

CONVOCATION AGENDA

Convocation Date: Friday, May 1, 2020
Location: Virtual Meeting via ZOOM
Commencement and End Time: 10:00 am - Noon

1. Approval of the Agenda

1.1 Apologies for Absence

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. CPLED
- ii. Futures Class – College of Law
- iii. Appointments

2. Consent Agenda

The Consent Agenda includes items which are not considered controversial and will collectively be enacted by one motion. Any Bencher, however, may remove an item from the consent Agenda by request. In order to assist with the efficiency of the meeting, please send any requests to Liz Lynchuk at liz.lynchuk@lawsociety.sk.ca by Wednesday April 29, 2020.

The items included on the consent Agenda are set out in 2.1 and 2.2 below:

2.1 Approval of the Bencher Minutes

- i. Bencher Minutes from the meeting held February 14, 2020
- ii. *In Camera* Bencher Minutes from the meeting held February 14, 2020
- iii. *In-Camera* Bencher Minutes from the meeting held March 22, 2020
- iv. *In-Camera* Bencher Minutes from the meeting held April 2, 2020

2.2 Terms of Reference

The following revised Terms of Reference require Bencher approval.

- i. Audit Committee Terms of Reference (Updated to reflect new Act and Rule references)
- ii. Executive Committee Terms of Reference (Updated to reflect new Act and Rule references)

- iii. Equity & Access Committee Terms of Reference (Updated to reflect new Act and Rule references and to reflect that the Committee is now one committee, rather than two meeting jointly)
- iv. Governance Committee Terms of Reference (Updated to reflect new Act and Rule references)

3. Decision Items

While decision items will be dealt with at the meeting with the normal opportunity for discussion, in order to assist with the efficiency of the meeting, please send any questions or comments that can be sent in advance to Liz Lynchuk at liz.lynchuk@lawsociety.sk.ca by Wednesday April 29, 2020.

3.1 Strategic Initiatives

- i. Legal Services Task Team (Increased Access to legal Services – Goal 5)

Notice Forms

Three notices have been received from legal service providers since last Convocation. Administration is still evaluating one of the notice providers, Alexsie, but provides recommendations in regard to the other two in the following materials:

- Notice Form Recommendations Memo and Notice Form Responses March 2020 provided by Melanie Hodges Neufeld.

Motions will be required to approve, deny or qualify Administration's recommendations.

3.2 Appointments (*In-Camera*)

- i. Senate of the University of Regina

David Brundige's final term will end June 30th and a call for volunteers was sent to the membership on March 5, 2020. A total of 5 applicants have expressed interest and their applications will be provided to the Benchers in advance of the meeting along with a secret ballot to occur electronically.

A motion will be required to confirm the appointment. Opportunities for discussion will occur as part of that motion.

3.3 Regulation

- i. Rule Amendments

Part 7 – Membership & Practice Privileges

Transition from CPLED to PREP

The Competency Committee is recommending for approval by the Benchers Rule amendments to accommodate the transition from our current CPLED program to PREP. The following materials are provided for review:

- memo from Andrea Johnston and Kiran Mand proposing amendments to the Law Society Rules related to the transition from our current CPLED program to PREP.
- relevant Law Society Rules, redlined, to highlight the proposed amendments, along with Schedule 1 – Law Society Fees and Assessments.

A motion is required.

ii. Insurance Levy

The Benchers will be asked to approve the Insurance Levy for the year beginning July 1, 2020. Brad Hunter, Q.C., Insurance Counsel, will explain the recommendation to the Benchers. Following discussion, Perry Erhardt, Q.C., Chair of Insurance, will seek a motion to approve the Insurance Levy for the upcoming year.

The following materials are attached:

- SLIA Memorandum with Insurance Levy Recommendation for the 2020 - 2021 Policy Year
- Exhibit 1 – Surplus and Subsidy History
- Exhibit 2 – Insurance Fees 2000 - 2019
- Exhibit 3 – Cross Country Insurance Fees
- Exhibit 4 – Excess Surplus Distributed Scenarios

Changes to the Insurance Levy require amendments to Schedule 1 of the Law Society Fees and Assessments. As this schedule forms part of the Rules, this change will require approval by the Benchers by way of motion.

4. Discussion Items

4.1 Society Governance

i. Operational Reporting

- a. President's Report (a written report is attached)
- b. Executive Director's Report (written reports have been provided on a weekly basis)
- c. Federation Council Report (a written report will follow)

ii. Financial Reporting

a. Financial Statements

Enclosed are financial statements for the period ended March 31, 2020.

Also attached is a memo from Tim Brown, Q.C. and Kara Dawn Jordan setting out the issues and assumptions considered by the Administration in attempting to forecast the potential financial effects of the pandemic on the 2020 Law Society Budget.

These items will follow.

b. Quarterly Investment Report

The Quarterly Investment Report is expected next week and will be provided to the Benchers once received. However, our understanding of our current investment position is set out in the following:

- A memo from Don Hansen regarding Investments
- Month-end Investment Report for March 2020

5. Information Items

Information items will not be discussed individually at the meeting, unless specific questions or requests for discussion on particular information items are sent in advance. Please direct questions or requests to Liz Lynchuk at liz.lynchuk@lawsociety.sk.ca by Wednesday April 29, 2020.

5.1 Strategic Initiatives

i. Expanded Approach to Competency (Goal 1)

a. CPLED (*In-Camera*)

Attached is a brief memo from Tim Brown, Q.C. providing a CPLED update.

b. CPD

Attached is a brief memo from Tim Brown, Q.C. providing a CPD update.

ii. Trusted and Transparent Regulation (Goal 2)

a. Communications

A report from Julie Sobowale is attached for review.

b. Hearing Administrator Position

The *ad hoc* Recruitment Committee met on February 25th to refine the position requirements and the job posting. The job posting has been completed and was approved by the Committee. The intent was to have the position posted by the beginning of April and filled by June 2020. However, the timeline was delayed due to the pandemic. The ad will now be posted so that the Committee can move forward with seeking out and vetting candidates. A further communication will go to the membership prior to posting.

A copy of the job posting is attached for information.

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

a. Collaboration with the College of Law (*In-Camera*)

Administration has been engaged in the creation of a class centering on innovation in law as a credit program at the College of Law. Efforts are ongoing and the Covid-19 pandemic has provided an interesting new angle for the development of the program, both for students at the College and our members.

iv. Increased Access to Legal Services (Goal 5)

a. Dean's Forum on Access to Justice and Dispute Resolution

Attached is a brief memo from Melanie Hodges Neufeld providing an update with respect to the Dean's Forum.

5.2 Society Governance

i. Execution of Strategy

a. Action Plan Progress Update

Much of our strategic focus has been diverted to responding to the events of the pandemic as has been reported to the Benchers on a weekly basis. In many ways, the steps we have taken in response to the pandemic have accelerated pre-existing strategic priorities. The pandemic has also provided us a lens through which to evaluate both our strategy and the steps we are taking to implement it.

Administration has begun the process of reviewing strategy considering the current circumstances. Administration is also in the process of considering the mechanics of facilitating Bencher discussion relating to strategic lessons learned.

ii. Annual General Meeting

On March 18, 2020, the membership was notified through *ReSource* that the AGM would be moved to a date in June.

The impact of the social distancing requirement posed by the pandemic makes it impossible to proceed with an in-person meeting. A decision was made at the last Executive meeting on March 18th that the AGM should be postponed until June. Administration is currently working on a proposal to carry out the AGM via electronic means.

5.3 Regulation

i. Practice Directives

Administration has reported to the Benchers in relation to the Practice Directives that have been issued through weekly communications. For convenience, the Practice Directives which have been issued to date can be accessed by clicking on the links below:

- a. [Practice Directive 1](#) – Remote Execution of Certain Documents via Electronic Means
- b. [Practice Directive 2](#) – Wire Transfer Procedures via Online Wire Payments Service
- c. [Practice Directive 3](#) – Remote Execution of Wills via Electronic Means

5.4 Committee Reports

- i. Audit: the business of this Committee is concluded, subject to anything coming out of the AGM.
- ii. Competency: a written report will follow.
- iii. Conduct Investigation: a meeting is scheduled for May 7th.
- iv. Discipline Policy: a meeting is scheduled for April 29th.
- v. Equity and Access: a meeting is being planned for some time in May to focus on legal information guidelines.
- vi. Ethics: an Ethics ruling was made in February and will be posted to the Law Society website in advance of Convocation. Another meeting has been scheduled for May 19th.
- vii. Executive: the Committee has met several times since last Convocation to plan Bencher meetings, consider Practice Directives and generally discuss issues related to Covid 19.
- viii. Firm Regulation: a meeting will be scheduled following Convocation to receive an update and discuss the firm registration process and development of the online Assessment Tool, review and update work and communication plans, and begin to look at the needed criteria to facilitate implementation of Rule 902(5) (requiring members to obtain Law Society approval prior to opening a trust account), as well as to look at options for a

trust account supervisor program to present to the Committee at a later date.

- ix. Governance: a written report is attached.
- x. Insurance: see Agenda item 3.3 ii.
- xi. Truth and Reconciliation Advisory Group: the Group has been canvassed about the next meeting.

5.5 Other Informational Items

- i. Saskatchewan Legal Aid Commission – report from Valerie Macdonald, Q.C.

6. Meeting Finalization

6.1 Review Actions to be Taken

6.2 Confirm Items under 1.4

6.3 Meeting Evaluation

6.4 Next Meeting (June 17 – 19, 2020, with virtual AGM)

6.5 Motion to Adjourn

7. Bencher *In-Camera* Session with Executive Director

8. Bencher *In-Camera* Session without Executive Director