all Rule amendments.

7. 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

8. Informational Items

- i. Recipient of the 2018 Law Society Scholarship in law is Jordan Mulligan
- ii. University of Saskatchewan Senate – report from Max Bilson, Law Society Representative
- iii. PLEA – report from Maya Scott, Law Society Representative

9. Meeting Finalization

- 9.1 Review Actions to be Taken**
- 9.2 Confirm Items under 1.4**
- 9.3 Meeting Evaluation**
- 9.4 Next Meeting**
- 9.5 Motion to Adjourn**

10. Bencher In-Camera Session *with* Executive Director**11. Bencher In-Camera Session *without* Executive Director**