

CONVOCATION AGENDA

Convocation Date: April 17 and 18, 2019
Location: Hotel Saskatchewan, Regina
Commencement and End Time: Wednesday, April 17th at 8:00 am to
Thursday, April 18th at 1:00 pm

1. Approval of the Agenda

1.1 Apologies for Absence

An apology for absence has been received from Jeff Baldwin.

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. Governance Reform Session

2. Approval of the Minutes

- i. Minutes of the Bencher Meeting held February 8, 2019
- ii. *In Camera* Minutes of the Benchers held March 26, 2019 to approve the 2018 Audited Financial Statements

2.1 Amendments

2.2 Confirmation of Minutes

2.3 Business Arising from Minutes

3. Decision Items

- i. Approval sought for Strategic Development Budget 2019 [item 5.4(ii)];
- ii. Approval sought for Terms of Reference [item 5.6]:
 - a. Legal Resources Committee
 - b. PSC Committee
 - c. Equity and Access Committees (combined). Amendment to Rule 110 is also required
- iii. Approval sought *in principle* for Firm Regulation Rules [item 6.1(i)(a);
- iv. Approval sought for Insurance Levy [item 6.1(ii)].

4. Strategic Initiatives

4.1 Expanded Approach to Competency (Goal 1)

i. Anti-Money Laundering and Terrorist Financing Tools

In October 2018, the Council of the Federation approved amendments to the No Cash and Client Identification and Verification Model Rules, and the adoption of a new Trust Accounting Model Rule. Council's decision was in response to recommendations from the Federation's Anti-Money Laundering and Terrorist Financing Working Group.

Draft Rules are currently under review by the Law Society Auditors. Thereafter, they will be considered by the Trust Safety Committee with a view to returning it to the Benchers table for approval at September Convocation.

ii. Membership Analytics

At February Convocation, Administration reported that Tim Huber attended a meeting with Andrew Norton and others from the Law Society of Alberta (LSA) to discuss possibilities for collaboration with respect to data analytics.

We have since executed confidentiality agreements (currently *vis-a-vis* the Alberta data), which will allow Tim Huber to participate (via video conference) in Alberta Data Team meetings. The first meeting is set for May 2, 2019.

iii. Articling Experience

The Law Society of Alberta is interested in gathering feedback on the quality of training and the value of the articling experience to determine whether the training successfully prepares new lawyers for entry level practice.

Questions on discrimination and harassment are also included, considering how these issues affect the articling experience.

Administration has been working with the Law Society of Alberta to develop the survey. It is our plan to conduct the survey later in the spring with the results to be presented to the Competence Committee for evaluation.

iv. Legal Resources Update

a. Regina Space Update

Court Services has provided a design for discussion and are hopeful that construction will begin before summer, with an end-of-summer completion. In anticipation of the downsizing, three staff members have moved to Avondale.

Tower and book disposal has begun. Melanie Hodges Neufeld will meet with Court Services on May 1st to discuss next steps and potential costs.

Melanie Hodges Neufeld will provide an update.

b. *Westlaw (In-Camera)*

Westlaw has been renewed for two years, with the addition of Employment Source to the previous suite.

Melanie Hodges Neufeld will provide an update.

4.2 Trusted and Transparent Regulation (Goal 2)

i. Communications

a. Communications Report

Attached is a report from Anna Willey.

b. Strategic Communications Plan

Attached is an updated report of the 2019 Strategic Communications Plan from Anna Willey.

ii. 2018 Annual Report

An e-copy of the 2018 Annual Report was posted to our [website](#). Printed copies will no longer be produced. An email was sent to the membership containing a link to the Annual Report whereby members could view the report and watch the Executive Director's message on video.

Administration is interested in receiving feedback respecting the new format.

4.3 Innovative and Flexible Leader of an Engaged and Forward Thinking Membership (Goal 3)

i. ABA TechShow

For review, Tim Brown, Q.C. and Leslie Belloc-Pinder, Q.C. have prepared a "vlog" of the [2019 TechShow](#).

Tim Brown, Q.C. will update the Benchers regarding steps which have occurred since his return.

ii. Tech Training Options

Administration has negotiated a comprehensive Tech training program with Barron Henley from Affinity Consulting Group, a renowned practical Legal Tech guru. His proposal is attached as a summary of the content and curriculum of the CPD initiative.

4.4 Increased Equity, Diversity and Inclusion in the Law Society and Legal Service Provision (Goal 4)

i. Equity & Diversity

The demographic data survey was included in the annual renewal process for the second time in 2018. A memo from Barbra Bailey regarding the analysis of the survey results of the demographic data survey was provided at the last Convocation.

The Equity and Access Committees will be looking at the demographic data survey again this year with a view to improving the response rate and will bring a recommendation to the Benchers in advance of annual renewal.

Administration is also working with an Equity, Diversity and Inclusion consultant to draft a survey to obtain member feedback about barriers faced by members of equity seeking groups in the profession and suggestions for addressing them. The Equity and Access Committees will oversee this work.

ii. TRC Advisory Committee

Our first TRC Advisory Group Meeting was originally planned for February Convocation, however, it did not go ahead as planned, since we were waiting on confirmation from some individuals.

We have now confirmed all members of the Truth & Reconciliation Advisory Group and are working out the logistics of the initial meeting scheduled May 6, 2019.

4.5 Increased Access to Legal Services (Goal 5)

i. Legal Services Task Team

This work has shifted to the internal Modernization Action Team. Jody Martin and Melanie Hodges Neufeld will be the lead staff responsible going forward, given their combined knowledge of and involvement in professional regulation, communication and access to legal services. Anna Willey will remain involved at a strategic communications level.

Jody Martin and Melanie Hodges Neufeld will be putting together a lunch & learn presentation for the Ministry of Justice, Automobile Injury Appeal Commission. Presentations will be held Mid-May in both Saskatoon and Regina.

ii. Dean's Forum

The Dean's Forum was held in Saskatoon on March 13, 2019 and was attended by Gerald Tegart, Q.C., Tim Brown, Q.C., Foluke Laosebikan, Ph.D and Melanie Hodges Neufeld.

Attached is a post-forum summary created by Brea Lowenberger. If you are interested in further information, 3 documents have been posted to APRIO under Documents/Convocation/2019 entitled:

- Follow-Up Report: Student and Attendee Reflections on Dean's Forum, March 13, 2019
- Follow-Up Report & Summary Notes: Diversity and Inclusion in the Legal Profession, March 13, 2019
- Follow-Up Report & Summary Notes: Meeting Saskatchewan's Justice Needs with Technology, March 13, 2019

Tim Brown, Q.C. will provide an update with respect to steps which have occurred since the time of the forum.

5. Society Governance

5.1 Financial Reporting

For discussion are the following:

- i. Financial statements for the period ended March 31, 2019, including a budget variance analysis.
- ii. Audited Financial Statements for the year ended December 31, 2018

The audited financial statements were posted to our website, along with the Annual Report, on April 5, 2019. The audited financial statements are attached.

Also attached is a memo and attachments from Don Hansen, FCPA, FCA, describing the 2018 Financial Results and Analysis (budget variance).

- iii. Quarterly Investment Report

The Quarterly Investment Report for the period January 1, 2019 to March 31, 2019 will not be ready in time for April Convocation.

An update has been provided from Loren Gee, CFA at Greystone and described in the attached memo from Tim Brown, Q.C.

5.2 Operational Reporting

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

5.3 Governance Reform

At February Convocation, the Benchers discussed the 2019 Committee Structures.

New Benchers have not yet had the opportunity to develop a full understanding of the current committees and returning Benchers have not had experience on every committee. The Governance Committee will be overseeing electoral/committee reform and are working on a plan to better orient the Benchers on the current structure, the needs of the Law Society and best practices for committees in advance of the June retreat, at which Glenn Tecker will facilitate sessions on both committee restructure and electoral reform.

The Governance Committee has determined to allot some time before the CPD session to focus on governance reform, led by Tim Brown, Q.C. and Craig Zawada, Q.C. Attached is a memo from Kara-Dawn Jordan, as well as the Strategic Plan and Governance Reform memo from June 2017.

Time will also be allotted at Convocation for follow-up discussion.

5.4 Action Plans

- i. Action Plans

Attached are the Actions Plans with progress reports for the Modernizing Regulation Action Team, the Competency Action Team, the Data & Technology Action Team and the Communications Action Team.

- ii. Strategic Development Costs

Attached is a memo from Kara-Dawn Jordan, as well as a budget for 2019 Strategic Development Costs. Also attached is a copy of the Reserve Summary and Strategic Development Estimate 2019 – 2021.

Administration is seeking approval of this budget.

5.5 Risk Management Plan

A memo from Tim Brown, Q.C. on the Risk Management Plan, along with attachments, are provided to outline the history and status update respecting risk management.

It is Administration's intention to revise this plan with the mitigation strategies coming out of the work of the Action Teams and to present a revised document at June Convocation.

5.6 Terms of Reference

At February Convocation, Terms of Reference for the following committees were discussed at their respective committee meetings and will be presented to the Benchers for final approval:

- Legal Resources Committee Terms of Reference.
- PSC Committee Terms of Reference.
- Memo regarding approval of a combined Terms of Reference and Rule amendments to Part 6, Committees, Rule 110;
 - o Tab A - Combined Terms of Reference for the Equity and Access Committee (Joint Equity & Diversity and Access to Legal Services Committees).

5.7 New Bencher Orientation

To begin the training process, new Benchers were provided with previously recorded videos in December and further training was provided at a Bencher Training session held during February Convocation.

Discussion was also held at February Convocation to determine areas where new Benchers feel they need more information and feedback was gathered to assist the Society in improving the overall training process.

As follow-up, a survey was sent to all new Benchers to determine more clearly how effective our training is and 10 new Benchers responded. Survey results were provided to the Governance Committee, who are responsible for evaluating the on-boarding process.

5.8 Appointments

None.

6. Regulation

6.1 Rule/Legislative Amendments

- i. Rule Amendments
 - a. Firm Regulation Rules

The Firm Regulation Committee is proposing a new Part 8 of the Rules with respect to Firm Regulation, establishing the necessary support and framework to implement Firm Regulation. Attached is a memo from Jody Martin, setting out the proposed Firm Regulation Rules.

The Firm Regulation Committee is seeking Benchers approval, in principle, of the Firm Regulation Rules. The implementation date of these Rules will coincide with the implementation of all other Rule amendments associated with the Rules overhaul, which is expected to occur in December 2019, following Convocation in November.

- b. Law Society Rules Overhaul

Bill 163, an Act to amend The Legal Profession Act, 1990, was introduced in the Saskatchewan Legislature on December 4, 2018. Changes to our Rules are necessitated by these changes and since our Rules have not been overhauled since 1990, they will be substantially redrafted in 2019 to align with the statutory changes.

Mary Ellen Wellsch, Q.C. has been retained on a contract basis to begin work on amending Law Society Rules. Attached is a draft Rule Revision Timeline prepared by Jody Martin, in consultation with all departments.

- ii. Insurance Levy

The Benchers will be asked to approve the Insurance Levy for the year beginning July 1, 2019. Brad Hunter, Q.C., Insurance Counsel, will explain the recommendation to the Benchers and James Morrison, Q.C., Vice-Chair of Insurance, will 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. A copy of Schedule 1, Law Society Fees and Assessments is included and contains the Levy approved last year. Should the Benchers decide to amend the Levy, first and second motions will be required to amend the Rules.

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

- a. *National Discipline Standards Report 2018* – from Valerie Payne, Complaints Counsel
- b. “Limited Practice Legal Professionals: A Look at Three Models” (The Bar Examiner, Winter 2018-2019, Vol. 87, No. 4)
- c. Law Foundation [Annual Report 2018](#)
- d. CLIA Report – April 2019

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** - June 19 – 21, 2019 (Cypress Hills)
- 9.5 Motion to Adjourn**

10. Bencher In-Camera Session with Executive Director

11. Bencher In-Camera Session without Executive Director