

Law Society of Saskatchewan



The Future is now

By: Tom Schonhoffer, Q.C.

In August of this year, the CBA released a report by the CBA Legal Futures Initiative, entitled "Transforming the Delivery of Legal Services in Canada." I suppose I should be cautious because the report has not been approved in its entirety, but I will be bold in my predictions.

This report is a watershed for the delivery of legal services. I highly recommend you peruse the report on the CBA [website](#).

The CBA and the Law Society play different roles with respect to the legal profession. The Law Society is the regulator of the legal profession, and by statute, is required to act in the public interest, rather than the interest of the legal profession. The CBA is the advocacy arm of the profession and acts in the interests of the profession.

Thankfully, the interests of the profession and the interests of the public often converge. However, there are sometimes issues where the CBA and Law Society take a different approach. A good example is the conflict of interest guidelines in the *Code of Professional Conduct*, and recently examined by the *Supreme Court of Canada in Wallace vs. CNR*. The differing responsibilities of each organization produced a healthy debate.

Back to the Futures Report, Chapter 6, is aimed squarely at reforms that the Law Societies should consider. These include the following:

- Allowing Alternate Business Structures to deliver legal services. This includes non-lawyer investment in legal delivery services.
- Amendments to the *Code of Conduct* to allow fee-sharing and referral fees to non-lawyers.
- Allowing multi-disciplinary practices in alternate business structures to deliver non-legal services, together with legal services through the same business structure.

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The Future is now

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- Regulating law firms and legal service entities rather than individual lawyers. This involves introduction of a compliance-based regulatory structure that puts the onus on the entity to maintain appropriate management systems.
- Amending the *Code of Conduct* that requires direct supervision of employees to acquire effective supervision of employees. This would allow lawyers to delegate further work to non-lawyers in an attempt to reduce the cost of legal services.
- Changing the governance of Law Societies, as the election of Benchers by the membership is inconsistent with the public interest mandate of Law Societies. The recommendation is for a number of appointed and non-appointed lawyers selected on a skills basis.

These ideas are not new to Law Societies. The Federation of Law Societies has been discussing these issues for many years. The importance of this report is that the ideas are being debated not by the regulators, but by the profession's advocacy arm. Kudos to the CBA for this important work. The Law Society will be watching with great interest.

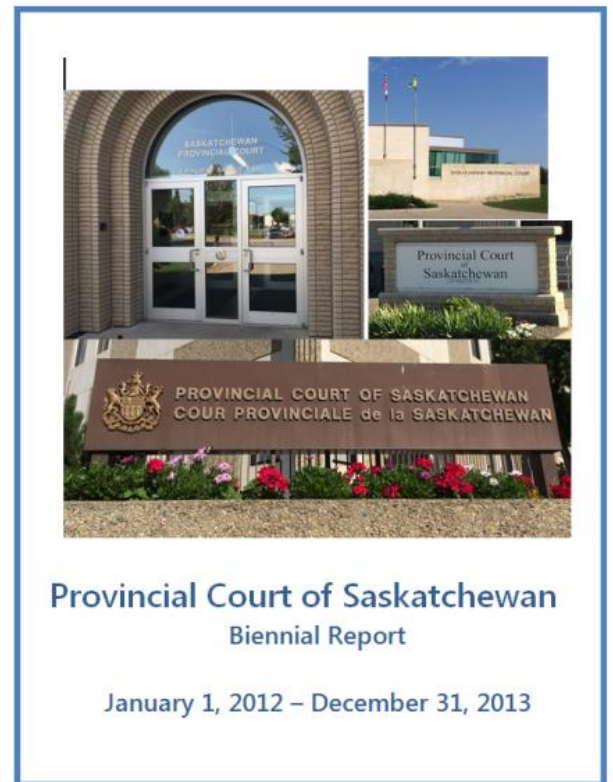
Biennial Report

By: Dawn Blaus
Courts Communications Officer

The Provincial Court of Saskatchewan has published its inaugural Biennial Report. The report covers the time period of January 1, 2012 to December 31, 2013 and provides a snapshot of the Court's work, including its jurisdiction, its judges and its locations.

Through statistics and narrative, the report will help readers to better understand the depth and breadth of the work of the Provincial Court. This work includes the majority of all criminal matters, responsibility for the *Youth Criminal Justice Act*, operation of Small Claims Court and oversight of Traffic and Bylaw Courts. It also includes the creation and operation of several Therapeutic Courts employing restorative justice principles.

The report is available on the Courts of Saskatchewan website:
http://sasklawcourts.ca/images/documents/Provincial_Court/PC%20AR%202012-13.pdf.



Highlights of the Meeting of Benchers

September 11 and 12, 2014

The Minister of Justice raided the Benchers table again and appointed Bruce Bauer, Q.C. as a Provincial Court Judge in North Battleford. As a result, the Benchers solicited expressions of interest from Saskatoon lawyers to fill the vacancy. There were 16 highly qualified applicants interested in the position, making the choice very difficult. The Benchers chose Craig Zawada, Q.C. to fill the vacancy. Congratulations, Craig.

Similarly, the Law Society can appoint 2 members to the Legal Aid Commission. Amanda Dodge was selected to fill the vacancy.

The final appointment was naming Robert Gibbings, Q.C. as Chair of the Law Foundation and extending his term for a further 2 years.

The Law Society is currently reviewing its governance. The work began in April, with a general discussion by the Benchers to establish the ground work. Over the summer, governance policies were drafted and eventually reviewed by a Governance Review Committee in August. The Benchers considered and discussed the policies at Convocation. Final approval is anticipated either later this year or in early 2015.

The Legal Profession Act, 1990 allows the Law Society to create rules for the governance of its members. Part 7 of the Rules deal with membership in the Law Society. These Rules

establish categories of membership and the requirements to achieve these categories of membership. A good example is the requirement for admission as a student-at-law or as a lawyer. The Rules have been amended over the years for various reasons and were not consistent with practice in modern administrative tribunals. It was decided to overhaul Part 7 in its entirety. The Admissions & Education Committee has been working on the revisions and presented them for final approval to the Benchers in September. Although it is a significant change to the Rules, it is more in form than substance. The intention was to put the Rules in a logical order and clarify the intent in most cases.

The Benchers considered a claim against the special fund for misappropriation of funds. The Benchers held that the claim was not within the terms of the legislation and denied payment.

Finally, in preparation for the budget, the Benchers discussed the current surplus at the Law Society, which stands at almost \$5 million dollars. The Benchers discussed the needs of the Law Society and risks to the organization and determined that \$5 million dollars was more than adequate. The 2015 budget is intended to run in deficit and will very gradually erode the surplus. The Benchers may also consider special projects that might be financed by the surplus in the future.

Highlights of the Meeting of Benchers

October 17, 2014

The main item on the Agenda at the Benchers meeting was approval of the 2015 budget and the annual practice fees. The Benchers decided that the annual practicing fee would remain at \$1,690 per member for another year.

Gregory Walen, Q.C. was appointed Federation Council for a second term.

President's Dinner 2014

October 17, 2014

The President's Dinner took place in Saskatoon at TCU Place. 120 guests attended in honour of President Heinrichs. Entertainment was provided by Belle Plaine.

Special guest Minister Gordon Wyant, Q.C. was in attendance and brought greetings on behalf of Justice. The Minister also presented the President with an early Queen's Counsel designation.



**Robert Heinrichs, Q.C., President of the
Law Society of Saskatchewan**



***Left to right: Judge Bruce Bauer, Robert & Louise Heinrichs and
Brenda Hildebrandt, Q.C., Vice President of the Law Society of Saskatchewan***



***Left to right: Don Thompson, Q.C., Executive Director of the Law Society of
Alberta, Judge Bruce Bauer and Kevin Feth, Q.C., President
of the Law Society of Alberta***

Call for Volunteers

By: Andrea Johnston,
Director of Admissions & Education

The Law Society of Saskatchewan relies on the commitment and dedication of many generous volunteers who contribute their time and expertise. We could not maintain the high quality of our educational activities and resources without the invaluable contribution of our volunteers.

The Law Society is continuously seeking volunteers to serve various roles in the following areas:

1. **Library Resources:** The Law Society Library produces several publications for the benefit of the membership. We are seeking volunteers in a variety of practice areas for yearly updates of the Queen's Bench Practice Manual and the Saskatchewan Practice Checklists.
2. **CPLED Bar Admission Program:** CPLED relies on the expertise of the membership to assist students in various capacities throughout the program. We are seeking volunteers to act as presenters, learning group facilitators and evaluators in all areas of practice. We also provide an honorarium to learning group facilitators and evaluators in recognition of the greater time commitment required for those roles.
3. **Continuing Professional Development:** The Law Society develops and delivers numerous CPD activities each year. Although we typically identify and solicit specific individuals to serve on our program planning committees and to present at our programs, we welcome the opportunity to speak with other potential volunteers.

CPD hours are available for most of the volunteer opportunities set out above.

If you are interested in volunteering, please email melanie@lawsociety.sk.ca and specify your area of interest. Law Society staff will contact you when a suitable volunteer opportunity becomes available.



Judicial Appointments

Dr. Sanjeev Anand, Q.C. was appointed a judge of the Provincial Court in Saskatoon on October 17, 2014. In 2011, he was appointed Dean of the College of Law for the University of Saskatchewan.

Judge Anand replaces Judge Sheila Whelan who retired in September.

Email Address Reminder

In order to receive announcements and important communication from the Law Society, you must keep your email address current. We strive to keep the emails to a minimum by sending a general email to all active members on Thursdays. If you are not receiving an email from us on Thursdays, then you need to add or update your email address. Retired members, non-practicing members and students will receive emails pertinent to them and will not necessarily receive all weekly emails.

Should your email change at your workplace, or you change law firms, please remember to change your email address by going to the Law Society website and amend it under the **Member Profile**. The email address should be your direct work email, not your home email.

Practicing members have control over whether or not to make their email available to the public via the "Find a Lawyer" function. The option to publish your email can be toggled on or off via the **Member Profile**.

The Little Blog that Could

By: Melanie Hodges Neufeld
Director of Legal Resources

When the Law Society Library blog, [Legal Sourcery](#), launched in March, our goal was to provide you with the legal research information and skills you need in your practice. We are meeting that goal by providing over 300 posts on a variety of legal research topics, such as our weekly [Tip of the Week](#) prepared by our knowledgeable Librarians, Ken Fox and Alan Kilpatrick. Research tips have included how to note up cases and research statutes. In addition to posts by our staff, we have had outside contributors such as Reché McKeague at the Saskatchewan Real Estate Commission and Ann Marie Melvie, Librarian, at the Court of Appeal for Saskatchewan. Ms. Melvie has recently provided a series of [posts](#) regarding the new Citation Guide for the Courts of Saskatchewan.

We are also pleased to report that our little blog continues to grow in popularity and is receiving attention. At the six-month point, we had over 20,000 hits and will soon surpass 30,000. One of our most popular features is our [Tips from the Editor](#) series by our Publication Coordinator, Kelly Laycock. A post from this series, [Punctuation Personalities](#), is our most popular so far with nearly 1,000 hits. Other popular features include the [Monday Pick-Me-Up](#) (interesting links to help ease you into your week) and [Thursday Throwback](#). We have also been recognized by other blogs, such as [Slaw](#) and are listed on the [Canadian Law Blogs](#) site.

Continuing Professional Development (CPD) hours may be available to Law Society members who contribute to Legal Sourcery. Please visit our [Submission Guidelines](#) page for more information.

C. Willy Hodgson Award



Left to right: Donald Worme, Q.C. was awarded the 2013 C. Willy Hodgson Award, presented by Robert Heinrichs, Q.C.

Benchers' Digest

The *Benchers' Digest* is published by the Law Society of Saskatchewan to update Saskatchewan lawyers on policy and regulatory decisions made by the Benchers after each Convocation, to inform members about Society programs and activities, and to provide news and announcements of interest to the legal profession. Members are encouraged to send in articles and photos of interest, however, publication rests with the Editor. Articles and photos can be submitted to lynchuk@lawsociety.sk.ca.

Current and archived issues may be viewed on the Law Society Website – see www.lawsociety.sk.ca, "Publications/Benchers' Digest."

EDITOR

Liz Lynchuk

Many Thanks

By: Donna Sigmeth, Q.C., Deputy Director/Complaints Counsel

The Benchers and professional staff of the Law Society of Saskatchewan wish to express their sincere gratitude to members of the profession who volunteered their time to act as *pro bono* counsel to members facing discipline, to those who acted as “alternate” Complaints Counsel to review complaints against staff, Benchers or Bencher firms and to those who acted as Conduct Investigation Committees.

We would also like to extend thanks to Law Society members and members of the judiciary who have contributed their time as members of various Law Society Committees, as Law Society representatives to other organizations and as volunteers for educational programming. We recognize that the vocation of law is demanding and we greatly appreciate the invaluable contribution of the time given by Law Society members and members of the judiciary.

Many thanks to the following people ...

Non-Bencher Volunteers for 2014

Law Society Committee Members and Representatives to Other Organizations:

Jamie Patterson	William Nickel	Ken Neil
Kathy Hodgson-Smith	John McIntosh, Q.C.	Norma Sim, Q.C.
Eric Neufeld, Q.C.	Robert Gibbings, Q.C.	Brian Hendrickson, Q.C.
Chief Justice R.G. Richards	Eileen Libby, Q.C.	Heather Jensen
Chief Justice M.D. Popescul	Merlis Belsher	Robert Kennedy, Q.C.
Professor Tim Quigley	Pat Quaroni	David Brundige, Q.C.
Gregory Walen, Q.C.	Ron Kruzeniski, Q.C.	Karen Prisciak, Q.C.
Scott Hopley	Christine Glazer, Q.C.	Patrick Kelly, Q.C.
Grant Scharfstein, Q.C.	Alan McIntyre, Q.C.	Michael Milani, Q.C.
Marianne Kramchynsky	Bruce Wirth	Kara-Dawn Jordan
Ken Koshgarian	Gary Young, Q.C.	Brent Gough, Q.C.
Randy Sandbeck, Q.C.	Marusia Kobrynsky	Amanda Dodge

Designated Complaints Counsel:

Michael Fisher, Q.C.	Robert Gibbings, Q.C.	Peter Hryhorchuk, Q.C.
John McIntosh, Q.C.	Catherine Zuck, Q.C.	Eileen Libby, Q.C.
Larry Zatlun, Q.C.	Reché McKeague	George Patterson, Q.C.
Brian Hendrickson, Q.C.	Paul Korpan, Q.C.	Loreley Berra
Leah Kosokowsky	Thomas Campbell	Gordon Mayer

Many Thanks

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Conduct Investigation Committee:

Gregory Walen, Q.C.
Evert Van Olst, Q.C.

Volunteers for Education:

Leonard Andrychuk, Q.C.	Joelle Graham	Vandy Nicolson
Andrea Argue	Norma Gunningham-Kapphahn	Jeffrey Norwig
David Arnot	Robert Hale	Ben Nussbaum
Beaty Beaubier, Q.C.	Heather Heavin	Charita Ohashi
Catherine Benning	Collin Hirschfeld	Wayne Paproski
Wayne Bernakevitch	Bill Holliday	Ronald Piché
Julian Bodnar	Tom Irvine	Betty Ann Pottruff, Q.C.
Kirby Burningham	Michaela Keet	Bob Pringle
Jaime Carlson	Courtney Keith	Katherine Roy
W. Brent Cotter, Q.C.	Todd Kirkpatrick	Kelly Ruse
Karen Crellin	Dale Kohlenberg	Randy Sandbeck, Q.C.
Sherri Cybulski	Ken Koshgarian	Nicole Sawchuk
Tim Daley, Q.C.	Marianne Kramchynsky	Bill Shaw, Q.C.
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Bernard Duchin	Aaron Ludwig	Dion Tchorzewski
Paul Elash	Larry MacInnis	Dr. Lilian Thorpe, M.D., PhD.
Regan Exner	Maria Markatos	Evert Van Olst, Q.C.
Allan Fineblit, Q.C.	Jane McLeod	John Wade
Jacqueline Francis	Marie-France Menc	Tyler Wake
Aaron Friedman	Stephen Miazga	Brenda Walper-Bossence, Q.C.
Joel Friesen	Robert Millar, Q.C.	Patricia Warsaba, Q.C.
Robert Frost-Hinz	Greg Murphy	Reginald Watson, Q.C.
Jim Garden	Barbra Mysko	Sheri Woods
Glen Gardner	Scott Newell	Penny Yeager
Lynsey Gaudin	Kim Newsham	Gary Zabos, Q.C.
David Gerecke	Hon. Justice R.W. Danyliuk	Hon. Madam Justice D.L. Wilson

In Memory

The Honourable Frank Gerein, former Chief Justice of the Court of Queen's Bench, passed away on November 9, 2014.



Jamie Hammersmith passed away on August 26, 2014

Frederick McBeth passed away on October 31, 2014



Pro Bono Law
Saskatchewan

Benchers' Digest Report

Nicole Sarauer, Programs Director and Staff Lawyer

www.pblsask.ca

Volunteer Spotlight – Ron Parchomchuk



Ron Parchomchuk obtained a Bachelor of Arts in 1987 and a Bachelor of Laws in 1990. He articulated in Saskatoon and worked there until 1993 when he moved to Prince Albert and joined Balicki Popescul, as it then was. He has been a partner at Sanderson Balicki Parchomchuk since 2000 and is past President of the PA Bar Association. Ron became a Bencher with the Law Society in 2012. He has a general practice with an emphasis on family law. He has been married to his wife, Lynn for 23 years. They have two sons, Joel, who attends the U of S, and Evan, who is in grade 11.

In addition, Ron has been a volunteer with the Prince Albert Free Legal Clinic since 2009. He has worked tirelessly at the clinic providing summary free legal advice to clients of limited means and has helped to promote the clinic to his fellow colleagues in Prince Albert. Thank you for your volunteer efforts, Ron!

5th National Pro Bono Conference

The 5th National Pro Bono Conference was held in Regina September 24th to 26th, 2014, in partnership with Pro Bono Law Saskatchewan, Access Pro Bono of British Columbia, Pro Bono Law Ontario, Pro Bono Law Alberta and Pro Bono Quebec. This year's conference was a great success with over 150 attendees participating in a variety of interesting and engaging plenaries and panel workshops. The conference featured presentations by the Honourable Justice Cromwell, James Lockyer and Richard Zorza.

Another highlight of the conference was the Canadian Pro Bono Awards Banquet, where awards were handed out to McKercher LLP, Duncan Marsden and Connect Legal for their incredible pro bono work.

We would like to give a special thanks to everyone who attended the conference and the banquet this year. We also want to thank all of our sponsors for their gracious contributions. Thank you for participating and helping to make the conference's first trip to Saskatchewan a success!

Notices

2015 CONVOCATION DATES OF THE BENCHERS OF THE LAW SOCIETY OF SASKATCHEWAN

February 11th, 12th and 13th – Regina

April 16th & 17th – Saskatoon

June 17th, 18th and 19th – Regina
(annual meeting set for evening of Thursday, June 18th)

September 23rd, 24th & 25th – Moose Jaw

October 22nd – Saskatoon

November 26th and 27th – Saskatoon

BAR ADMISSIONS PROGRAM

Jody Martin, Director of Bar Admissions, would like to congratulate Christina Kerby and Nicole Hamm for their exemplary performance in the 2013 – 2014 CPLED Bar Admissions Program. Christina and Nicole received the Law Society's Award of Distinction for displaying the highest levels of academic achievement in the CPLED Program.

PRO BONO COUNSEL FOR MEMBERS FACING DISCIPLINE

The Law Society of Saskatchewan is looking for volunteers to act as *pro bono* counsel to members facing discipline.

If you are prepared to be added to the roster to volunteer time to represent a member in this situation, please contact Donna Sigmeth at dsigmeth@lawsociety.sk.ca.

NOMINATIONS OPEN FOR THE C. WILLY HODGSON AWARD

The C. Willy Hodgson Award is intended to recognize individuals or organizations who exemplify integrity, leadership and character, and have made or are making outstanding contributions to advancing equity and diversity in legal education, the legal profession and/or the administration of justice in Saskatchewan or in Canada.

Nominations are now open for the 2014 award which will be presented in 2015. Nomination forms and more information are located on the Law Society [website](#).

The deadline for nominations is **November 21, 2014**.

EQUITY OFFICE

The Equity Office at the Law Society of Saskatchewan is committed to both eliminating discrimination and harassment and promoting equity in the legal profession. The services of the Equity Office are available to articling students, lawyers and their support staff for advice, information or assistance.

If you have a question or concern about **discrimination or harassment in your workplace**, or if you would like to **improve equity and diversity in your workplace**, please contact the Equity Office.

Toll free @ **1-866-444-4885** or equity@lawsociety.sk.ca

All information is confidential.

A call to the Equity Office is not a complaint to the Law Society. Except for information about the misappropriation of funds, the Equity Office reports only anonymous statistics to the Law Society.

This office is not a lawyer referral service and cannot provide legal advice. For more information, please visit: <http://www.lawsociety.sk.ca/for-lawyers-and-students/equity-office>.

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- ❖ The services of an INDEPENDENT professional consultant;
- ❖ Services provided without charge.

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The Law Society of Saskatchewan
1100 – 2002 Victoria Avenue
Regina, Saskatchewan
Canada S4P 0R7
Telephone: (306) 569-8242
Fax: (306) 352-2989
Email: reception@lawsociety.sk.ca