

CONVOCATION AGENDA

Convocation Date: February 16 and 17, 2023
Location: Hotel Saskatchewan, Regina and virtually via *Zoom* on both Thursday and Friday
Commencement and End Time: Thursday, February 16th at Noon (Lunch);
Bencher Training Session from 1:00 - 5:00 pm;
Convocation commences at 8:30 am on Friday,
February 17th with lunch service at Noon.

1. Approval of the Agenda

1.1 Apologies for Absence

An apology for absence was received from Erin Kleisinger, K.C.

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. Bencher Training Session – Thursday, February 16, 2023
- ii. Appointments to Fill Member Bencher Vacancies
- iii. Informational Package – Operational reports, Committee Reports and reports from Representatives of outside organizations

2. Decision Items

2.1 Appointments to Fill Member Bencher Vacancies

Currently there are four member Bencher Vacancies which could be filled by appointment pursuant to section 20 of *The Legal Profession Act, 1990*.

As per the Member Bencher Vacancy Appointment Policy, the Nominations Committee is responsible for making recommendations to the Board regarding whether vacancies should be filled, and if so, for the recruitment, assessment and recommendation of candidates.

The Nominations Committee met on December 15, 2022 to discuss whether existing vacancies should be filled. A memo outlining the recommendation of the Committee and a draft recruitment package are attached.

Feedback is welcome regarding the recruitment materials, and particularly in relation to outreach, to encourage applicants.

A motion to approve the recommendation is required.

2.2 Regulation

i. Rule Amendments

a. Practice Conditions and Restrictions

New Rule 1137.1 Part 11 – Professional Responsibility; and
New Rule 745(1) Part 7 – Membership and Practice Privileges

Administration is proposing the addition of new Rules that explicitly clarify the Law Society's ability to publish practice conditions and restrictions arising out of both Admissions & Education and Complaints processes whether they occur within or outside of the hearing process.

Attached is a memo providing an overview of the proposed Rule amendments and related policy.

A motion is required.

b. Approved Pro Bono Organizations

The Competency Committee recommends approval of the following Rule amendments with corresponding updates to related forms and communications:

- amendment to Rules 701, 702, 717, 728, 1202 and 1407 to clarify that Pro Bono member registration is an active category;
- update to Form P-5 to clarify that Pro Bono member registration is an active category;
- introduction of Form C-6 to facilitate application and review of organizations applying for and maintaining approved pro bono status in line with Rule 717;
- update to the forms for Annual Reports (Non-Trust, Trust) to include considerations for approved pro bono organizations; and
- website content for transparent information and communication for potential and approved pro bono organizations.

A memo outlining the amendments is attached.

A motion is required.

c. Exemptions from Unauthorized Practice

The Competency and Future of Legal Services Committees recommend approval of amendment to sub-Rule 1002(1)(a)(xi) regarding exemption from unauthorized practice for university law students which introduces terms and conditions and clarifies direct supervision requirements.

Additionally, the Future of Legal Services Committee recommends that the Board approve amendment to sub-Rule 1002(1)(a)(iv) in-line with consultation with the Office of the Registrar of Lobbyists Saskatchewan.

A memo outlining the amendments is attached.

A motion is required.

d. Principal Training Program
Rule 704 Approval to Act as a Principal; and
Rule 709 Secondment of Articles

The Competency Committee recommends approval of amendments to Rule 704 to require lawyers seeking to act as principals to have completed the principal training course and amendment to Rule 709 to exempt lawyers who are supervising a student for a secondment from this requirement.

A memo outlining the amendments is attached.

A motion is required.

ii. Complaints Involving Law Society Staff, Benchers, Members of Bencher Firms and Bencher Firms

The Discipline Policy Committee has considered and is recommending the adoption of updated policy for the management of complaints involving Law Society Staff, Benchers, Members of Bencher Firms and Bencher Firms.

A memo outlining the policy is attached.

A motion is required.

2.3 Society Governance

i. Resolutions

a. TD Asset Management Inc. - Investments

Attached is a TD Asset Management Inc. Resolution for signatures. With the appointment of a new President and Vice-President, they require a resolution authorizing signing authorities.

A motion is required.

b. TD Bank – Bank Accounts

Attached is a TD Bank Resolution for signatures. Again, with the appointment of a new President and Vice-President, they require a resolution authorizing signing authorities.

A motion is required.

3. Discussion Items

3.1 Society Governance

i. Standing Reports

- a. President's Report – verbal report to be provided.
- b. Executive Director's Report – written report will be provided prior to Convocation.
- c. Federation Council Report – written report is attached.

ii. Financial Reporting

a. Financial Statements

Enclosed are the *draft* financial statements for the year ended December 31, 2022, along with a memo from Pamela Harmon, CPA, CA, containing a variance analysis both from budget and most recent forecasts.

b. Investment Reports

Enclosed for review is the December 31, 2022 TDAM Investments Summary and the TDAM Investment Performance Summary.

The Quarterly Investment Report for the period October 1 to December 31, 2022 is also enclosed for review.

c. Annual General Meeting and Approval of Audited Financial Statements for the year ended December 31, 2022

Audited financial statements for the year ended December 31, 2022 will be presented for approval by the members at the AGM to be held

virtually over the lunch hour on June 22, 2023. In advance of this meeting, Benchers will be required to approve the Audited Financial Statements at April Convocation.

iii. 2023 Workplan

The workplan will be revised once the new Strategic Plan is approved by the Board; in the meantime, the existing workplan will be updated as appropriate.

Administration is currently going through the process of distilling and synthesizing discussion based on the videos and notes taken at our December meeting. It is anticipated that a summary of discussions and draft wording for the updated Strategic Plan will be presented to the Benchers in April for feedback.

4. Strategic Initiative Updates

4.1 Strategic Initiatives

i. Expanded Approach to Competency (Goal 1)

a. Firm Regulation

The Firm Culture Principles and resources have been integrated into the online platform and incorporated into the two workbooks. The next group of firms commencing on February 6th will be the first to complete the Assessment Tool with all Principles integrated. The Communication to the Designated Representatives, as previously reviewed by the Benchers, was sent out to the DR's on Friday, February 3rd. Nearly 44% of firms have successfully completed the self-assessment process to date. We continue to receive feedback through the anonymous survey, as well as through direct communications between the members and staff.

b. Western Law Societies Competency Project

We have partnered with the law societies of British Columbia, Alberta and Manitoba to develop an entry to practice competency profile.

The Profile will set out the competencies the law societies believe are important for a lawyer at the time of entry into the practice of law. We are applying the same development process that was followed in Alberta in the recent development of their Professional Development Profile. We have also engaged the same consultants (ACT) used by Alberta. This process aligns with best practice for development of competency profiles and supports a defensible final product.

An Advisory Committee (consisting of two senior staff from each participating jurisdiction) will oversee the development of the Profile. The Advisory Committee will have decision-making authority and provide strategic direction on stakeholder engagement and the flow of information to law society competency committees and Benchers tables. Andie Johnston and Kiran Mand are the Saskatchewan representatives on the Advisory Committee.

A Task Force (consisting of 3 representatives from each participating jurisdiction) will work closely with our consultants (ACT) in carrying out the substantive drafting work involved in developing the Profile. The Task Force will be populated over the next month. Once a significant amount of drafting is completed by the Task Force, the draft document will be workshopped with several focus groups established in consultation with ACT and the Advisory Committee. Once the Profile is complete, a validation survey will go out to members.

The project has just recently commenced and is expected to be complete by March 2024.

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

a. Limited Licensing Pilot

The Pilot has been active since January 2022 and a summary of reporting information and data from the first year of the Pilot are provided, as attached.

b. Exemptions

Consultation is continuing with stakeholders regarding two exemptions from unauthorized practice, which will be considered by the Future of Legal Services Committee at upcoming meetings.

5. Truth & Reconciliation Initiatives

5.1 Statement on Commitment to Reconciliation

Following approval of the Statement at September Convocation and discussion on next steps, Administration reached out to the Métis Nation Saskatchewan as well as the Federation of Sovereign Indigenous Nations to provide an embargoed copy of the Statement and determine interest in engaging in dialogue in advance of the Statement's release.

Administration met with a representative of the Métis Nation Saskatchewan on January 19, 2023 and received contact details for a Michif translator as well as several inputs that would update the references to the Métis/Michif Nation and include references to the [Canada-Métis Nation Accord](#) and the [Métis Government Recognition and Self-Government Agreement](#).

We will also provide an embargoed copy to other Law Society jurisdictions as a courtesy, prior to release.

5.2 Final Report on Truth and Reconciliation Through Treaty Implementation

Administration has continued to exchange with the Office of the Treaty Commissioner and has advanced several items:

- *Recommendations*: work to develop a more accessible public format that synthesizes the 38 recommendations from the final report for publication; and
- *Phase II implementation plan*: entering into a second Letter of Agreement to develop an implementation plan and indicators for the recommendations created in Phase I (Phase II tentative March - July 2023).

6. Informational Items

6.1 Society Governance

i. Bencher Honoraria

Since 2019, the Law Society has granted 3 CPD ethics hours per calendar year to Benchers to acknowledge their significant contribution of time and expertise. This ethics hour credit is also extended to non-Bencher lawyers who serve on one or more of the prescribed Law Society Committees.

By the end of January, Law Society staff manually enter these 3 ethics hours for Benchers and non-Bencher Committee members annually so that it will appear in their individual Member Profiles.

In addition, Benchers will continue to receive full access to CPD OnDemand, to provide free access to all recorded Law Society CPD resources.

6.2 Information Package for Convocation

An information package is included in the materials.

7. New Business

8. Consent Agenda

The items included on the Consent Agenda are set out in 8.1 below:

8.1 Approval of the Bencher Minutes

The following Bencher Minutes are provided for review by the Executive:

- a. Minutes from the Bencher meeting held December 2, 2022;
- b. Minutes from the *In-Camera* Bencher meeting held December 2, 2022.

A motion is required.

9. Meeting Finalization

9.1 Review Actions to be Taken

9.2 Meeting Evaluation

9.3 Next Meeting - April 27 and 28, 2023 at Dakota Dunes Resort near Saskatoon (Whitecap).

9.4 Motion to Adjourn