

# CONVOCATION AGENDA

Convocation Date: September 22 and 23, 2022  
Location: Hotel Saskatchewan in Regina and virtually via *Zoom* on both Thursday and Friday  
Commencement and End Time: Thursday, September 22<sup>nd</sup> at 12:00 Noon  
Bencher Session 1:00 – 5:00 pm;  
Convocation commencing at 9:00 am on Friday, September 23<sup>rd</sup>, with lunch service at 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 Committee Reports and Documents Which Are Not Available to the Public

Documents and Reports related to the following items are not available to the public.

- i. Appointments
- ii. Statement on Commitment to Reconciliation
- iii. Informational Items – Operational reports, Committee Reports and reports from Representatives of outside organizations

## 2. Decision Items

### 2.1 Appointments

- i. Provincial Court Judicial Council of Saskatchewan

The Saskatchewan Provincial Court Judicial Council is a body created under *The Provincial Court Act, 1998*. It is composed of the Chief Justice of Saskatchewan, the Chief Justice of the Court of Queen's Bench, the Chief Judge of the Provincial Court or their designates, the President of the Law Society of Saskatchewan or a bencher or former bencher of the Law Society appointed by a resolution of the benchers, two additional judges, and two people who represent the community at large. It has two main purposes:

- recommending candidates for appointment to Provincial Court; and
- hearing complaints about the conduct of Provincial Court judges.

As the appointment of James Korpan, Q.C., will expire on December 31, 2022, the Executive Committee will provide a recommendation regarding this appointment at September Convocation. A motion will be required.

## ii. Hearing Committee Roster

Under the oversight of the Discipline Policy Committee, and benefitting from the advice received from an expert in Human Rights, Administration developed a Hearing Committee Roster Recruitment package to support a transparent, fair and inclusive recruitment and selection process.

The package includes a process document, a position description and position posting which are publicly available on our website, as well as internal annexes to guide and track recruitment efforts and selection. The package, excluding those internal documents used in the interview process (i.e. the assessment matrix and interview guide) are **attached** for information.

It is intended that the Hearing Committee Roster will be comprised of up to 30 members, with a relatively equal number of Benchers, members of the Law Society and members of the wider public. In order to advance recruitment while work to finalize the Hearing Committee Recruitment Package was underway, expressions of interest were sought from the Benchers in August. Nine Benchers expressed interest and interviews will be concluded on September 15, 2022.

Recruitment for members of the Law Society and the wider public began on September 9, 2022. The closing date for applications is October 10, 2022.

The Hearing Administrator will attend September Convocation to present a recommendation in relation to Bencher member appointments to the Hearing Committee Roster. A report will be provided to the Benchers in advance of Convocation.

A motion will be required to approve the recommendation.

## 2.2 Regulation

### i. Code of Professional Conduct

Redlined amendments to the *Code of Professional Conduct* regarding the “Direct Supervision Requirement” were brought before the Benchers at April Convocation. Since that time, the Model Code Sub-Committee, SLIA and the Discipline Policy Committee have reviewed the *draft* amendments and feedback was incorporated for final consideration by the Future of Legal Services Committee.

The Future of Legal Services Committee reviewed the *draft* at its September meeting and is recommending amendments for approval. **Attached** is a memo dated September 12, 2022 from Administration setting out the proposed amendments, as well as a draft article and outline for a continuing professional development workshop.

A motion is required to approve the amendments. Feedback is also sought in relation to the article and CPD outline.

## 2.3 Statement on Commitment to Reconciliation

One of the four short-term priorities set by the Truth and Reconciliation Advisory Group is for the Law Society to make a formal commitment to reconciliation and develop a framework to put that commitment into action.

A formal *draft* Statement was developed under the oversight of the Equity & Access Committee in consultation with the Truth & Reconciliation Advisory group and was then brought before the Benchers at June Convocation for discussion and feedback. The Statement was approved in principle, subject to exchange on a few clarifying items identified.

Potential language adjustments were noted in several parts and Administration followed up with respect to the items identified and prepared options for incorporation. The Statement was then brought back to the Truth and Reconciliation Advisory Group and the Equity & Access Committee for further review and advice.

**Attached** is a memo from Administration with the *draft* Statement, as well as an overview of the drafting process, feedback and next steps.

A motion to adopt the Statement will be required.

## 3. Discussion Items

### 3.1 Society Governance

- i. Standing Reports
  - a. President's Report – verbal report will be provided.
  - b. Executive Director's Report – Tim Brown's report was provided on September 9<sup>th</sup> and is posted to the Benchers Portal.
  - c. Federation Council Report – verbal report will be provided.
- ii. Financial Reporting
  - a. Financial Statements

Enclosed are the financial statements for the month ended August 31, 2022.

b. Investment Reports

Enclosed for review is the August 31, 2022 TDAM investments Summary.

The Quarterly Investment Report for the period April 1 to June 30, 2022 is also enclosed for review.

iii. 2022 Workplan

An updated workplan is provided for review and discussion.

## 4. Strategic Initiative Updates

### 4.1 Strategic Initiatives

i. Expanded Approach to Competency (Goal 1)

a. Firm Regulation

i. Practice Management Assessment Tool

We are in the last quarter of the first year of the 3-year roll out. Including the soft launch participants, a total of 132 firms have completed or are currently engaged with the Assessment Tool process.

At its meeting on September 13, 2022, the Firm Regulation Committee reviewed the trends and outcomes flowing from the implementation of the Assessment Tool one year ago. A significant majority of firms who have completed the Assessment Tool to date have specifically identified one or more areas of priority to work on and areas of excellence to highlight across all 5 Practice Management Principles. These results demonstrate active and positive engagement with the self-assessment process. We also continue to receive positive feedback regarding the process overall and suggestions for improvement through the anonymous survey.

The focus in Year 1 has been on sole practitioner and small firms. We have identified several areas of priority that are shared by both sole practitioners and small firms. The average lowest scoring Practices and Objectives, along with the identified Areas of Priority, are evaluated by Administration to identify:

- themes to guide development of resources where needed (for individual firms or all firms as needed);
- areas of support required; and
- gaps to strengthen the Assessment Tool over the course of implementation.

The individual reports are also reviewed to identify specific requests for resources or supports, as well as note any feedback items. Administration is following up with individual Designated Representatives, as needed, on a regular basis.

Administration has engaged in an internal review of the Firm Culture component of the Assessment Tool and supporting resources in advance of Committee consideration at its next meeting and in anticipation of the joint meeting between Firm Regulation and Equity and Access pending scheduling this fall.

ii. Increased Access to Legal Services (Goal 5) and Future of Legal Services Initiative

a. Limited Licensing Pilot

Further to the September meeting of the Future of Legal Services Committee, there are 18 approved participants in the Pilot with 2 additional applications anticipated and 1 denied. Of these approvals, risk assessments include 1 low risk, 12 medium-low risk and 5 medium-high risk. Based on reporting information received to the beginning of August, the Pilot has served 1,062 clients across 47 different rural locations within Saskatchewan outside of our two major urban centres, Regina and Saskatoon. Additional insights include:

- 19 areas of law have been identified which can be broadly grouped into four areas of practice: (i) administrative tribunal and provincial court matters (+ related enforcement of orders); (ii) general corporate, contract and title transfer services; (iii) future planning services – basic wills, powers of attorney and health care directives; and (iv) family services.
- \$0 - \$300 is the summary of fee ranges identified with some billing also on a contingency basis.
- 4 days to 4 months is the summary of service times with some participants utilizing annual service agreements.

Five consumer reviews have been received regarding one participant, all of which have been positive. Finally, two meetings of the Code of Conduct Working Group have been held with follow-up and exchange with expert, Brent Cotter, Q.C., to advance next steps. Consultation with educational institutions and SLIA/CLIA remains ongoing.

b. Exemptions

Administration is advancing consultation and follow-up in relation to four categories of exemption to align with the policy framework for exemptions and to ensure coherence with respect to limited licensing. Proposed amendments will be brought forward in due course, with one early amendment in the Code of Conduct identified in relation to university law

students as part of the direct supervision amendment brought forward for motion (see above).

## **5. Informational Items**

An information package is included in the materials.

## **6. New Business**

## **7. Consent Agenda**

The Consent Agenda includes items which are not considered controversial and will collectively be enacted by one motion at Convocation.

The items included on the consent Agenda are set out in 7.1 below:

### **7.1 Approval of the Bencher Minutes**

The following Bencher Minutes are provided for approval:

- a. Minutes from the Bencher meeting held June 24, 2022; and
- b. Minutes from the *In-Camera* Bencher meeting held June 24, 2022.

A motion is required.

## **8. Meeting Finalization**

### **8.1 Review Actions to be Taken**

### **8.2 Meeting Evaluation**

### **8.3 Next Meeting**

The Budget Meeting and President's Reception has been scheduled for Friday, October 28, 2022 in Regina. Details to follow.

### **8.4 Motion to Adjourn**