

# The Law Society of Manitoba

INCORPORATED 1877 | INCORPORÉ EN 1877

## Annual Report 2024



# The Law Society of Manitoba

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# Who We Are



## Our Mission

A public well-served by a competent, honourable and independent legal profession.

### Our Goals

- 1** Regulate proactively to protect the public interest by ensuring that legal services are delivered by competent and ethical lawyers.
- 2** Promote and improve equity, diversity and inclusion within the legal profession in the regulation of the legal profession and in the delivery of legal services.
- 3** Advance, promote and facilitate increased access to justice for all Manitobans.
- 4** Build public and stakeholder confidence in the Law Society as the regulator of the legal profession.

## Our Values

- Accountability**  
Open and transparent processes to the profession and to the public.
- Collaboration**  
With other regulator law societies, the Federation, the profession, the courts, the law school and other stakeholders in the legal system.
- Competency**  
Best practices, high standards, pursuit of excellence.
- Equity, Diversity & Inclusion**  
In the governance of the profession and the delivery of legal services.
- Fairness**  
Fair, respectful and consistent treatment of all people.
- Integrity**  
Honest and ethical behaviour.

# President's Message



Wayne Onchulenko  
President

Time flies when you are having fun. It has been a busy year but the leadership team of Sacha Paul, Gerri Wiebe, KC, Miriam Browne, Leah Kosokowsky, and Rennie Stonyk, in addition to being a pleasure to work with, made it all feel easy.

Access to justice has been a major focus of my presidency and I am very pleased of the progress we have made on that front, largely because of the hard work of the Law Society staff. If access to justice is improved, the public is better protected.

For example, under the newly created category of Civil Society Organizations, charitable and non-profit organizations can deliver pro bono legal services directly to their clients through in-house or volunteer lawyers. Current organizations providing such needed services include the First Nations Family Advocate Office, Healthy Muslim Families and the Fort Garry Women's Resource Centre, to name a few.

The program also has expanded to include stand-alone pro bono legal clinics, such as Clinique Juridique Franco-Justice, Association des juristes d'expression française du Manitoba (AJEFM) and the Law Society's own Law Library Hub pilot project. These legal clinics are staffed by the University of Manitoba law students working under the supervision of lawyers.

Additionally, through the Regulatory Sandbox pilot project there are now six participants providing limited legal services previously prohibited by legislation. Through these organizations the

public can now access services such as advocacy for seniors denied disability pension benefits, assistance for executors in the administration of estates and filing probate documents, support for impoverished tenants responding to actions of landlords, on-line creation of wills and assistance for families who are experiencing breakdown.

There are potential clouds on the horizon with the passing of Bill 21 in British Columbia. This Bill is now being challenged by the Law Society of British Columbia because it limits the independence of the profession in a way that can negatively impact their ability to represent clients. We continue to closely monitor the situation and its potential implications for independently regulating the legal profession in Manitoba.

I would like to thank Sacha Paul for his tremendous support over the past year and I will attempt to be as helpful to Gerri Wiebe, KC, your new president, and Christian Monnin your vice president.

You are in good hands with Gerri and Christian. I wish you all the best for a great year.

Thank you for the honour of being your president.

# CEO's Message



**Leah Kosokowsky**  
Chief Executive Officer

2023 was a year of progress for the Law Society in Year Two of our three-year strategic plan, which focuses on initiatives to enhance and maintain the competence of the profession, to improve access to legal services, to improve diversity, equity and inclusion within the profession, and to build awareness and connections with the public whose interest we are mandated to protect. In the pages that follow, you will find information that highlights the progress made.

The Law Society has been fortunate to have long-term dedicated employees and volunteers across the organization. This past year, we were sad to say farewell to some key employees who have more than earned their retirements. However, those departures brought new opportunities for current employees, all of whom have risen to the occasion, demonstrating that the organization is in good hands.

The Law Society's work is accomplished not only by our hard-working staff, but also by an extensive network of dedicated volunteers, including benchers and committee members as well as those who contribute to the ongoing education of our lawyers and students.

Of particular note in 2023 was the incredible work of the Indigenous Advisory Committee who, under the leadership of Chair, The Honourable Murray Sinclair and Vice-Chair, Jessica Saunders, made significant contributions to the Manitoba component of the mandatory education program on Manitoba's history and Indigenous cultural awareness and competency. We owe a significant debt of gratitude to the entire committee.

Special recognition ought to go to the executive team members whose leadership and guidance were always generously provided and so appreciated. Thank you to President, Wayne Onchulenko, Past-President, Sacha Paul, Vice-President, Gerri Wiebe, KC and Officer-at-Large, Miriam Browne for your sage advice and leadership.

# 2022 - 2025 Strategic Plan

In Year Two of the Law Society's three-year strategic plan, we made significant progress in several key areas.



## Ensuring the Competent and Ethical Delivery of Legal Services

The Law Society delivered a wide range of programs and produced online resources focused on both substantive law and procedural matters, as well as how to effectively manage the business of law.

Reflecting our commitment to the health and wellness of the profession, the Law Society's Health Recovery Program saw positive engagement in its first full year of operation. This program supports professionals dealing with health-related conduct and competency issues.



## Promoting Equity, Diversity and Inclusion in the Legal Profession

In line with our commitment to reconciliation with Indigenous peoples and communities, we launched [The Path](#), a mandatory education program aimed at educating lawyers on Indigenous cultural awareness and competency.



## Advancing Increased Access to Justice for all Manitobans

The Law Society accepted several charitable organizations into the [Civil Society Organization](#) project. Through staff and volunteer lawyers, these organizations now provide direct legal services to their clients. Additionally, the project was expanded to include stand-alone pro bono legal clinics.

We also saw increased interest in our [Regulatory Sandbox Pilot Program](#), approving individuals and organizations to offer limited legal services in areas such as family breakdown, disability advocacy, landlord and tenant issues, wills and estates administration and refugee applications.



## Building public confidence in the Law Society

Over the past year, we increased engagement with the public and initiated several projects aimed at enhancing communication with partner organizations. These projects focus on promoting the services offered by the Law Society to protect the public interest and explore opportunities to collaborate on increasing access to justice for Manitobans.

As the Law Society enters the third and final year of its current strategic plan, we are pleased to report on the substantial advancements made thus far.

continued...

# 2022 - 2025 Strategic Plan

... continued



Law Society Staff recognize National Day for Truth and Reconciliation.



5th Annual Building Connections: A Networking Event for Indigenous Articling and Law Students



14th Annual Lawyers for Literacy in support of West Broadway Youth Outreach



# Financial Accountability

## Finance

The 2023/2024 practising fee per lawyer was \$2,660, a decrease of \$185 over the prior year. These funds are budgeted and allocated across the Law Society's General Operations Fund, Education and Competence Fund and Reimbursement Fund.

The Law Society employs external auditors to audit the financial statements annually. This year the benchers appointed BDO Canada LLP to complete our audit. [The 2024 financial statements can be found on our website.](#)

## Insurance

The Professional Liability Claims Fund of the Law Society of Manitoba provides professional liability insurance coverage to all Manitoba lawyers, except those who are exempt under *The Legal Profession Act*. Based upon an independent actuarial valuation in the 2023/2024 fiscal year, the insurance assessment was levied at \$2,014 plus applicable taxes, including cyber liability coverage.

During the 2023/2024 fiscal year, the Insurance Program paid claims totalling \$816,140 in damages and \$540,456 in defence costs. This compares to \$915,427 in claims and \$673,018 in defence costs paid during the previous fiscal year.

## Reimbursement Fund

The Reimbursement Fund (the "Fund") compensates clients for losses resulting from the misappropriation or conversion by lawyers of client funds or property. It is financed by an annual assessment on all practising lawyers within the province. In the 2023/2024 fiscal year, all practising lawyers paid the sum of \$440 into the Fund.

In the 2023/2024 fiscal year, claims totalling \$29,049 were paid out of the Reimbursement Fund.



# Key Performance Indicators

## Professional Conduct and Discipline

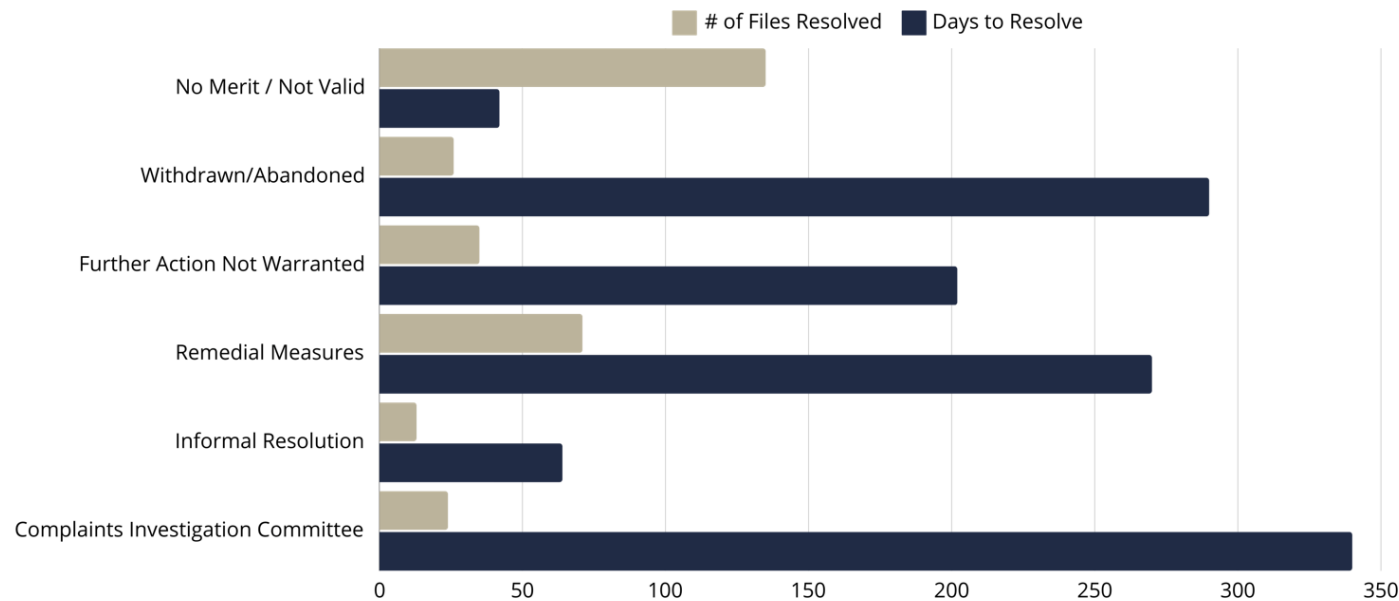
Of the **364** general inquiries and complaints received this year **14%** were resolved through early intervention.

### Complaint Resolution Outcomes

312 Complaint Files Opened



313 Complaint Files Closed



### Closure Rates

**92%**

Under 18 months

**86%**

Under 12 months

### Charges Authorized

Complaints Investigation Committee

**14 Lawyers, 31 Matters**

CEO

**2 Lawyers, 5 Matters**

Not included in the above graph: 11 matters closed outside the complaint's resolution process due to other reasons, including lack of jurisdiction.

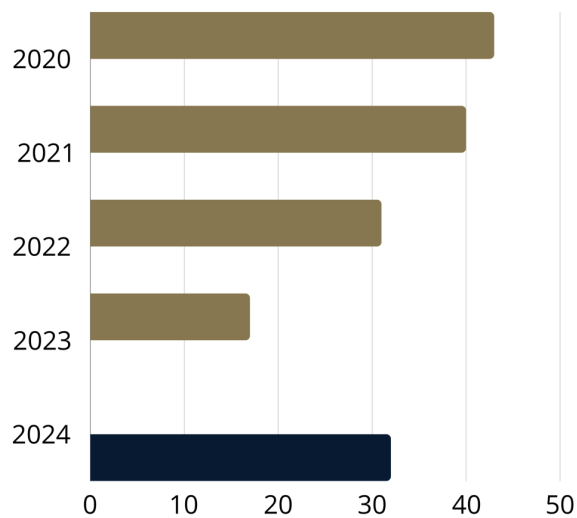
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# Key Performance Indicators

## Professional Conduct and Discipline

... continued

### Complaints Review Commissioner - Review Requests



### 2023/2024 Outcomes

**32** Requests for Review



97% Staff Decisions Confirmed

1 Investigation Ordered

### Fee Arbitrations

The Law Society received 20 complaints relating to excessive fees and was able to act on **17** requests for arbitration. No action was taken in three matters due to a lack of jurisdiction.

As of March 31, 2024, **82%** of these matters were concluded with the following outcomes:

Lawyer declined arbitration



Satisfactory arbitration settlement reached



Complainant opted for Court assessment



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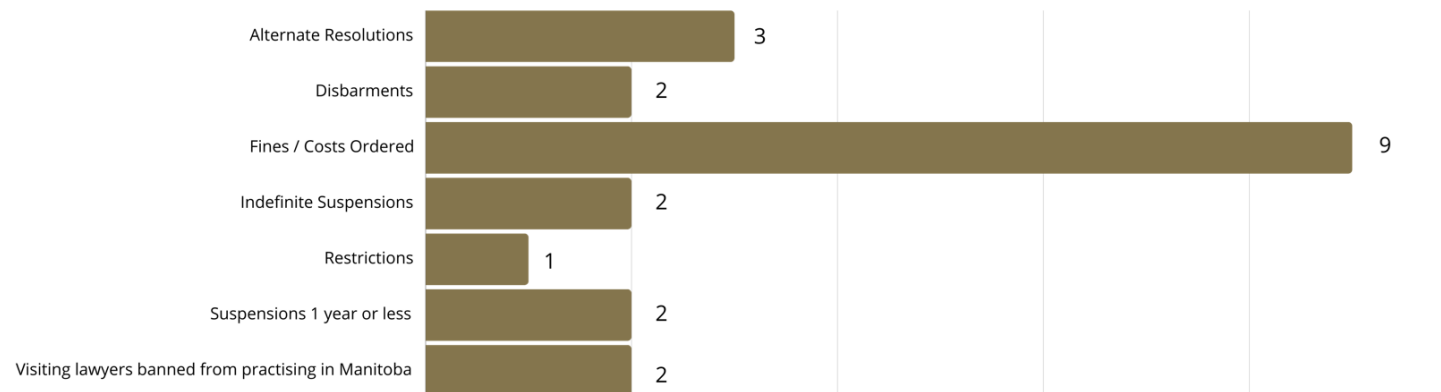
### Discipline

#### ● 16 New Files Opened

- 22 Complaint Referrals
- Involving 13 Manitoba lawyers

#### ● 11 Hearings Held

#### Discipline Outcomes



In some matters, there was more than one consequence ordered.

# Key Performance Indicators

## Education and Competence

### Continuing Professional Development

In 2023/2024 over **60** hours of new CPD content was offered, including **23.5 hours** of Ethics, Professionalism and Practice and Risk Management (EPPM) content.

To support the competent and ethical delivery of legal services, the content focused on the following areas:

Priority and Emerging issues in 2023-2024:



### Top 5 Highest Attended Live Programs



- 1** The Journey Forward: Moving Toward Economic Reconciliation
- 2** Hot Topics in Real Estate
- 3** Joint Wills and Estates Program: Estate Administration Fundamentals
- 4** Are We There Yet? Reflecting on A2J Progress & the Obligation to Advance A2J in Manitoba
- 5** Pitblado Lectures - Artificial Intelligence in Legal Practice: Risks, Rewards and Responsibilities

See the full list of programs [here](#).

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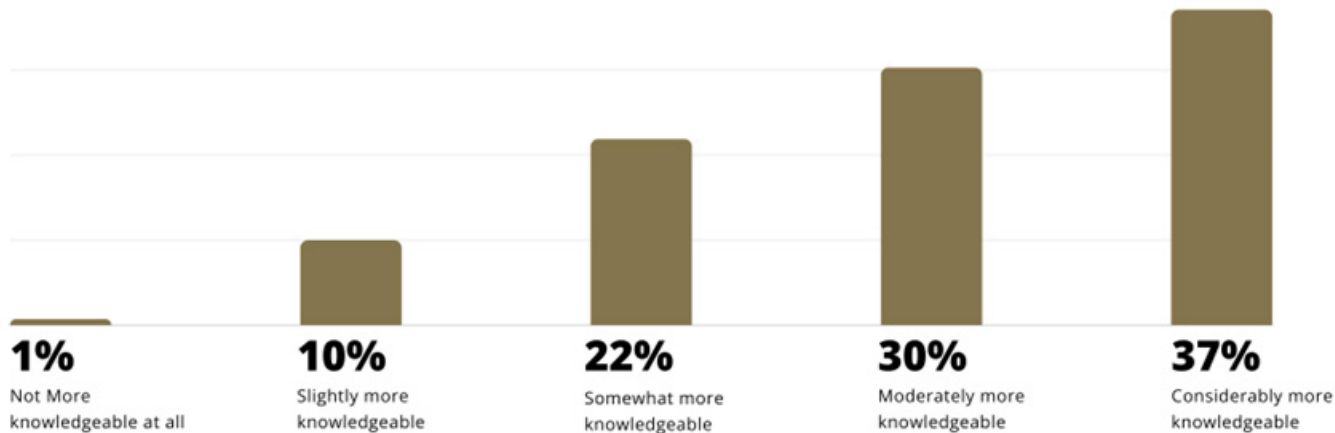
# Key Performance Indicators

## Education and Competence

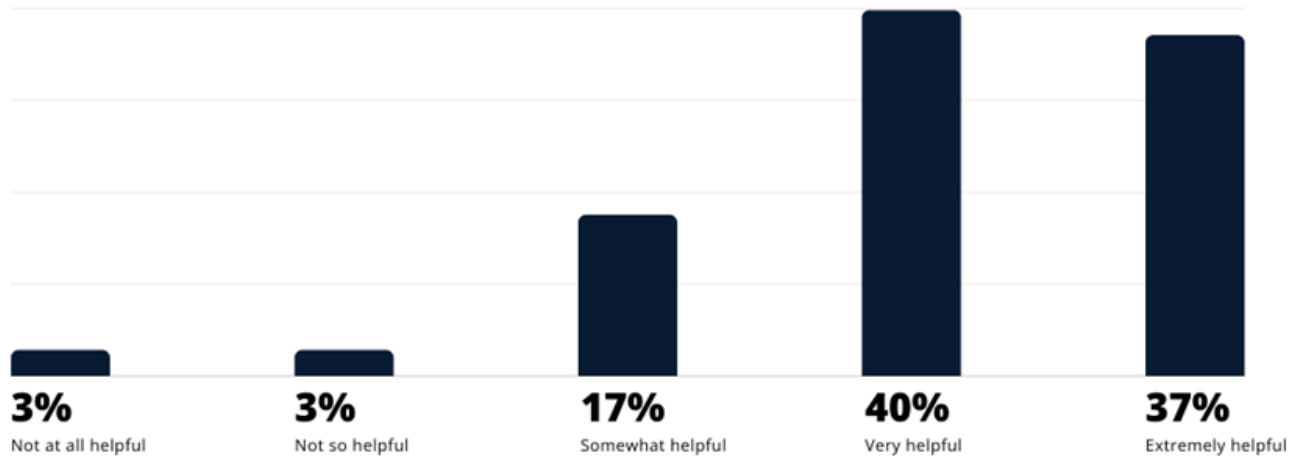
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### Enhancing Competence: *Quality and Impact*

99% of surveyed program participants reported their knowledge increased as a result of attending a live CPD program.



94% of the participants who have completed The Path as of April 1, 2024 reported an increase in their Indigenous Cultural Awareness.



continued...

# Key Performance Indicators

## Education and Competence

... continued

### Accessible Resource Options

Resources are offered in a wide range of formats to ensure accessibility for all Manitoba lawyers.

Live In-Person Programs



On Demand Courses & Reference Materials



Webinars



Low and No Cost Learning Options



Annual In-Person Events Outside of Winnipeg

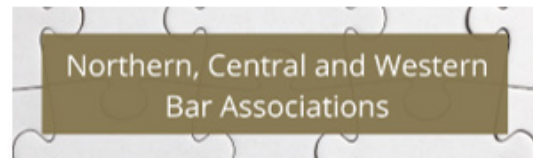


Annual French Language Program



### Collaboration

The quality of education resources is greatly enhanced as a result of the critical partnerships with



# Key Performance Indicators

Bar Admission

## CPLED PREP Program Enrollment

# 105 Manitoba Students



## Program Results - Success Rate

On average **85%** of Manitoba students successfully completed PREP over the last three years.

**2022**



**2023**



**2024**



continued...

# Key Performance Indicators

## Bar Admission

... continued



**A. Montague Israels, KC Prize**

Recipient **Nikolai Bola** with Justice David Kroft.



June 20, 2023 - Brandon



October 11, 2023 - Winnipeg



November 23, 2023 - Winnipeg



# Key Performance Indicators

## *Trust Safety Program and Audit*

### Trust Safety and Audit

The following programs monitor compliance with the Law Society rules established to safeguard client property.

	PROGRAM	OUTCOME
<b>25</b> Assessments	<b>Trust Safety</b> <i>Applications/Reassessments</i>	<ul style="list-style-type: none"><li>• <b>96%</b> Approved</li><li>• <b>4%</b> Approved with conditions</li></ul>
<b>80</b> Spot Audits	<b>Spot Audit</b> <i>A more in-depth review</i>	<ul style="list-style-type: none"><li>• <b>94%</b> in Compliance</li><li>• <b>6%</b> Many/Serious Accounting Deficiencies</li></ul>
<b>96</b> Check Ups	<b>Check Up</b> <i>A briefer more frequent audit of select aspects of recordkeeping</i>	<ul style="list-style-type: none"><li>• <b>99%</b> in Compliance</li><li>• <b>1%</b> Many/Serious Accounting Deficiencies</li></ul>

# DEMOGRAPHICS

## Lawyers and Students

### The Profession at a Glance

113

LAW STUDENTS

100

ARTICLING STUDENTS

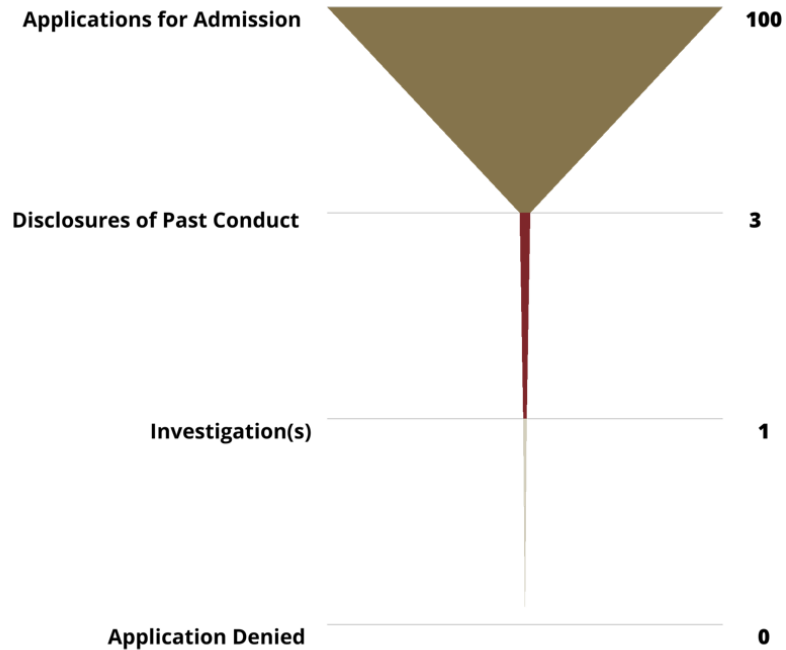
337

NON-PRACTISING LAWYERS

2,315

PRACTISING LAWYERS

### Articling Students - Good Character Assessment Outcomes



### New Lawyers

Articling students

112

Completed Manitoba's Bar Admission program



Canadian Lawyers

26

Transferred under the National Mobility Agreement



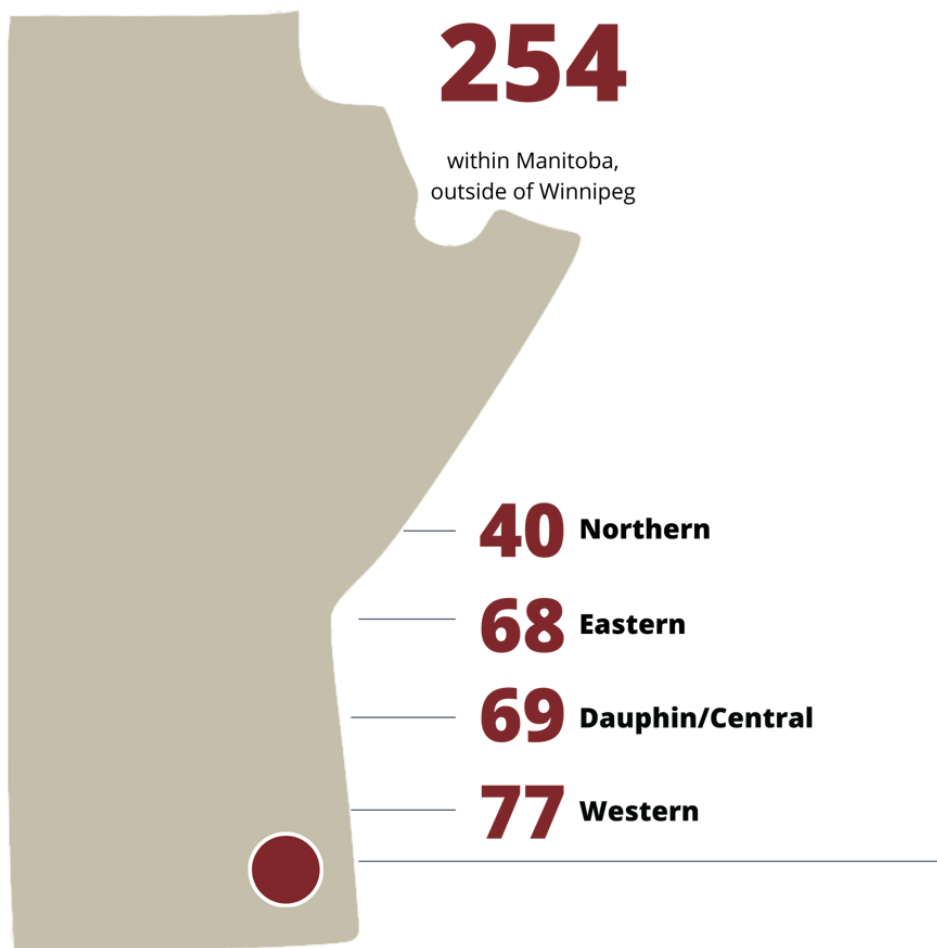
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# DEMOGRAPHICS

## Lawyers and Students

... continued

### Where Lawyers are Practising



**103**

within Canada  
outside Manitoba



**5**

International



**1,953**

within the City of Winnipeg

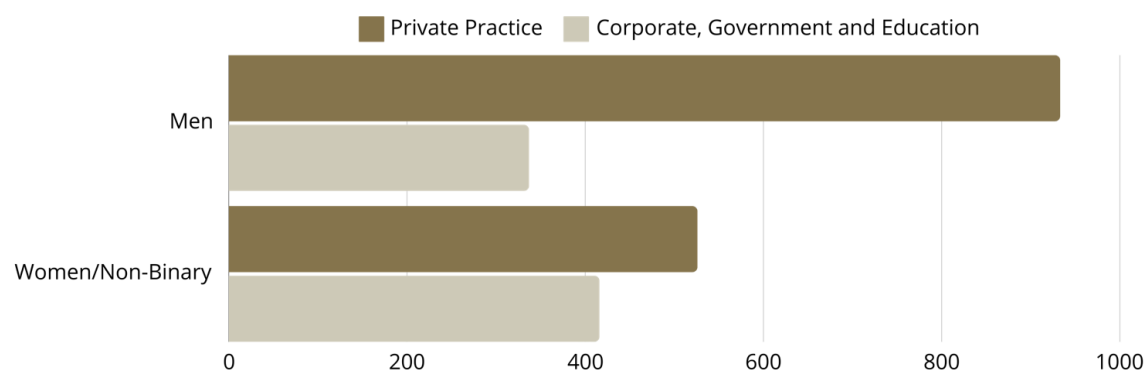
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# DEMOGRAPHICS

## Where Lawyers are Practising

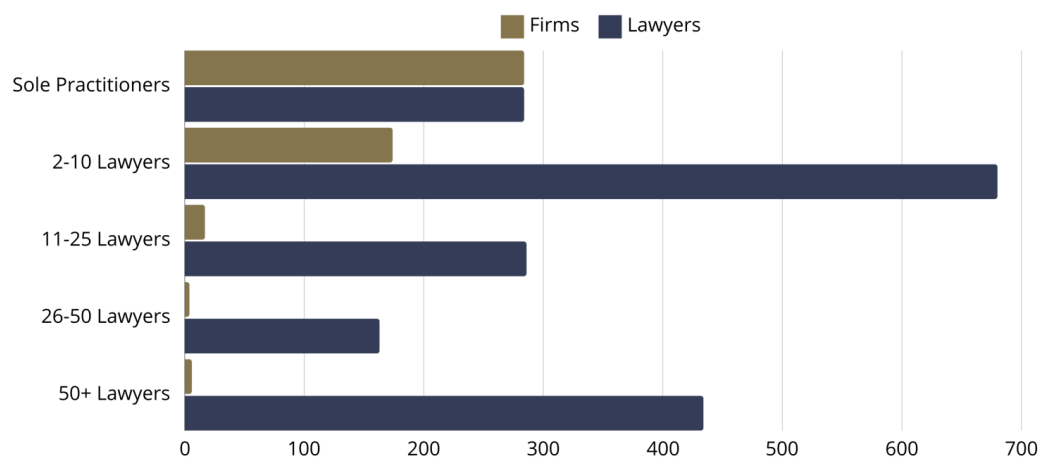


## Nature of Practice



## Private Practice - Breakdown by Firm

**1,459** lawyers engage in private practice, with **485** law firms and sole practitioners operating in Manitoba.

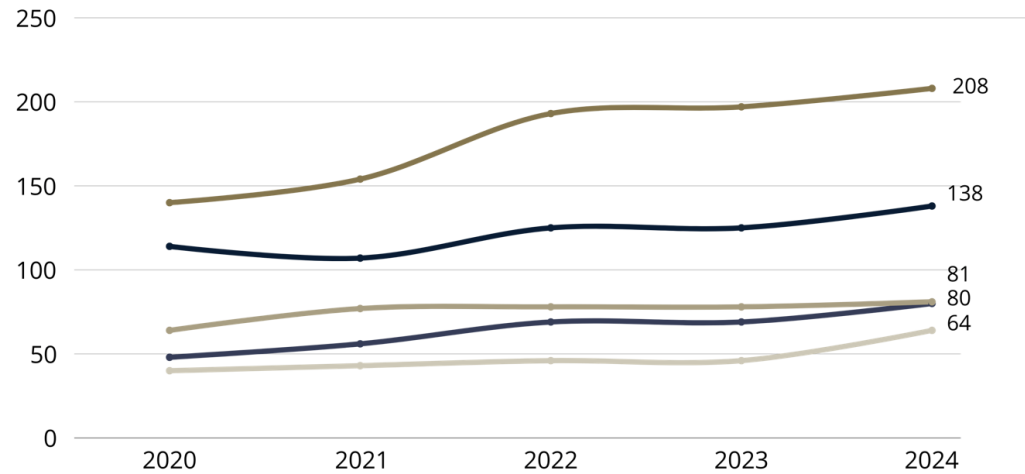


# DEMOGRAPHICS

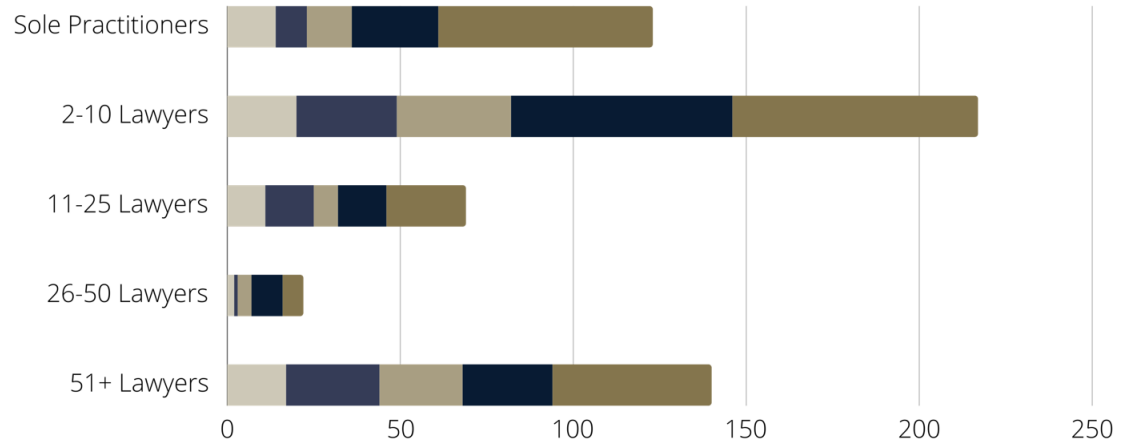
## Diversity in the Profession

- Visible Minority
- Indigenous
- Francophone
- LGBT2SQ+
- Persons with Disability

## Demographics Over the Last 5 Years

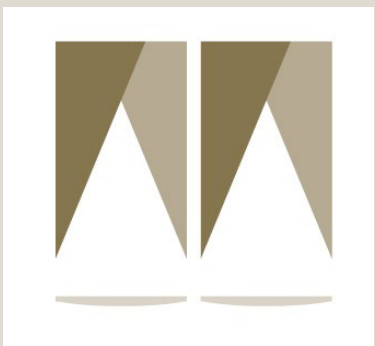


## Breakdown at Firm Level



# PEOPLE

## *The Officers of The Law Society of Manitoba 2023/2024*



### **Officers**

(effective May 18, 2023)

President:

Wayne M. Onchulenko

Vice-President:

Geraldine F. Wiebe, KC

Past President:

Sacha R. Paul

Officer-at-Large:

Miriam Browne



**Wayne M. Onchulenko**



**Geraldine F. Wiebe, KC**



**Sacha R. Paul**



**Miriam Browne**

continued...

# PEOPLE

... continued

## *Elected Benchers (elected for a two year term on May 4, 2022)*

### Winnipeg Electoral District

Kathrine D. Basarab <sup>1</sup>  
Kyle L. Dear  
Sharyne M. Hamm  
Sarah A. Inness, KC <sup>2 3</sup>  
Kenneth G. Mandzuik, KC  
Christian L. Monnin  
Wayne M. Onchulenko  
Leah C. A. Unruh  
Geraldine F. Wiebe, KC

### Dauphin-Cental Electoral District

Mason K. J. Broadfoot

### Eastern Electoral District

Mathieu R. Lafreniere

### Northern Electoral District

Kameron L. Hutchinson

### Western Electoral District

Blair J. Filyk

### Appointed Benchers

(appointed for a two year term effective June 23, 2022)

Serena M. Ehrmantraut  
Christopher C. E. Lange <sup>4</sup>  
Joëlle M. F. Pastora Sala  
Kelli L. Potter

### Lay Benchers

(appointed for a two year term effective June 23, 2022)

Susan Boulter  
Miriam Browne  
Teresa Jaenen  
Tehani Jainarine  
Brian McLeod  
Carmen Nedohin



### Faculty Bencher

Dr. Richard Jochelson (Dean)

### Student Bencher

Mason Geddes <sup>5</sup>  
Nikhelish Verma <sup>6</sup>

<sup>1</sup> Became a bencher in December 2023

<sup>2</sup> Became a bencher in June 2023

<sup>3</sup> Ceased to be a bencher in August 2023

<sup>4</sup> Became a bencher in June 2023

<sup>5</sup> Became student bencher in November 2023

<sup>6</sup> Ceased to be student bencher in November 2023

continued...

# PEOPLE

... continued

## Committees

NOTE: The President and Vice-President are ex-officio members of all committees, except the Admissions and Education Appeals and Trust Safety Appeals Sub-Committee and the Discipline Committee.

### Standing Committees

Admissions and Education Committee

Admissions and Education Appeals and Trust Safety Appeals Sub-Committee

Complaints Investigation Committee

Discipline Committee

Equity Committee

Practice and Ethics Committee

Professional Liability Claims Fund Committee

Reimbursement Claims Fund Committee

### Special Committees and Working Groups

Access to Justice Committee

Indigenous Advisory Committee

Investment Committee

Nominating Committee

Richard J. Scott Award Selection Committee



continued...



# PEOPLE

... continued

Staff

## Staff Leadership Team

Chief Executive Officer

Deputy Chief Executive Officer

Chief Financial Officer

General Counsel, Director | Policy and Ethics

Equity Officer and Policy Counsel

Director | Admissions and Membership

Director | Audit

Director | Competence

Director | Complaints Resolution

Director | Continuing Professional Development

Director | Information Systems Development

Director | Operations and Information Technology

Director | Professional Liability Claims Fund

Communications Officer

Office Manager

Leah C. Kosokowsky

Rennie L. Stonyk

Colleen D. Malone <sup>1</sup>

Sandra A. Alleyne <sup>2</sup>

Darcia A.C. Senft

Alissa R. Schacter

Richard C. M. Porcher

Kathy L. Levacque

Joan M. Holmstrom

Noelia Bernardo

Eileen S. Derksen

Simon Young

Sean Rivera

Tana P. Christianson

Deirdre O'Reilly

Elaine Kinchen

<sup>1</sup> Ceased to be Chief Financial Officer February 2024

<sup>2</sup> Became Chief Financial Officer February 2024





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*Treaty One Territory*