



MINUTES

Benchers

Date:	Thursday, December 11, 2025	
Time:	12:30 pm	
Location:	Law Society Offices and via Videoconference	
Present:	Kyle Dear, President Ken Mandzuik, KC, Vice-President Gerri Wiebe, KC, Past President Carmen Nedohin, Officer-at-Large Kathrine Basarab Gordon Daman Patrick Fortier Jason Gisser Nicole Hamilton Sharyne Hamm Teresa Jaenen	Tehani Jainarine Dr. Richard Jochelson Timothy Kurbis Mathieu Lafrenière Rhea Majewski Kirsten Nynych Trent Sholdice Leah Unruh Joshua Weinstein Deanna Wilson
Regrets:	Kassy Baker Serena Ehrmantraut	Simon Jack Penny Piper
Guests:	Michelle Falk Stacey Soldier	Lynda Troup Erin Wilcott
Staff:	Leah Kosokowsky Rennie Stonyk Sandra Alleyne Noelia Bernardo Pat Bourbonnais Tana Christianson	Joan Holmstrom Sharon Kravetsky Deirdre O'Reilly Madison Pearlman Richard Porcher Sean Rivera

Eileen Derksen
Chris Donaldson
Linda Fontaine

Alissa Schacter
Betta Wishart

1.0 PRESIDENT'S WELCOME AND TREATY ACKNOWLEDGEMENT

Ms Dear, President, called the meeting to order at 12:35 pm. Benchers, guests and staff were welcomed to the meeting, including Ms Soldier and Ms Falk, President and Executive Director respectively, of the Manitoba Bar Association. Treaty 1 lands were acknowledged with gratitude.

2.0 IN MEMORIAM

Benchers observed a moment of silence for Edward Lipsett, Pierrette Alexandrina Marie Hebert and Sandra Carole Swystun.

3.0 CONSENT AGENDA

3.1 Minutes of October 30, 2025 Meeting

Benchers considered the minutes of the October 30, 2025 benchers meeting.

3.2 Report of the Complaints Investigation Committee

Benchers received for information the report of the Complaints Investigation Committee dated December 1, 2025.

Motion: That the consent agenda items be approved as presented.

MOVED: Mr. Fortier
Seconded: Mr. Kurbis
Carried unanimously.

4.0 EXECUTIVE REPORTS

4.1 President's Report

Bencher received for information Ms Dear's report dated December 1, 2025.

4.2 Chief Executive Officer's Report

Bencher received for information Ms Kosokowsky's report dated December 1, 2025. Ms Kosokowsky advised that a seat is being created for a Law Society representative on the board of Law(yer) Strong Inc. Ms Derksen has agreed to serve in this role until May of 2026 when benchers will appoint a new slate of representatives to fill all external board and committee positions held by the Society. Benchers can expect to receive a motion seeking electronic approval of this interim appointment once the board position is formally established.

Bencher were advised that the Law Society is in the process of transferring its banking operations to the Royal Bank of Canada. As the bank requires a resolution which must be approved by benchers prior to their next meeting, the resolution will be circulated for approval by electronic vote once finalized.

Ms Kosokowsky advised that the Memorandum of Understanding with the RCMP has now been finalized. This agreement will allow the RCMP to share information with the Law Society on a protected basis regarding investigations in which lawyers may be involved in money laundering activities.

Bencher were advised that the Law Society is seeking to secure title to a residential property as part of the resolution of an insurance claim. The property will be sold and the proceeds applied toward the damages awarded under the settlement.

Bencher were advised that this was the final meeting Ms Stonyk would be attending in her capacity as Deputy CEO of the Law Society. Ms Schacter will take over this role in January of 2026. Ms Stonyk was thanked for her service to the Law Society during her four-year tenure with the Society.

Mr. Sholdice arrived at 12:45 pm.

4.3 2025-2028 Activity Plan – December 2025

Benchers received for information an update on the 2025-2028 Activity Plan for the December 2025 period. Ms. Schacter highlighted several activities currently underway to advance the desired outcomes within the four pillars of the Strategic Plan.

5.0 DISCUSSION/DECISION

5.1 Call to the Bar – Oaths and Bencher Oath of Office

Benchers discussed a memorandum prepared by Ms Kosokowsky, dated December 1, 2025, which invited benchers to consider whether the barrister and solicitor oaths currently sworn by candidates upon admission to the bar in Manitoba remain sufficient as written or should be amended to better reflect the professional obligations expected of members. Benchers were also invited to consider whether new benchers should be required to swear an oath before taking office.

With respect to the oaths sworn at the time of admission to the Manitoba bar, benchers provided the following direction in response to the questions set out within the memorandum.

1. Given the arguable purpose of administering an oath and in light of the ethical obligations of all Manitoba lawyers, is the current wording of the oaths sufficient or ought they to be amended?

There was general agreement among benchers that it would be appropriate to amend the wording of the oaths to better reflect the gravitas of the occasion and to acknowledge the significant moral and professional obligations which come with admission to the profession as articulated within the Code of Professional Conduct. One bencher, while not opposed to the revising the word, was of the view that the oaths did not require amendment.

2. If the current oaths are insufficient, what ought to be the essential components of the oath for newly called lawyers?

Having reviewed the oaths administered in other Canadian jurisdictions, benchers provided several suggestions regarding elements which ought to be included in a revised oath, including: a commitment to act truly and with integrity; to uphold the rule of law; to uphold the rights and freedoms of all persons according to the laws of Canada and Manitoba; to abide by the ethical standards and rules governing the practice of law; and

to reference or better reflect the moral and professional obligations set out within the *Code of Professional Conduct*. One benchers expressed a preference for the oath administered by the Law Society of Saskatchewan, noting that it addresses key elements while remaining succinct.

3. Should we combine the two separate oaths into one oath for both a barrister and solicitor?

It was suggested that at the time of drafting, it will become clear whether the two oaths can successfully be combined into one.

4. Given that the benchers were not asked in 2021 to consider whether the Oath of Allegiance ought to be maintained, is there a desire to revisit the issue?

Benchers requested that the swearing of an Oath of Allegiance be elective rather than eliminated entirely.

It was agreed that staff would draft an oath(s) for benchers approval taking into consideration the direction provided.

Benchers were polled on whether the Law Society should administer an oath of office to new benchers, similar to the oath taken by benchers in British Columbia. As a majority of benchers voted in favor, staff were asked to draft an oath for benchers approval which reflects the gravitas of the position and can also be adapted for administration to lay benchers.

Ms Baker joined the meeting at 1:15 pm.

5.2 Articling Period Adjustment

Benchers considered a memorandum prepared by Ms Stonyk and Ms Holmstrom, dated December 3, 2025, which invited benchers to consider and approve proposed amendments to the articling and bar admission program policy to ensure that all students enrolled in existing and future versions of the PREP program delivered by CPLED satisfy the 52-week period of articles required under Rule 5-5(1)(b).

Motion: That, commencing in 2026, students who complete PREP prior to commencing articles be required to serve 41 weeks of articles on a full-time basis.

MOVED: Mr. Gisser
Seconded: Ms Unruh
Carried unanimously.

Motion: That students who commenced PREP prior to 2026 and who completed PREP prior to commencing articles, be required to serve 38 weeks of articles on a full-time basis.

MOVED: Mr. Fortier
Seconded: Mr. Lafrenière
Carried unanimously.

Motion: That staff be authorized to internally amend the policy to accommodate any future versions of the PREP program, provided such amendments comply with the requirements of Rule 5-5(1)(b).

MOVED: Ms Wiebe
Seconded: Ms Wilson
Carried unanimously.

5.3 FLSC Proposed Amendments to Model Code – Duty to Report

Benchers considered a memorandum from the Practice and Ethics Committee, dated November 27, 2025, which outlined the deliberations of the committee and provided recommendations in response to a request for feedback from the Federation of Law Societies' Model Code Committee on proposed amendments to the Duty to Report provisions of the Model Code. Benchers were asked to consider and approve the draft response attached to the memorandum.

Motion: That the draft response prepared by the Practice and Ethics Committee in reply to the proposed amendments to the Federation Model Code at Rule 7.1-3 (Duty to Report) be approved as presented.

MOVED: Mr. Kurbis
Seconded: Mr. Lafrenière
Carried unanimously.

Benchers were advised that the response would be submitted to the Model Code Committee immediately as the deadline for submissions is December 19, 2025.

6.0 COMMITTEE REPORTS

6.1 Admissions and Education Committee

Ms Stonyk provided an oral report on the meeting of the Admissions and Education Committee held on November 20, 2025. At this meeting the committee had begun a review of the Society's good character assessment requirement for admission to the profession, taking into consideration concerns raised in correspondence from the Canadian Civil Liberties Association in 2021 which were identified as being overly broad and discriminatory. Benchers were reminded that, after a national review undertaken by the Federation of Law Societies had been abandoned, they had directed that the committee conduct the review and provide recommendations at its conclusion. The committee is scheduled to meet on January 27, 2026 to continue this work.

6.2 Equity Committee

Ms Unruh provided an oral report on the meeting of the Equity Committee which was held on November 19, 2025. At this meeting the committee discussed whether a mandatory minimum compensation policy should be implemented for all articling positions. Benchers were advised that the committee agreed that this is an equity issue which should be addressed through the adoption of a mandatory compensation requirement. The committee recognized that consultation with key stakeholders (i.e. employers and articling students) would be an essential first step as it is anticipated that additional complex issues will come to light during the consultations. The committee will meet early in the new year to further consider with whom and how consultations should take place. Benchers can expect to receive a report from the committee in the spring, which will include recommendations for the establishment of a pilot project.

6.3 Indigenous Advisory Committee

Ms Wishart provided an oral report on the meeting of the Indigenous Advisory Committee which was held on November 28, 2025. At this meeting the committee: (i) welcomed Elder Sherry Copenance as its newest member; (ii) discussed opportunities to fill the one remaining committee vacancy; (iii) directed outreach to the Sinclair Family to seek approval to establish an award in honour of the late Murray Sinclair; and, (iv) reviewed compliance data and feedback on member participation in *The Path* and discussed future recommendations regarding cultural competency training. The next meeting of the committee has been tentatively scheduled for February 4, 2026.

6.4 Professional Liability Claims Fund Committee

Benchers received for information a memorandum, dated November 26, 2025, which reported on the meeting of the Professional Liability Claims Fund Committee held on November 20, 2025.

7.0 MISCELLANEOUS BUSINESS

7.1 Rule of Law – Campaign Update

Benchers received for information a memorandum prepared by Ms Kosokowsky, dated December 1, 2025, which provided an update on the status of the Rule of Law Campaign.

7.2 Access to Justice Initiative – Update

Benchers received a presentation on the status of the Access to Justice initiative and next steps in securing a coalition of stakeholders to partner with the Law Society in the creation of a whole person, single-door, community-driven approach to access to justice. Benchers were advised that community consultations are nearing completion. A *What We Heard* report is being drafted and will be shared with stakeholders in 2026, and a request for resources (either financial or in kind) will follow thereafter. Key decision-makers are being asked to affirm their support for this initiative and invited to join an action coalition.

7.3 FLSC Council Report

Benchers considered a report prepared by Ms. Troup, dated December 8, 2025, which provided a detailed summary of the Federation Council meeting which was held earlier that day.

8.0 MONITORING REPORTS

8.1 Statements of Operations – April 1, 2025 to October 31, 2025

Benchers considered a monitoring report prepared by Ms Alleyne, dated November 28, 2025, which provided a detailed analysis of the Society's financial operations for the fiscal period ending October 31, 2025.

8.2 Investment Compliance – September 30, 2025

Benchers considered a monitoring report prepared by Ms Alleyne, dated November 28, 2025, which provided a detailed report on investment performance in both the Reserve Fund and the Staff Pension Plan, and confirmed that investments in both funds remained in compliance with investment guidelines as at September 30, 2025.

9.0 GUEST PRESENTATION

9.1 Remarks from the President and Executive Director of the Manitoba Bar Association

Ms Soldier spoke with benchers about a range of activities and steps undertaken by the Executive of the Manitoba Bar Association to preserve and defend the rule of law, and to encourage students from underrepresented communities to pursue careers in law. Ms. Falk reported to benchers on initiatives delivered by the MBA as part of its Strategic Plan which align with and complement the work of the Law Society.

10.0 IN CAMERA

With the exception of Ms Troup, Ms Kosokowsky, Ms Stonyk, Ms Bourbonnais and Mr. Rivera, all guests and staff were excused from the balance of the meeting at 3:00 pm.

Motion: That the meeting proceed *in camera*.

MOVED: Ms Basarab
Seconded: Mr. Lafrenière
Carried unanimously.

10.1 Bill 13 – *Regulated Professions Neutrality Act* (Alberta)

Benchers discussed matters relating to Bill 13 – *Regulated Professions Neutrality Act* introduced by Alberta's Minister of Justice in November of 2025.

10.2 NCA Language Assessment Policy

Benchers discussed recent changes to the National Committee of Accreditation's language assessment policy approved by the Federation Council.

Motion: That the meeting proceed out of camera.

MOVED: Mr. Mandzuik
Seconded: Ms Basarab
Carried unanimously.

11.0 FOR INFORMATION

Benchers considered the materials provided for information.

There being no further business, Ms Dear called for a motion to adjourn the meeting at 3:20 pm.

MOVED: Ms Basarab