

The Law Society of Manitoba

2013 Annual Report

REPORTS

President's Report	2
Chief Executive Officer's Report.....	3
Complaints Review Commissioner's Report	5

AREAS OF ACTIVITY

Admissions & Membership	6
Complaints Resolution.....	8
Discipline	9
Equity Initiatives.....	10
Education and Competence	11
Practice Issues	14
Professional Liability Claims Fund.....	15
Reimbursement Fund	15
Benchers	17
Committees	19
Staff	22

PRESIDENT'S REPORT



Jack Cram

Looking back to one year ago when I assumed the office of President, the road ahead appeared to be a daunting one, with a myriad of Benchers and Committee responsibilities, personal appearances, travel commitments and meetings upon meetings. The travel between Brandon and Winnipeg becoming nothing more than a commute. And now it is over, in all but a blink.

In May, 2012, being an election year, we welcomed new Benchers in the persons of Richard Buchwald, Katherine Bueti, and Anita Southall, followed

later that year with the election of new student Bencher, Cory Shefman and the appointment of a new Lay Bencher, Marsden Grindey (a fellow Brandonite).

In June I had the opportunity to attend the Alberta Law Society Benchers' Retreat in Jasper (where it snowed) and later in September, the Saskatchewan Law Society President's Dinner in Saskatoon. The summer afforded us the opportunity to sit down with the Minister of Justice to discuss issues of common interest and learn the perspective from the Legislature.

The President's Special Committee on Technology and the Access Stakeholders Committee continued this year and we added a new special committee, the Articling Task Force, chaired by Bencher Karen Clearwater. The purpose of this committee was to closely monitor the changes to the articling system in Ontario and prepare ourselves for the effect those changes might have in Manitoba.

Manitoba's participation in the Federation of Law Societies continued in Vancouver where the Federation Council adopted a National Entry Level Competency Profile, the first step towards the creation of a set of national admission standards. This national entry level competency profile has now been adopted by our Law Society. The March Federation meeting in Quebec City examined the effect of globalization on legal regulation and technologies as well as the sharing of ideas and programs across the country in the area of risk management for the legal profession.

Over the past year, I have had the pleasure to serve on two Provincial Court Nominating Committees composed of representatives from the Bench, the Manitoba Bar Association and the public. Based on the quality of the judicial appointments that resulted, these Committees serve as a model that we as a profession can be proud of.

This past year has seen the end of an era in Manitoba judicial history with the retirement of our Chief Justice of the Court of Appeal, Richard J. Scott. In honour of Chief Justice Scott, the Law Society has inaugurated the Richard J. Scott award to be presented to a lawyer who has made a significant contribution to the profession by promoting the rule of law through advocacy, litigation, teaching or writing. The first recipient of the Richard J. Scott Award will be announced at the Pitblado Lectures in November of this year.

I have attended on behalf of the Law Society at a number of Swearing-In ceremonies for new judicial appointments, including that of our new Chief Justice of the Court of Appeal, Richard Chartier, on May 2, 2013.

We have now completed our first year of mandatory continuing professional development, the results of which will be known shortly upon the compiling of the annual reports. However, we already know that we had record attendance from the profession at our programs this year. The quality and variety of programming provided by the Law Society is exemplary. CPDs have been made available in person, by teleconference, webinar, and DVD.

This past year has also seen a landmark decision affecting the profession's self-regulation, in the Federation of Law Societies of Canada v. Attorney General of Canada. In upholding the Federation's challenge to the anti-money laundering regulations, the B.C. Court of Appeal held, for the first time, that the independence of the Bar is a principle of fundamental justice.

This year will stand out for me as the most rewarding of my years as a lawyer. It would not have been possible, but for the support and expertise of our Law Society staff and executive, who are without peer across the country. I would like to acknowledge and thank Past President Helga Van Iderstine, who was always there for advice and assistance when needed. Looking forward, I want to congratulate our incoming President, David Swayze (another Brandonite), and hope he finds his term as President as rewarding as I have found mine.

CHIEF EXECUTIVE OFFICER'S REPORT



Allan Fineblit, Q.C.

The job of being the regulator of the practice of law in Manitoba seems to have gotten a lot more complicated. Forces like mobility, technology and access pose new regulatory challenges and keep life at the Law Society interesting. New Canadian law schools (the first in over 30 years), national initiatives and significant developments in other Canadian jurisdictions were all prominent on our 2012/13 agenda.

A National Admissions Standards Project is well underway. After extensive research into what lawyers do in their early years of practice, a set of competencies was developed. These are intended to be a minimum standard adopted by each law society for admission to practice. After a review by our Admissions and Education Committee, chaired by Dean Scaletta, our Benchers approved these in December of 2012. Work continues on standards for good character and fitness and on developing a common method to assess if candidates meet the national admission standards. The work is by a Federation of Law Societies of Canada (FLSC) steering committee. Richard Porcher, our Director of Admissions and Membership, sits on the working group dealing with good character and Brenda Silver, our Director of Education and Competence, sits on the competencies working group.

Last year the Federation of Law Societies' Steering Committee on National Discipline Standards rolled out a two year pilot project, testing 23 national standards for complaints investigation and discipline work. After the first year, we are well on our way to meeting those standards in Manitoba and look forward to the roll out of a final set of national standards in March of 2014.

These standards are intended to be aspirational and, among other things, to encourage law societies to be even faster, more effective and more transparent in their discipline work. To that end, our Benchers agreed to change our publication policies to comply with the national discipline standards. Until now, we would not publish details of pending discipline hearings. In September of 2012, Benchers approved publication on our website of all pending discipline hearings. This information includes the date of the hearing, the lawyer's name and the nature of the charges.

Our friends and next-door neighbours at the Law Society of Upper Canada struggle to address an ongoing and serious shortage of articling positions in Ontario. While Manitoba, so far at least, doesn't have that problem, there is good reason to believe we soon might.

It is quite likely that some of the unplaced students from Ontario will come here looking for articling opportunities. Several new Canadian law schools will soon be producing more students who will be in need of articling placement. More and more Canadians are going abroad to attend law schools and then returning home looking for articling positions.

Ontario is experimenting with an alternative stream for articling which combines skills training with experiential learning. We know also that Manitoba articling experiences vary greatly and are not always successful at providing the experience and training new lawyers need. Our Benchers last year created an Articling Task Force chaired by Karen Clearwater, to explore the future of articling in Manitoba. The work of that committee is ongoing.

In order for students with common law degrees to be admitted as articling students, their law school must be accredited by our law society. The FLSC has a committee that reviews new law school applications and makes recommendations to the law societies about accreditation. This year our Benchers accepted the FLSC recommendation to accredit the University of Montreal's new common law degree program. A pending application to the FLSC by Trinity Western University has received considerable public attention and our Benchers followed that discussion closely. That particular accreditation decision promises to be an interesting one!

Not every Manitoba lawyer is a graduate of a Canadian law school. Some are trained elsewhere in the world and must have their degrees reviewed by the FLSC National Committee on Accreditation (the NCA). Those graduates often must take courses or write challenge exams in several subject areas to assure they have the equivalent of a Canadian common law degree. Our rules prohibited those individuals from working in law firms as law students or articling students until they were fully accredited by the NCA. Our Benchers reviewed this requirement and concluded it was unfair as there was no valid public protection reason to prohibit them from doing this work while completing their NCA requirements. As such, rules were amended to permit those individuals to work in law firms while taking their courses or writing their exams.

The Fair Registration Practices in Regulated Professions Act is intended to oversee the registration of professionals through the Office of the Manitoba Fairness Commissioner (OMFC). The OMFC focuses primarily on the registration of internationally trained professionals, in our case lawyers. The OMFC completed its first review of our registration procedures in March of 2013 and generally was satisfied that our practices and procedures are fully compliant with the legislative requirement. The OMFC report made some excellent suggestions for improving our communication about the Law Society of Manitoba's registration practices and we are in the process of implementing those recommendations.

continued on page 4

We continue to liberalize our mobility requirements and our Benchers approved a proposal to expand the limited mobility agreement we now have with the Barreau du Québec into a full mobility agreement. This is significant because this will permit mobility for lawyers with Canadian civil law degrees and enable them to practice elsewhere in Canada, and for Manitoba lawyers it will permit them to practice in a civil law jurisdiction. That agreement will now require some rule amendments and other procedural steps before it can take effect.

Our Benchers had several significant policy discussions in the 2012/13 fiscal year that explored new ideas that had never before been on a Bencher agenda. These include the regulation of law firms (as opposed to our current model of regulating lawyers) and the external (non-lawyer) ownership of law firms. These ideas will continue to be explored at a Bencher retreat planned for the 2013/14 year.

Our Family Law Access Centre continues to be a successful pilot project, demonstrating a cost-effective model for delivering family law legal services to the working poor. Our Benchers agreed to continue the pilot project for a third year in the hope of interesting others with deeper pockets to operate the program on a much larger scale.

For 25 years our reciprocal insurer, the Canadian Lawyers Insurance Association (CLIA), has enabled us to provide affordable errors and omissions insurance to Manitoba lawyers in a way that ensures the public are fully protected when they use a Manitoba lawyer. This year the ten CLIA provinces and territories began a governance and operational review of CLIA to ensure that it will be a structurally sound insurance vehicle for us for another 25 years.

Our Benchers noted that virtually every Manitoba lawyer volunteers with not-for-profit organizations in their community. Many of those organizations do not have directors and officers insurance. We were able to determine that by purchasing a group policy for all Manitoba lawyers, we could obtain that insurance at a very low cost. Our Benchers felt it was in the public interest that lawyers continue to do this important volunteer work. They instructed Law Society staff to purchase the directors and officers insurance, which now covers all Manitoba practising lawyers.

Last year was also noteworthy because of the retirement of Manitoba's Chief Justice, Richard Scott. Dick was a Past President of the Law Society of Manitoba and our Benchers decided to create the Richard J. Scott Award, which will be given annually to an individual who has promoted the rule of law through advocacy, teaching or writing in the areas of judicial independence, an independent legal profession or access to legal services.

There were some big changes of Law Society "people" last year. Three new Benchers were elected in May of 2012: Richard Buchwald, Anita Southall and Kathy Bueti. We had a new Student Bencher, Cory Shefman, elected in August of 2012. We bid farewell to Brian Lerner and Life Benchers, Irene Hamilton and Christina Kopynsky, as well as last year's Student Bencher, Jasmine Zurbruggen.

Our Audit Department was hit hard by the retirement of our superstar Director of Audit, Sherri Jack, and the sad death of our friend and colleague, Nancy Zacharias. The Department's administrator, Lara Brescacin, left Manitoba and was replaced by Kelly Jordanov. Kathy Levacque was promoted to the position of Director of Audit and two new auditors, Deborah Metcalfe and Ron Bailey, were hired to fill the vacancies.

Like every law society, ours is all about people. We have 23 volunteer Benchers and almost 100 other lawyers and public representatives who serve on our committees and hearing panels. We have a staff of almost 40 hard working and talented people.

I want to thank those volunteers and staff for all their energy and creativity over the past year. I expect we will need to rely on them even more as our Law Society moves forward with interesting plans for the future.

COMPLAINTS REVIEW COMMISSIONER'S REPORT



Drew Perry

The Complaints Review Commissioner contributes to the Law Society of Manitoba's complaints resolution process by providing an opportunity for a complainant to request that a non-lawyer conduct an independent review of specific types of decisions made by the Complaints Resolution Department.

Complainants have 60 days to request the Commissioner to review their matter if they disagree with a decision by the Complaints Resolution Department:

- (a) when staff have decided not to investigate a complaint due to there being no merit; or
- (b) if, following an investigation, staff have concluded to resolve the matter without referring it to the Complaints Investigation Committee.

On receiving a request for a review from the complainant, the Complaints Review Commissioner obtains the full complaint file from the Law Society, reviews it in conjunction with the letter requesting the review, and then issues a written decision to both the complainant and the lawyer in question. The Commissioner does not meet in person with any of those involved, and the Commissioner's decision is final.

The options available to the Commissioner are:

- (a) to confirm the initial staff decision;
- (b) to require that the complaint be investigated in cases where an investigation has not been conducted; or
- (c) to direct the Law Society to refer the matter to the Complaints Investigation Committee for its consideration, where staff have investigated but determined (i) that the complaint is without substance; (ii) that the lawyer has provided a satisfactory response; (iii) that a letter of reminder to the lawyer is necessary; or (iv) that the lawyer be required to take a certain course of action.

In 2012-13, the Commissioner considered 50 requests for review, an increase of 12 over the previous year. Twenty-two of the 50 cases involved matters the Law Society declined to investigate on the basis that there was no merit to the complaint. One of these cases was not reviewed because it was not submitted to the Commissioner within the 60 day period within which to request a review. In the other 21 cases in this category, the Commissioner confirmed the staff decision not to investigate.

A staff investigation had taken place for the other 28 review requests, and the staff decision had been to resolve the complaint without a referral to the Complaints Investigation Committee. In the case of these reviews, the Commissioner confirmed the staff decision in 26 cases but directed that two cases be referred to the Complaints Investigation Committee for its consideration.

While the number of requests for review has continued to grow for the last few years, the increase in 2012-13 was due entirely to the expansion of the Commissioner's mandate in 2010 to include a review of matters after an investigation by staff had taken place. It should be noted that the total number of requests for review continues to represent a small proportion of the overall number of complaints dealt with by the Law Society.

The matters reviewed this past year reflect the difficult experiences of people struggling with personal, family or financial conflict. Sometimes the complaints resolution process was not the most appropriate forum to address the issues presented. At times the complainants expressed frustration with how they felt treated by the legal system, and earlier remedial action or an apology may have resolved the matter without a formal complaint. In other cases, the lawyers involved were required to put significant time and effort into documenting their actions concerning events that had happened a long time ago. In all of the 50 cases that came forward over the past year, it was a privilege to be able to provide an independent second look at the way matters had been handled through the Law Society's complaints process, and perhaps help bring closure to some of the contentious issues.

ADMISSIONS AND MEMBERSHIP

New Members

During the year ending March 31, 2013, 115 lawyers were called to the Bar in Manitoba. Of those:

- 18 lawyers transferred to Manitoba from other Canadian jurisdictions, under the National Mobility Agreement;
- 95 articling students were called to the Bar;
- 2 lawyers received exemptions from articling based on foreign practising experience; and
- 13 lawyers had obtained law degrees outside of Canada and were admitted on the basis of a Certificate of Qualification from the National Committee on Accreditation.

Where Members are Practising

Law Society members with active practising status on December 31, 2012 were practising in the following geographical areas:

- within the City of Winnipeg: 1702
- within Manitoba, but not in the City of Winnipeg: 231
- outside Manitoba: 52

Law Firms in Manitoba

As of December 31, 2012, 126 law firms were operating in Manitoba. Of these firms:

- 84.9% have 2-10 lawyers;
- 8.7% have 11-25 lawyers;
- 2.4% have 26-50 lawyers; and
- 4.0% have more than 50 lawyers.

Gender and Nature of Practice

There were 1985 lawyers with active practising status in Manitoba as of December 31, 2012, of which 1280 or 64.5% were men and 705 or 35.5% were women. Of those women in active practice, 52% were engaged in private practice with the remaining 48% employed in corporate, government (including Legal Aid) and educational endeavours. Of the men in active practice, 74% were engaged in private practice and 26% in corporate, government and educational endeavours. **Table A** (on page 7) provides an historical record of the number of practising lawyers in Manitoba and Table B provides a gender breakdown by years in practice.

continued on page 7

Years at the Bar

The breakdown of the profession in terms of number of years at the bar for the province's 1,985 practising lawyers is indicated in **Table B** below.

Table A: Practising Lawyers in Manitoba as of December 31st

1932 - 603	1975 - 910	1986 - 1,483	1997 - 1,711	2008 - 1,860
1950 - 551	1976 - 967	1987 - 1,526	1998 - 1,699	2009 - 1,883
1955 - 636	1977 - 1,105	1988 - 1,548	1999 - 1,731	2010 - 1,919
1965 - 683	1978 - 1,083	1989 - 1,609	2000 - 1,737	2011 - 1,946
1966 - 702	1979 - 1,169	1990 - 1,635	2001 - 1,760	2012 - 1,985
1968 - 704	1980 - 1,213	1991 - 1,680	2002 - 1,769	
1970 - 723	1981 - 1,252	1992 - 1,665	2003 - 1,778	
1971 - 746	1982 - 1,282	1993 - 1,659	2004 - 1,808	
1972 - 776	1983 - 1,304	1994 - 1,659	2005 - 1,825	
1973 - 795	1984 - 1,336	1995 - 1,671	2006 - 1,819	
1974 - 837	1985 - 1,387	1996 - 1,677	2007 - 1,836	

Table B: Practising Lawyers in Manitoba as of December 31st by Years at the Bar and Gender

Years at the Bar (Inclusive)	Male		Female		Total	
	#	%	#	%	#	%
0 - 5	185	9.32	194	9.77	379	19.1
6 - 10	107	5.39	124	6.25	231	11.64
11 - 15	125	6.30	99	4.99	224	11.28
16 - 20	131	6.60	88	4.43	219	11.03
21 - 25	152	7.66	78	3.93	230	11.59
26 - 30	156	7.86	66	3.32	222	11.18
31 - 35	164	8.26	48	2.42	212	10.68
36+	260	13.10	8	0.40	268	13.50
TOTAL	1,280	64.49	705	35.51	1,985	100.00

COMPLAINTS RESOLUTION

Complaints

The aim of the Law Society of Manitoba is a public well served by a competent, honourable and independent legal profession. The Complaints Resolution Department strives to meet that aim by resolving complaints in a way that is thorough, timely and fair. Law Society staff investigate and resolve the majority of complaints received about lawyers, while the Complaints Investigation Committee deals with the more serious complaints.

Law Society staff try to address verbal complaints quickly on an informal basis, if it is determined that it is appropriate to intervene. In the past fiscal year, staff resolved 147 such concerns through this type of early intervention.

The Law Society received 368 written complaints last year, 402 including arbitration files. Where a written complaint is received, a significant number are also resolved by Law Society staff. For example, this past year staff resolved 376 matters (some received in the prior fiscal year) as follows:

- a. 98 complaints were determined to be outside the Law Society's jurisdiction or did not merit investigation;
- b. 34 complaints were resolved to the satisfaction of the complainant and the lawyer through telephone conciliation;
- c. on 103 matters, it was determined that the lawyer had provided a satisfactory response to the complaint;
- d. on 100 occasions, the lawyer received a reminder letter with respect to his or her professional obligations;
- e. on 25 occasions, it was recommended that the lawyer follow a particular course of action;
- f. on 5 matters, the complaint was abandoned or withdrawn; and
- g. 11 matters were otherwise resolved by staff lawyers.

The Chief Executive Officer, pursuant to Law Society Rule 5-66(e)(i), authorized charges of professional misconduct against 3 lawyers on 5 matters for failing to respond to Law Society correspondence.

This past year, the Complaints Investigation Committee was comprised of 5 benchers, 1 lay-bencher (i.e. a non-lawyer) and 7 non-bencher lawyers. The committee has a wide range of powers including the authority to order reviews of a lawyer's practice, or to authorize charges of professional misconduct, conduct unbecoming a lawyer or incompetence in a lawyer's practice of law. The committee can also issue formal cautions, direct personal appearances and suspend lawyers from practice on an interim basis.

Last year, the Complaints Investigation Committee had 11 meetings at which they considered 40 matters as well as concerns arising from the bankruptcies of 4 lawyers. Several matters were considered by the Committee on more than one occasion as the matters progressed. The Committee required 5 personal appearances in order to assist in the Committee's investigation. The Committee directed the following resolutions of the matters before it:

- a) charges were authorized on 21 matters, relating to 6 lawyers;
- b) undertakings were sought from 4 lawyers relating to their practice;
- c) 3 lawyers were suspended from practice;
- d) 4 lawyers were relieved of an undertaking previously provided;
- e) a practice review was directed for 1 lawyer;
- f) the Committee determined to take no further action on 4 matters; and
- g) the Committee issued a recommendation for 1 lawyer.

Most complaints to the Law Society are made by clients or former clients, and concerns relating to quality of service and excessive fees continue to be common. However, the matters under consideration by the Committee dealt primarily with integrity related matters, competence concerns, breaches of trust conditions, conflicts of interest, as well as ungovernable members.

Fee Arbitration

The Law Society offers a fee arbitration program to members of the public, free of charge. Members of the legal profession donate their time to arbitrate fee disputes in a voluntary arbitration process. The program allows clients and lawyers the ability to resolve disputes about accounts in a more informal setting than through a court assessment. Members of the legal profession, however, are not required to submit to arbitration.

The Law Society received 108 complaints relating to excessive fees. No action was taken in 49 matters due to no follow through by complainants or the Society having no jurisdiction to deal with the complaint. There were 59 requests for arbitration upon which the Law Society was able to act. Five of the arbitration requests resulted in a satisfactory settlement being reached between the member and the complainant directly. No further action was taken on 29 requests due to the fact that the lawyer declined to arbitrate the dispute. There were three instances where an arbitration request was made, but the requests were later abandoned or withdrawn by the complainant prior to the conclusion of the arbitration process. Fourteen matters are ongoing, either pending an arbitration hearing or pending the member's or the complainant's consideration.

Eighteen arbitration hearings were conducted between April 1, 2012 and March 31, 2013. Ten of those hearings related to arbitration proceedings which commenced prior to April 1, 2012. Of the eighteen hearings, in seven instances, the fees were upheld, in seven instances the fees were reduced, and in four instances the parties settled during the arbitration hearing.

The Law Society acts in the public interest by prosecuting lawyers who are charged with either professional misconduct, conduct unbecoming or incompetence. When a member is charged, notice of the charges is posted on the Law Society website. Discipline inquiries are conducted by panels of three members of the Discipline Committee, one of whom is a public representative. The inquiries are typically conducted in public unless the panel orders that to do so would result in the disclosure of information that is the subject of solicitor-client privilege. Lawyers have the right to cross examine witnesses, to subpoena witnesses and documents and to be represented by counsel. At the conclusion of a discipline inquiry the charges may either be dismissed or a finding made that the lawyer is guilty of the conduct alleged. In the event of a conviction, a range of sanctions is available to the discipline panel, including a reprimand, fine, suspension, or disbarment. The panel may also impose conditions on the member's practising certificate, for example a requirement that the lawyer practice under supervision, or not practice in a particular area of law. The panel will usually order that the lawyer pay the costs of the investigation and prosecution of the charges. The decision of the panel will be posted on both the Law Society website and on CanIll, the Federation of Law Societies legal resources search engine. A lawyer who is sanctioned by the Law Society may appeal the conviction to the Manitoba Court of Appeal.

This year, nine discipline inquiries were conducted. In one case a preliminary motion was heard and disposed of and the hearing on the merits is pending. In the other eight cases, the lawyers were convicted of professional misconduct. Sentencing is pending in one of those matters. One lawyer was reprimanded and ordered to practice under supervision for a period of 18 months. Five lawyers were ordered to pay fines ranging from \$1,000.00 to \$3,500.00. One lawyer was suspended for a period of one month and his practice certificate was cancelled and re-issued subject to the condition that he take and successfully complete the Professional Boundaries Program. Orders of costs were made in each of these matters in amounts ranging from \$1,000.00 to \$5,000.00. In matters outstanding from the preceding fiscal year, a lawyer who had been convicted of professional misconduct was ordered to pay a fine of \$5,000.00 and required to practice under the supervision of a lawyer for a period of one year. In a second matter the Supreme Court of Canada dismissed an application for leave to appeal from a decision of the Manitoba Court of Appeal upholding a lawyer's conviction and disbarment.

The matters that proceeded to hearing this year included charges of breaching the Law Society's trust accounting rules, breaching trust conditions, failing to act with integrity, failing to provide the quality of service expected of a lawyer, charging fees that were not fully disclosed, failing to respond or fully respond to the Law Society and acting where there are conflicting interests,

Lawyers who have received a formal caution or been convicted of professional misconduct may seek a pardon from the Discipline Committee where ten years have passed since the caution or conviction and the penalty imposed was either a reprimand or a fine. The member cannot have been subsequently disciplined, can have no current complaints or charges and must have paid all monies owing to the Society. This year, three lawyers applied to the Law Society for pardons and discipline inquiries were conducted in each of those matters. The discipline panel determined that it was appropriate to grant the pardon in all three cases.

A member who has been disbarred from the practice of law may apply for reinstatement. One lawyer who was disbarred in 2002 applied for reinstatement. A discipline inquiry was convened to hear the application. As at March 31st, the decision was pending.

The Law Society is continuing to participate in a pilot project through the Federation of Law Societies to test a set of national discipline standards. The standards are intended to address issues pertaining to timeliness, hearings, public participation, transparency, accessibility, quality, and qualification and training of adjudicators and investigators. In order to meet one of those standards, the Benchers approved the publication of the names of lawyers charged with professional misconduct and the pending hearing dates on the Law Society website. The Law Society continues in its efforts to improve communications with complainants and to ensure that all Discipline Committee members receive annual training.

EQUITY INITIATIVES

The Law Society of Manitoba supports the full participation of men and women in the legal profession regardless of age, disability, race, religion, marital or family status or sexual orientation. The Society acknowledges the diversity of Manitoba's community and expects lawyers to respect the dignity and worth of all people and to treat all persons equally. Discrimination and harassment are against the law and are prohibited by the profession's Code of Professional Conduct.

The Equity Ombudsperson Program is the Society's most active equity initiative. It has been a permanent Law Society program since 2003. The Equity Ombudsperson functions independently of the Law Society and provides confidential and neutral advice to individuals who have concerns about any kind of discrimination or harassment. The Equity Ombudsperson also consults with and assists private and public law offices wanting to raise staff awareness about the importance of a respectful workplace environment or develop office policies. She also provides educational seminars for members of firms, is available for personal speaking engagements and informal meetings, talks confidentially with firms about particular problems and mediates disputes. The Law Society also has a standing Equity Committee that deals with issues relating to equality and diversity.

During the 2012 calendar year the Equity Ombudsperson was contacted a total of 1002 times, up from last year's number of 877; 429 of these contacts dealt with issues or concerns relating to discrimination, 125 dealt with issues relating to sexual harassment and 274 related to workplace harassment issues or concerns.

Calls this year were the highest ever in the program's 11 year history. There was a large increase in the number of calls from both the associate lawyers and partners and a decrease in calls from students, support staff and clients. There were also fewer out of town callers and more from Winnipeg. There was an increase in both male and female callers.

The Law Society's Parental Support Program offers coaching sessions to lawyers and their spouses/life partners to help them plan for maternity and parental leave and meet the challenges of becoming new parents and juggling family and work life. Introduced in October of 2008, the program continues to be used by members, but in decreasing numbers. The program has also been adopted for use in Nova Scotia and Ontario. The Law Society also continues to offer the Professional Boundaries Program for lawyers. It is a remedial program designed to help lawyers better understand when professional boundaries may have become blurred in their interaction with clients, employees and other lawyers and help them to avoid breaching their obligations under the Code of Professional Conduct. This year one lawyer completed the course and there is currently another lawyer enrolled in the program.

Work has continued on implementing the Justicia project in Manitoba. A small subcommittee has met with firm partners to discuss the project, which is designed to promote the retention and advancement of women in private practice. A Partners Summit will be held in May to discuss the program in general and the proposed implementation plan. It will also provide partners with information on how the program has succeeded in Ontario. The first step to implementation in Manitoba will be the development of policies on parental leave and flexible work arrangements through working groups composed of firm representatives.

The Law Society also gathers statistics on the composition of the profession which includes questions designed to better understand demographic trends, develop programs and initiatives within the mandate of the Society and help promote equality and equity by enhancing legal services provided by and for all communities that reflect the diversity of Manitoba.

EDUCATION AND COMPETENCE

The Law Society's mission is a public served by competent lawyers.

Admissions & Education Committee

The Admissions and Education Committee assists Benchers governance by recommending policy alternatives in three areas: admission matters, the education of applicants seeking admission as lawyers, and the continuing professional development of practising lawyers. The Committee also monitors the work of the Admissions and Membership Department and the work of the Education and Competence Department. In addition, the Admissions and Education Appeals Subcommittee hears appeals from both admissions and education decisions.

The Admissions and Education Committee met four times during the year and considered the following issues:

- The Federation of Law Societies National Admissions Standards Project: Good Character and Fitness to Practice Requirement
- The Federation of Law Societies National Admissions Standards Project: National Entry to Practice Competency Profile for Lawyers and Quebec Notaries
- Review by the Office of the Fairness Commissioner pursuant to The Fair Practices in Regulated Professions Act

One appeal panel considered an appeal of a decision denying an applicant admission as an articling student and enrolment in the CPLED Program.

CPLED and Articles

The Manitoba CPLED Program is part of a regional bar admission course offered in Manitoba, Saskatchewan and Alberta. The CPLED Program focuses on the essential skills that new lawyers need in the early years of practice and on the areas of substantive law that they are likely to encounter.

The 2012-2013 Manitoba CPLED Program began on August 27, 2012 with 83 new students and 5 students continuing from the 2011-2012 program. Four of the continuing students completed their requirements during the program year. One of the new students completed truncated requirements. Three students joined midway through the program. The program ended on March 12, 2013 with 86 students.

The 2012-2013 CPLED Program consisted of nine modules. Three modules were completed in traditional classroom and seminar settings, and six modules were completed online. CPLED students completed 10 assignments and 10 competency evaluations to demonstrate their competency to practise. Students who missed earlier modules due to late enrolment will complete the program next year.

Students must also complete 52 weeks of articles under the supervision of a lawyer approved as a principal. Articles provide students with realistic experiences in a supervised and reflective atmosphere. At the end of the articling term, principals provide an assessment of their students' competency in the essential skills required by an entry level lawyer. In 2012-2013, nine students articulated outside the City of Winnipeg for all or part of their articling period.

Students who completed the 2012-2013 CPLED Program and the required articling period will be called to the Bar in ceremonies in Winnipeg and other centres in Manitoba.

On June 21, 2012 a call to the Bar ceremony was held for candidates who completed the 2011-2012 CPLED Program and articles. The A.M. Montague Israels, Q.C. Prize, presented to an outstanding articling student, was awarded to Leith Robertson.

Mandatory Continuing Professional Development (CPD)

Practising lawyers must participate in at least one hour of eligible continuing professional development (CPD) activity for each month in active practice during the calendar year. At least 1.5 hours of the total number of hours must relate to ethics, professional responsibility and practice management (EPPM).

The mandatory CPD requirements came into effect in January 2012. During 2012-2013, the Society actively informed lawyers about the new requirements.

continued on page 12

Continuing Professional Development (CPD)

The Education and Competence Department provides educational opportunities to lawyers and their support staff to help them provide high quality legal services to the public. In planning continuing professional development (CPD) programs, the department is guided by a working definition of competence and strives to offer programs that address each component of the definition.

During the 2012-2013, year the Law Society offered 48 CPD programs:

- 42 in Winnipeg;
- 6 outside Winnipeg: 3 in Thompson, 1 in Brandon, 1 in Clear Lake and 1 in Portage la Prairie;
- 11 via webinar;
- 5 via teleconference; and
- 2 programs were offered in French.

The 48 programs offered 142.75 hours of CPD, including 40.5 hours of EPPM (Ethics, Professionalism and Practice Management).

The 48 programs attracted 4355 registrations.

Continuing Professional Development (CPD) Programs delivered in 2012-13:

- Criminal Defence Advocacy Skills Workshop: Building your Defence: Pre-Trial Considerations & Examination-in-Chief
- Advanced One-Day MBA for Lawyers
- Challenges to Wills and Gifts
- Presenting and Challenging Expert Witnesses at Trial
- Client Management: Do or Die (webinar)
- The Advent of e-Filing in Manitoba: Are You Ready?
- Dealing with Complaints to the Law Society – What Every Lawyer Needs to Know (webinar)
- 2012 Accommodation in the Workplace
- 2012 Northern Bar Association Annual Meeting (Thompson) – 3 programs:
 1. Civility in the Profession
 2. Perfecting your Practice Habits – A Review of Lessons Learned
 3. KGB / Khelawon Applications
- The Lobbyist Registration Act (webinar)
- Passing of Accounts – What You Need to Know (also via teleconference)
- Current Trends in Personal Injury Damages in Canada
- 2012 Central Bar Association Annual CPD (Portage la Prairie):
 - Breath Testing to Determine Blood Alcohol Concentration
- 2012 Western Bar Association Annual CPD (Clear Lake):
 - Practice Management Potpourri
- Dealing with Complaints to the Law Society – What Every Lawyer Needs to Know (webinar replay)
- Cloud Computing for Legal Professionals (webinar)
- Start it Up, Reboot or Reload – The Technology You Need

continued on page 13

- Strategic Solutions to Law Office Technology
- The New Mental Health Court (also via teleconference)
- Everything You've Ever Wanted to Know About the Professional Liability Insurance Claim Process, But Were Afraid to Ask (webinar)
- Integrity: Good People, Bad Choices and Life Lessons from the White House, with Egil "Bud" Krogh
- Confidentiality & Privilege: An Estate Litigation Perspective (also via teleconference)
- Criminal Defence Advocacy Workshop: Completing your Defence: Cross-Examinations & Closing Statements
- Gain the Edge! Negotiation Strategies for Lawyers
- Electronic Legal Research Booster
- 2012 Pitblado Lectures – Legal Boundaries in a Global World
- Short-Writing: A 21st Century Paradigm for Persuasive Writing (webinar)
- Advanced Negotiation Strategies for Lawyers
- Show Me the Money II: Practical Strategies for Debt Collection
- 2 French language programs; Cours en déontologie, and La profession et la civilité
- 2 sessions on Practical Ethics: Real Problems, Real Solutions
- 3 sessions of Amendments to QBR (Lawyer's Fees and Disbursements):
Winnipeg in-person and via teleconference; webinar; and one session held in Brandon
- Avoid Hating the Law 10 Years From Now: An Ethical Lesson from the Trenches (webinar)
- Interpretation of Bilingual Legal Documents: A Primer for Practitioners (also via teleconference)
- 2 Writing to Persuade Sessions
- The Fear Factor: How Good Lawyers Get Into Bad Ethical Trouble (webinar)
- Intestate Succession Act for Dummies
- Powerful Witness Preparation
- It's Not Time Management, It's LIFEtime Management (webinar)
- 2013 Annual Hot Topics in Real Estate
- 2013 Joint Family Law Program: Yours, Mine and Ours, Adventures in Property

The Law Society worked with other organizations to provide innovative programs. The Northern, Central and Western Bar Associations invited the Education and Competence Department to plan and implement CPD courses at their annual meetings. The Law Society partnered with the CDLA (Criminal Defence Lawyers' Association) to create a series of advocacy skills workshops. The Law Society and its co-sponsors, the Manitoba Bar Association and the University of Manitoba Faculty of Law, presented a successful program entitled Legal Boundaries in a Global World for the annual Isaac Pitblado Lectures. The Law Society joined forces with its Equity Ombudsperson and with specific sections of the Manitoba Bar Association to present a number of programs, including the annual Accommodation in the Workplace program. "Yours, Mine and Ours, Adventures in Property" was jointly presented by the Law Society, the Court of Queen's Bench, Family Division and the Manitoba Bar Association. Finally, the Law Society partnered with the Association des Juristes d'expression Française du Manitoba (the AJEFM) to offer two French language programs and one English language program for those with a working knowledge of French.

In addition to presentations and workshops, the Law Society made available to the legal profession papers created for specific CPD programs and the CPLED Program Resource Materials. The latter are available in hard copy or on CD.

continued on page 14

New Media

The Law Society is committed to making CPD accessible to all of our members, regardless of their geographic location. As part of that initiative we record some of our live CPD sessions and make those recordings available to our members on DVD.

In September 2012, we launched cpdonline.lawsociety.mb.ca. We now offer members the convenience of CPD resources at a time of their choosing, anywhere that they can connect to the internet. Since its launch we have added 15 CPD titles to the available online library and regularly add new titles as they become available.

eLaw Electronic Update Series

The eLaw electronic update series is another tool to enhance the competence of Manitoba lawyers. Subscribing lawyers receive free regular email updates on cases, legislation, regulatory changes, and educational resources in seven broad practice areas: Property & Succession, Business Law, Family Law, Criminal Law, Litigation, Practice Management and Labour and Employment. In 2012-2013 we continued to see a steady increase in subscriptions for this service.

Remedial Education

From time to time the Society identifies lawyers whose skills or legal knowledge have deteriorated and who are not able to competently provide legal services. The Society provides remedial programs to assist these lawyers to reacquire and to demonstrate their competency. Between April 1, 2011 and March 31, 2012, one lawyer was enrolled in a remedial education program.

Volunteers

The Law Society is indebted to the many lawyers who contributed to the success of the CPLED Program, CPD programs and competence initiatives by volunteering their time and expertise as faculty, content advisers and authors.

PRACTICE ISSUES

Members of the profession continue to seek guidance from the Society with respect to a variety of practice and ethical issues, both informally and formally. Staff are available to provide advice and to educate the profession upon request. The Practice and Ethics Committee, which is made up of members of the profession, is also available to provide rulings on ethical issues where parties are prepared to agree to be bound by such rulings.

The Law Society continues to monitor amendments to, and the implementation across Canada, of the Federation of Law Societies' Model Code of Conduct. It is in the public interest to ensure harmonization of ethical principles for lawyers who have the ability to practice in other Canadian jurisdictions.

PROFESSIONAL LIABILITY CLAIMS FUND

The Professional Liability Claims Fund of the Law Society of Manitoba provides professional liability insurance coverage to all Manitoba lawyers except those exempt under the Legal Profession Act. The Professional Liability Claims Fund underwent an independent actuarial valuation to establish the program's actuarial liabilities and surplus position and recommend the appropriate insurance assessment. This process of independent actuarial advice and collecting sufficient funds for each policy year ensures that expected losses will be fully funded and allows for an adequate surplus to cover unexpected claims development. In the 2012/2013 fiscal year, the insurance assessment was levied at \$1445 plus G.S.T.

The Law Society and nine other provincial and territorial Law Societies participate in the Canadian Lawyers Insurance Association (CLIA), a reciprocal insurance exchange. CLIA issues a comprehensive Policy of Insurance to the Law Society as Named Insured and members of the Law Society as Insureds. The Policy insures lawyers for damages and legal costs of up to \$1 Million per error and \$2 Million annually for claims alleging errors or omissions made

in the course of providing professional services to others. When a claim made against a lawyer is paid, that lawyer pays a deductible ranging from \$5,000 to \$20,000, depending on the lawyer's paid claims experience in the previous five year period.

The Law Society has a Professional Liability Claims Fund Committee which deals with policy matters affecting the insurance program as they arise.

During the 2012/2013 fiscal year, the Insurance Program paid claims totalling \$861,931 in damages and \$406,640 in legal defence costs. This compares to \$511,004 in claims and \$325,524 in legal defence costs paid during the previous fiscal year.

The Professional Liability Claims Fund also funds various loss prevention initiatives including a retainer agreement with Bjorn (Barney) Christianson, Q.C. to provide free practice advisory services to members on a broad range of practice management areas.

REIMBURSEMENT FUND

The Reimbursement Fund (the "Fund") was established by the Benchers of The Law Society of Manitoba in 1943 to compensate clients for losses resulting from the misappropriation or conversion by lawyers of client funds or property. This Fund is maintained solely for the benefit of clients who may suffer losses through the dishonesty of lawyers and it is financed by the levy of an annual assessment on all practicing lawyers within the province. In the 2011/2012 fiscal year, all practicing lawyers paid the sum of \$125 into the Fund. The Law Society maintains insurance in the amount of \$10 million on the Fund.

The initial payout on any approved claim is limited to \$100,000. At the end of a fiscal year, if the total awards do not exceed the annual retention (\$1 million) plus the insurance on the Fund, then the balance unpaid on any approved claim will be paid out together with

interest at The Court of Queen's Bench Act prejudgment interest rates from the date of the initial payment. If the aggregate claims awards exceed the annual retention plus the insurance coverage, payments in excess of \$100,000 will be prorated. There is a limit on recovery of \$300,000 per file. There is no limit on the number of claims an individual may bring.

Reimbursement Fund claims guidelines are considered in deciding whether to approve a claim. Claimants are provided with an application form and a copy of the payment guidelines which set out the terms for the submission, consideration and payment of claims.

In the 2012/2013 fiscal year \$62,825. was paid out of the Reimbursement Fund.

AUDIT PROGRAM

As part of the practice of law, lawyers are routinely required to hold funds in trust on behalf of their clients. For example, a lawyer may hold funds related to a real estate transaction or as a settlement between parties. Trust funds also include retainer funds provided by a client for future legal fees and disbursements. Trust funds do not belong to the lawyer and therefore, there are specific rules established to ensure these funds are properly safeguarded.

The Audit Department monitors compliance with the Law Society's regulatory requirements through two main processes:

- The Spot Audit Program
- Annual Trust Account Reports

Spot Audit Program

Since lawyers are required to keep their trust and general records up to date at all times, the spot audit is generally conducted without prior notice to a firm so that the auditor can observe the law firm's records in their usual state. There are three types of audits conducted:

- 1) New Firm audits are conducted within the first year of a firm opening its first trust account. These audits ensure proper accounting systems have been set up and provide an opportunity for the lawyer to ask the auditor questions regarding trust account requirements;
- 2) All Manitoba law firms that handle trust money have Regular audits on a rotational basis; and
- 3) Priority audits are conducted when firms have a history of trust account problems or when the Law Society receives information suggesting a law firm is of higher risk and should be audited sooner than the regular rotation.

During the fiscal year ended March 31, 2013, the following audits were completed:

Regular Audits	38
New Audits	8
Priority Audits	3
Total	49

Results of Audits

The Law Society's auditors devoted 35% of their time to conducting audits. During the past year, 90% of the audits completed showed that members were generally complying with the Law Society's accounting requirements and properly handling client trust funds. The other 10% of members audited showed many and/or serious accounting deficiencies or mishandling of trust funds.

Investigations

In comparison to a spot audit, an investigation involves more extensive and in depth audit procedures of the law firm's records. An investigation may be initiated as a result of a complaint or other information received from outside the Law Society. Alternatively a spot audit may evolve into a full investigation due to the initial audit uncovering serious deficiencies or conduct issues. In some cases the misconduct involves a misappropriation of trust funds. During the fiscal year ended March 31, 2013, the Audit Department spent 406 hours or 9% of its time conducting investigations, which was a fairly typical year. The majority of the time spent this year related to the investigation of one member whose matter is currently being dealt with through the Discipline process.

Annual Trust Account Reports

Law firms are required to file an Annual Trust Account Report in order to provide the Law Society with yearly information regarding their trust and general accounts, accounting systems and their compliance with the rules. The report will take the form of either a "Self-Report" or a "Form D with Accountant's Review". Most firms are provided the option - and most elect - to file a "Self-Report". This requires the member to complete a questionnaire and provide a month end trust reconciliation and supporting documents. However a relatively small number of firms are not given this option and are required to file a Form D. These firms have typically had poor audit results in the past and/or a history of discipline matters. The Form D requires the member to retain an independent professional accountant to review the records and test for compliance with the rules. The Law Society auditors review the Annual Trust Account Reports in detail and if required, write to the law firm outlining the necessary changes. A report indicating problems may trigger a spot audit. In addition, if a law firm does not file its Annual Trust Account Report by the required due date, the Law Society may conduct an inspection to determine if the firm is in compliance with the rules. The law firm will be responsible for the costs associated with this type of inspection. The Audit Department spent 24% of its time reviewing and following up on issues arising from Annual Trust Account filings. This time also included the administration of the process.

Other Activities

The Audit Department works closely with the Discipline Department and the Complaints Resolution Department when members have trust account related issues. This also includes providing custodial assistance where a member has been suspended, disbarred or has passed away without a succession plan.

In addition to conducting audits, investigations and reviewing the Annual Trust Account Reports, the auditors respond to a wide range of queries from lawyers and their support staff regarding trust accounting and related matters.



The Benchers of The Law Society of Manitoba 2012/2013

Front Row: (L to R) Allan Fineblit, Q. C., Chief Executive Officer, Charlie Curtis, David Swayze, Vice President, Joelle Robinson, Marilyn Billinkoff, Deputy Chief Executive Officer **Second Row:** Robert Campbell, Roberta Campbell, Diane Stevenson, Jennifer Cooper, Q.C., Jack Cram, President, Helga Van Iderstine, Past President, Jasmine Zurbruggen, Anita Southall, David Gray **Third Row:** Dean Lorna Turnbull, Barry Effler, Kathy Bueti, Jim McLandress, Dean Scaletta, Peter Cole, Q.C. **On Stairs:** Ted Bock, Richard Buchwald, Marston Grindey, Karen Clearwater **Absent:** Linda Brazier Lamoureux, Corey Shefman

Officers (appointed May 24, 2012)

President:	John (Jack) D. Cram
Vice President:	David E. Swayze
Past President:	Helga D. Van Iderstine

Benchers

(elected for a two year term on May 7, 2012)

Winnipeg Electoral District

Theodor E. Bock
Richard D. Buchwald
Katherine L. Bueti
Roberta L. Campbell
Karen L. Clearwater
Jennifer A. Cooper, Q.C.
Barry C. Effler
James E. McLandress
Dean I. Scaletta
Anita L. M. Southall

Eastern Electoral District

Peter J. Cole, Q.C.

Central Electoral District

Diane H. Stevenson

Dauphin Electoral District

Joelle C. Robinson

Northern Electoral District

David N. Gray

Western Electoral District

John D. Cram
David E. Swayze

Lay Benchers

Linda Brazier Lamoureux
Robert Campbell
Charlie Curtis
Marston Grindey

Faculty Bencher

Dean Lorna Turnbull

Student Bencher

Jasmine D. A. Zurbruggen
Corey Shefman

Life Benchers

Winnipeg Electoral District

Hon. Douglas N. Abra
Hon. Laurie P. Allen
Donald G. Baizley, Q.C.
Douglas A. Bedford
Gregory G. Brodsky, Q.C.
A. Lorne Campbell, Q.C.
Norman A. Cuddy
J. George Dangerfield, Q.C.
Richard K. Deeley, Q.C.
Hon. Robert A. Dewar
Douglas E. Finkbeiner, Q.C.
David G. Frayer, Q.C.
Hon. Martin H. Freedman
William S. Gange
Hon. Gilbert R. Goodman
Sidney Green, Q.C.
Hon. John P. Guy
William G. Haight
Hon. Barbara M. Hamilton
Irene A. Hamilton
Jeffrey B. Hirsch
Paul L. Jensen
Hon. Timothy J.P. Killeen
Bryan D. Klein
Christina V. Kopynsky, Q.C.
David J. Kroft
Heather S. Leonoff, Q.C.
Colin R. MacArthur, Q.C.
Hon. E. Alan D. MacInnes

Grant L. Mitchell, Q.C.
Hon. Peter S. Morse
E. William Olson, Q.C.
Chrys Pappas, Q.C.
Brian A. Pauls
Herbert J. Peters
Hon. Robert L. Pollack
G. Patrick S. Riley
Hon. Perry W. Schulman
Hon. Richard J. Scott
Hon. Vern I. Simonsen
Garth H. Smorang, Q.C.
Hon. Lori T. Spivak
Hon. P. Colleen Suche
J.F. Reeh Taylor, Q.C.
Helga D. Van Iderstine
Douglas G. Ward, Q.C.
Hymie Weinstein, Q.C.
Gavin M. Wood

Eastern Electoral District

John E. Neufeld, Q.C.
Jon van der Krabben
Lewis D. Wasel

Central Electoral District

Bjorn Christianson, Q.C.
Gary R. Gilmour
Gordon Hoeschen
Brock G. Lee, Q.C.

Northern Electoral District

Gordon D. Bates
John M. Ginnell, Q.C.
Donald R. Knight, Q.C.

Dauphin Electoral District

Eric B. Irwin
Hon. John A. Menzies
Alan J. Semchuk

Western Electoral District

George N. Bass, Q.C.
Hon. John H. Combs
Patricia L. Fraser
Hon. William R. Johnston
Hon. Donald M. Little
Col. Wolfgang W.A. Riedel, Q.C.
Norman H. Sims, Q.C.

Ex-Officio Benchers

The Hon. Robert Nicholson
Minister of Justice and Attorney General of
Canada

The Hon. Andrew Swan
Minister of Justice and Attorney General of
Manitoba

Standing Committees

Note: The President and Vice-President are ex-officio members of all committees except the Admissions and Education Appeals Subcommittee and the Discipline Committee.

◆ Denotes Life Bencher

*Denotes Volunteer

**Denotes Public Representative

Admissions and Education Committee

Scaletta, Dean (Chairperson)
Cooper, Jennifer (Vice Chair)
Bowman, Myfanwy*¹
Burgess, Q.C., John*
Finlayson, Michael*
Grindey, Marston
Hall, Raymond*
Horst, Annette*
Murray, Liz*
Rempel, Ryan*
Shefman, Corey²
Turnbull, Dean Lorna³
Zurbriggen, Jasmine

Complaints Investigation Committee

Campbell, Roberta (Chairperson)
Effler, Barry (Vice Chair)
Antonio, Kim*⁷
Bock, Ted
Campbell, Robert
Cathcart, Alison*⁸
Dixon, Kelly*
Hirsch, Jeff ◆
Rachlis, Vivian*
Southall, Anita
Stewart, Wendy*
Thompson, Mary Ann*
Trippier, Faron*
Yusim, Norman*

Gange, Bill ◆
Gibson, Lorne**
Gilmour, Gary ◆
Good, Richard*
Gray, David
Grindey, Marston
Haight, Bill ◆
Hedley, James*
Hoeschen, Gordon ◆
Hrynyk, Suzanne**
Irwin, Eric ◆
Janzen, Jake*¹¹
Killeen, Tim ◆¹²
King, Q.C., Roger*
Knight, Q.C., Donald ◆
Kroft, David ◆
Leibl, Q.C., Ellen*
Leonoff, Q.C., Heather ◆
Martin, Lorna**
McInnes, Q.C., Lawrence ◆¹³
McLaddress, Jim
Molloy, Kenneth**
Neufeld, Q.C., John ◆
Olson, Q.C., William ◆
Onchulenko, Wayne*
Pauls, Brian ◆
Peters, Herbert ◆
Richmond, Keely**
Riley, Patrick ◆
Robinson, Joelle
Scaletta, Dean
Secter, Harvey*
Semchuk, Alan ◆
Shaw, Jim*
Sims, Q.C., Norman ◆
Smorang, Q.C., Garth ◆
Stefanson, Grant*
Toews, Mark*
Tolton, Catherine*
Turnbull, Dean Lorna
van der Krabben, Jon ◆
Van Iderstine, Helga ◆
Wolfe, Jim**

Admissions and Education Appeals Subcommittee

Scaletta, Dean (Chairperson)
Cooper, Jennifer (Vice Chair)
Bowman, Myfanwy*⁴
Browne, Miriam**
Burgess, Q.C., John*
Cohen, Neil**
Finlayson, Michael*
Gibson, Lorne**
Grindey, Marston
Hall, Raymond*
Horst, Annette*
Hrynyk, Suzanne**
Martin, Lorna**
Molloy, Kenneth**
Murray, Liz*
Rempel, Ryan*
Richmond, Keely**
Shefman, Corey⁵
Turnbull, Dean Lorna
Wolfe, Jim**
Zurbriggen, Jasmine⁶

Discipline Committee

Stevenson, Diane (Chairperson)
Hamilton, Irene (Vice Chair)
Mitchell, Grant (Conflicts)
Bates, Gordon ◆
Bedford, Douglas ◆
Bellay, Victor*
Brazier Lamoureux, Linda
Browne, Miriam**
Buchwald, Richard
Bueti, Kathy
Choy, Lindy*
Christianson, Q.C., Bjorn ◆
Clearwater, Karen
Cohen, Neil**
Cole, Q.C., Peter
Cooper, Q.C., Jennifer
Cox, James*⁹
Deeley, Q.C., Richard ◆
Douglas, Donald*
Ferguson Sain, Lori*
Finkbeiner, Q.C., Doug ◆
Finlayson, Michael*
Finnbogason, Cathy*¹⁰
Fraser, Patricia ◆
Gabor, Q.C., Robert*

continued on page 21

Standing Committees

...continued

Equity Committee

Bock, Ted (Chairperson)
 Clearwater, Karen (Vice Chair)
 Arnal Soul, Kim*
 Buchwald, Richard
 Dalymyn, Joyce*
 Dear, Kyle*
 Hatch, Gwen*
 Kroft, David ♦
 Leven, Elliot*
 Margolis, Rachel*
 McDuff, Colleen*
 Troup, Lynda*

Practice and Ethics Committee

Effler, Barry (Chairperson)
 Bock, Ted (Vice Chair)
 Arnal Soul, Kim*
 Bedford, Douglas ♦
 Bueti, Kathy
 Campbell, Roberta
 Cole, Q.C., Peter
 Frost, Issie*
 Gorlick, Q.C., Celia*
 Kantor, Mark*
 Kehler, Jarett*
 Laurencelle, Alain*
 Laviolette, Sidney*
 Martin, Gregory*
 Offrowich, Leonard*
 Rambow, Todd*
 Reilly, Pam*
 Scaletta, Dean
 Southall, Anita
 Thow, Mira*
 Turnbull, Dean Lorna
 van der Krabben, Jon ♦

Professional Liability Claims Fund Committee

Robinson, Joelle (Chairperson)
 Campbell, Roberta (Vice Chair)
 Bock, Ted
 Derwin, George*
 Gange, Bill ♦
 Hall, Raymond*
 Kantor, Mark*

Reimbursement Fund Claims Committee

Brazier Lamoureux, Linda (Chairperson)
 Stevenson, Diane (Vice Chair)
 Campbell, Robert
 Curtis, Charlie
 Dawson, Robert*
 Frost, Issie*
 Kantor, Mark*
 Phillips, Sandra*
 Southall, Anita

continued on page 22

Special Committees/Working Groups

Access Stakeholders Committee

Gray, David (Chairperson)
 Brazier Lamoureux, Linda (Vice Chair)
 Abel, Scott
 Buset, Hope
 Chartier, Assoc. Chief Judge Michel
 Clifford, Gil
 Curtin, Shauna
 Hamilton, Irene ♦
 Hirsch, Jeff ♦
 Katz, Joel
 Jewers, Honourable Gerald
 Lagimodiere, Julyda
 Leonoff, Q.C., Heather ♦
 Palace Churchill, Barbara
 Ramirez, Damarys
 Rivoalen, Acting Assoc. Chief Justice
 Marianne
 Troszko, Mary
 Turnbull, Dean Lorna

Articling Task Force

Clearwater, Karen (Chairperson)
 Cole, Q.C., Peter (Vice Chair)
 Buchwald, Richard
 Elgert, Kirsty*
 Goldenberg, Eli*¹⁴
 Laviolette, Sidney*
 McLandress, Jim
 Paul, Sacha*¹⁵
 Robinson, Joelle
 Schmidt, Joan*¹⁶
 Schumacher, Gordon*
 Shefman, Corey¹⁷
 Turnbull, Dean Lorna
 Van Iderstine, Helga ♦
 Zurbruggen, Jasmine¹⁸

Investment Committee

Hamilton, Irene ♦ (Chairperson)
 Onchulenko, Wayne (Vice Chair)*
 Curtis, Charlie
 Lerner, Brian*
 Robinson, Joelle

Technology Committee

McLandress, Jim (Chairperson)
 Swayze, David (Vice Chair)
 Asper, David*
 Bueti, Kathy
 Dawson, Robert*
 Derwin, George*
 Gabor, Q.C., Robert*
 Grower, Paul*
 Pellizzaro, Robert*
 Wagner, Cameron*¹⁹

Conveyancing Practices Committee

Peters, Herbert ♦ (Chair)
 Brown, Ned*
 Effler, Barry
 Golub, David*
 Hoeschen, Gordon ♦
 Jones, John*
 King, Bruce*
 Neufeld, Q.C., John ♦
 Shypit, Jeffrey*

¹ Ceased to be a Committee member in January, 2013
² Became a Committee member in September, 2012
³ Ceased to be a Committee member in September, 2012
⁴ See endnote 1
⁵ See endnote 2
⁶ See endnote 3
⁷ Became a Committee member in September, 2012
⁸ Ceased to be a Committee member in September, 2012
⁹ Became a Committee member in December, 2012
¹⁰ Became a Committee member in December, 2012

¹¹ Became a Committee member in December, 2012
¹² Ceased to be a Committee member in July, 2012
¹³ Ceased to be a Committee member in December, 2012
¹⁴ Became a Committee member in June, 2012
¹⁵ Ceased to be a Committee member in June, 2012
¹⁶ Ceased to be a Committee member in November, 2012
¹⁷ See endnote 2
¹⁸ See endnote 3
¹⁹ Became a Committee member in December, 2012

Executive and Administration

Chief Executive Officer	Allan Fineblit, Q.C.
Assistant to Chief Executive Officer	Pat Bourbonnais
Deputy Chief Executive Officer	Marilyn W. Billinkoff
Assistant to Deputy Chief Executive Officer and Family Law Access Centre Administrator	Lana Renaud
Chief Financial Officer	Colleen D. Malone
Assistant to Chief Financial Officer	Carol Hiebert
Director of Technology	Grant Gelinias-Brown
Assistant Director of Technology	Sean Rivera
Office Manager	James Ramsay
Office Clerk	Dana Earley
Administrative Assistant	Jennifer Jones
Office Receptionist	Corinne Penner

Admissions and Membership Department

Director of Admissions and Membership	Richard C. M. Porcher
Assistant to Director	Donna Mihalick
Administrative Assistant	Kelly Jordanov

Discipline Department

Senior General Counsel	C. Kristin Dangerfield
General Counsel	Darcia A.C. Senft
Assistant to Senior and General Counsel	Lee-Ann Harrison
Assistant to Senior and General Counsel	Lisa Ehnes

Complaints Resolution Department

Director of Complaints Resolution	Leah C. Kosokowsky
Legal Counsel	Noelia Bernardo
Legal Counsel	Omalara O. Badmus
Legal Counsel	Susan D. Billinkoff
Paralegal	Grace Page
Assistant to Director and Legal Counsel	Stefanie Krochak

Insurance Department

Director of Insurance	Tana P. Christianson
Claims Counsel	Kathleen M.T. Craton
Claims Counsel	Joan M. Holmstrom
Insurance Assistant	Heather Vanrobaeys
Insurance Assistant	Kristin Forbister

continued on page 24

Professional Education and Competence Department

Director of Professional Education and Competence

Legal Counsel

Legal Counsel

Legal Counsel – Continuing Professional Development

Legal Counsel – Continuing Professional Development

Assistant to Legal Counsel

Program Registration Assistant

CPLED Program Administrative Registrar

Publication Assistant

Brenda L. Silver

Ian F. Blomeley

Ellen J. Henry

Eileen S. Derksen Mead

Tracy M. Lloyd

Jennifer Lavallee

Chanelle Boudreau

Debra Rossol

Laura Ziemanski

Audit Department

Director of Audit

Director of Audit

Auditor/Inspector

Auditor/Inspector

Auditor/Inspector

Assistant to Auditor/Inspectors

Sherri J. Jack ¹Kathy L. Levacque ²

Nancy E. Zacharias

Sandra A. Alleyne

Ronald Bailey

Kelly Jordanov

¹ *Retired in January, 2013*² *Became Director of Audit in March, 2013*