

# The Law Society of Manitoba

# 2012 Annual Report

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Helga Van Iderstine

One of the major ceremonial functions of the President of the Law Society is to represent the Law Society at various functions. This has permitted me to address and participate in a wide variety of activities which impact on the Law Society and on the practice of law in Manitoba. One of the strengths of our Law Society that has been brought home to me over and over during the past year is the openness with which our Benchers approach new ideas. They have uniformly been prepared to engage in informed debate on complex issues which are being brought to the Bencher table. The fact that the Benchers are so engaged in these issues has permitted the Law Society of Manitoba to be relatively nimble and adept at embracing change when necessary to respond to the needs of the legal community and the public. None of this would be accomplished, however, without the strength and dedication of the Law Society Staff.

Over the past year, in my role as President, I hosted a lunch honouring those who had been at the Bar for 50 years. The accomplishments of these individuals and the experience that they have had over the past 50 years of practice demonstrates both how much things have changed and yet how adaptable the legal profession and the Law Society has been to those changes. As President I attended Benchers meetings in Alberta and Saskatchewan, as well as Federation of Law Society meetings. I had the opportunity to interact with Presidents of Law Societies from across the country to discuss with them the initiatives that are ongoing in their jurisdictions. Some of these initiatives will, of course, impact upon us should they proceed, just as the initiatives we have started in Manitoba frequently impact upon others across the country. The trend towards national codes of conduct, standards and discipline is both inevitable and in my opinion necessary in order for us to address the challenges of the regulation of the legal profession in the future.

This past year, the Law Society implemented mandatory professional development. We implemented an annual member reporting program. We have continued with our forgivable loan program to encourage law students to return to practice in rural Manitoba, renewed FLAC (a program of the Law Society which attempts to make family law legal services affordable for low income Manitobans). We have managed busy Complaints Investigation Committee and Discipline agendas. We have made changes to the Admissions rules to make the application and appeal process transparent and fair and we educated over 100 articling students, nearly 20 of whom articulated outside Winnipeg. Together with the Court of Queen's Bench we have supported the Legal Data Resource Corporation (LDRC) e-filing initiative. There were two President's Special Committees - one on the impact of Technology on regulation and practice and the other on Access to Justice. Both committees will continue in the coming year as the

issues considered and brought forward by both of them demonstrate ongoing challenges that the profession needs to continue to address.

The Access Stakeholders Committee brought together the various groups who promote access to legal services for the public. The goal was to identify what is being done and to attempt to identify and if possible consider solutions to gaps in the provision of legal services. It was striking that despite the scope of the pro bono and free legal services available to the public, gaps remain and the public still needs more legal education and services.

The Technology Committee will continue to monitor the policies and practices that result from technological change including the impact of the LDRC's e-filing initiative. Legal Data Resource Corporation has worked with the Courts to develop e-filing. It is hoped that once it is tested e-filing will be available for all lawyers, making the Courts more efficient and accessible.

It has been a busy and rewarding year. Thanks for the opportunity and my sincere and heartfelt thanks to the Law Society Staff and the Executive. I would particularly like to acknowledge Irene Hamilton for her wisdom and common sense and for being an exemplary role model for me to follow. I wish Jack Cram the best in his new role as President.

Helga Van Iderstine  
President



Allan Fineblit, Q.C.

The Law Society of Manitoba can be a pretty busy place. Our core business activities (discipline, insurance, education, audit and admission) all have a certain regularity to them. Students arrive and depart, complaints come in and are resolved, lawyers from time to time make errors and we ensure that things are made right. But a modern law society has lots of other work to do. More and more, we are part of a national regulatory infrastructure and events in other countries halfway around the world can have significant influence on the regulatory climate in Manitoba. Important social issues, like access to legal services, now find their way to the front and very centre of our agenda.

In June of 2011 our Benchers explored the big idea of moving away from provincial regulation towards a national regulator for the legal profession. They noted a similar initiative underway in Australia and discussed the challenges of regulating a mobile legal profession locally. In the end, the Benchers decided a good first step is the development of national regulatory standards. They commended the ongoing work coordinated by the Federation of Law Societies of Canada on developing national discipline standards, a national reimbursement scheme for theft by mobile lawyers, national admission standards and a national Model Code of Conduct.

In December, at a joint meeting with the Council of the Manitoba Branch of the Canadian Bar Association, our Benchers explored the concept of alternate business structures for law practices based on legislation in the U.K. and Australia which allows for non-lawyer ownership of law firms. The idea was again explored in greater depth at the Federation of Law Societies of Canada conference in March of 2012.

The Benchers approved an expansion of the Quebec Mobility Agreement to add the *Chambre des Notaires* and also approved the renewal of the Territorial Mobility Agreement. These steps ensure that lawyers anywhere in Canada can practice in Manitoba and, of course, the reverse is true as well. With only a few restrictions, Manitoba lawyers can practice anywhere in Canada. Not only can lawyers cross borders but so can good ideas. We borrowed a good idea from the Law Society of Upper Canada and approved the implementation of their *Justicia Initiative* designed to support the retention of women in private practice. Ontario repaid the favour later in the year when they borrowed our *Parental Support Program* idea, an initiative to support the transition of lawyers to parental leave and back into practice.

On the access file, the Benchers renewed our *Family Law Access Centre* pilot project for a second year and in September of 2011 the first student from an under-serviced community entered law school with a forgivable loan, which is an initiative that is underway in

partnership with the University of Manitoba Faculty of Law and the Manitoba Branch of the Canadian Bar Association.

Admission to practice was heavy on our agenda this past year. It was hard to ignore frankly, since we had the largest bar admission (CPLD) class in my memory. There were 100 students with a record number (20) articling outside of Winnipeg. Benchers also eased the entry requirements for internationally trained lawyers, giving discretion to the CEO to waive some or all of the articling and CPLD requirements for internationally trained lawyers with appropriate practice experience.

Benchers also took steps to reduce the number of governability issues we deal with (lawyers who don't cooperate with the regulatory requirements). We now can impose administrative suspensions for failing to complete mandatory reports and the CEO can authorize charges directly (without committee involvement) for governability issues. Benchers also established a fast track hearing process to move governability issues along briskly.

A major change for 2011/12 was the introduction of mandatory continuing professional development. Lawyers are now required to complete a minimum of 12 hours of continuing professional development (including at least 1.5 hours on ethics and practice management). This is proving to be hugely successful and lawyers are regularly filling our classroom, taking advantage of opportunities to keep their skills up-to-date.

The financial circumstances of the Law Society depend on many things. On the expenditure side we control a lot, but some core business lines, like insurance, reimbursement and discipline, are demand driven. On the revenue side, again some things, like practising fee revenue, are in our control and others, like continuing professional development revenue and investment income, are not.

In the 2011/12 fiscal year we experienced challenges in the areas we don't control. Most significantly, investment income continues to lag as the world economy stumbles and falters along. Investments have an impact on the solvency of our pension plan, on the adequacy of the reserves of our insurance program, on the size of the grant we receive from the Manitoba Law Foundation, and on the fees we charge our members.

By controlling discretionary expenditures, focussing on our core business of public protection, and through new and growing revenue sources like the revenue we receive from continuing professional development activities, we have finished this challenging fiscal year pretty much as we had anticipated and while the need for conservative financial management will continue for some time into the future, we do feel well positioned to meet those challenges.

We had some giant personnel changes this past year. Louise Ritchie retired as a Claims Examiner from our Insurance Department after 18 happy years and Ryan Sasaki retired as our Comptroller after 36 years with the Law Society. Ryan was a talented, thoughtful and knowledgeable guy and he was respected by the profession, his co-workers and the Benchers.

Ryan's position was restructured to a CFO position and Colleen Malone (formerly with our Audit Department) was promoted to the new position.

In September of 2011 I attended my 100<sup>th</sup> Benchers meeting as CEO. I was struck by the vibrancy around the table. We are blessed by good leadership. These volunteers are not afraid of new ideas and have an unfailingly good capacity to collectively identify the public interest in every discussion. Special thanks to Past President Irene Hamilton whose remarkable good judgment I called upon far too often. President Helga Van Iderstine gave tirelessly of her time and showed exceptional leadership when tough issues required it.

A lot of the success at the Law Society is because of the people who work here. It's one thing for the Benchers to set an ambitious and progressive agenda, but it was the job of Law Society staff to deliver on that agenda. Here is what I saw: I saw remarkably creative work. I saw compassion and I saw toughness. I saw hard work and lots of good humour. In the end, I saw a public well served. That makes for a good year.

## *Complaints Review Commissioner's Report*

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Drew Perry

It has been my privilege to carry out the responsibilities of Complaints Review Commissioner over the past year. The office of the Complaints Review Commissioner adds an important dimension to the Law Society's complaints process by ensuring that a non-lawyer is available on request to members of the public to review certain decisions of the Law Society of Manitoba regarding complaints about lawyers.

The past year was the first full year for the Complaints Review Commissioner to function under a somewhat expanded mandate based on changes made in 2010. In addition to the ability to review a decision by staff not to investigate a complaint, since mid-2010 the Commissioner has also had the authority to review a decision by staff to resolve a complaint after an investigation but without referring it to the Complaints Investigation Committee.

Members of the public have 60 days to request a review of their complaint if they disagree with certain decisions made by the Law Society's Discipline Department staff. The types of staff decisions vary according to the circumstances, but may include finding that there is no basis for initiating a formal investigation, determining that there is no jurisdiction for the Law Society to become involved, accepting the lawyer's explanation in response to the complaint, or writing a letter to the lawyer in question reminding them of their professional obligations.

On receiving a request for a review, the Complaints Review Commissioner contacts the Law Society to obtain the client's complaint file, reviews the file material in conjunction with the letter requesting a review, and gives a written decision to both the complainant and the lawyer in question. The Commissioner does not meet in person with any of those involved. The Commissioner's decision is final.

In 2011-12, the Commissioner considered 38 referrals, an increase of 10 over the previous year, which was due entirely to the expanded mandate. Nineteen cases involved matters the Law Society declined to investigate on the basis that there was no merit to the complaint. Upon review, the staff decision was confirmed in each case.

In the remaining 19 reviews, a staff investigation had taken place and a decision was made to resolve the complaint at that level rather than refer it to the Complaints Investigation Committee. For these reviews, the Commissioner confirmed the staff decision in 17 cases; the remaining two matters were directed to be reviewed by the Complaints Investigation Committee.

## *Complaints Review Commissioner's Report*

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The complaints that found their way to the Commissioner for review over the past year represented a small proportion of the overall number of complaints dealt with by the Law Society. These 38 files often showed that complainants had been disappointed in the results of their encounters with the legal system, and had decided to use every means of review and appeal available to them to find some resolution to their issues. For some, the complaints process turned out not to be the appropriate means to resolve their outstanding issues. In my reviews, I found that the sometimes-difficult personal matters of the complainants had been given careful and courteous consideration by Law Society staff, and that their decisions and the reasons for them were clearly communicated.



### New Members

During the year ending March 31, 2012, 96 lawyers were called to the Bar in Manitoba. Of those:

- 14 lawyers transferred to Manitoba from other Canadian jurisdictions, under the National Mobility Agreement; and
- 82 articling students were called to the Bar.

### Where Members are Practising

Law Society members with active practising status on December 31, 2011 were practising in the following geographical areas:

- within the City of Winnipeg: 1679;
- within Manitoba, but not in the City of Winnipeg: 218; and
- outside Manitoba: 49.

### Law Firms in Manitoba

As of December 31, 2011, 123 law firms were operating in Manitoba. Of these firms:

- 82.1% have 2-10 lawyers;
- 11.4% have 11-25 lawyers;
- 2.4% have 26-50 lawyers; and
- 4.1% have more than 50 lawyers.

### Gender and Nature of Practice

There were 1946 lawyers with active practising status in Manitoba as of December 31, 2011, of which 1278 or 65.7% were men and 668 or 34.3% were women. Of those women in active practice, 53% were engaged in private practice with the remaining 47% employed in corporate, government (including Legal Aid) and educational endeavours. Of the men in active practice,

**Table A: Historical Record of Practising Lawyers in Manitoba as of December 31<sup>st</sup>**

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	
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	

73% were engaged in private practice and 27% in corporate, government and educational

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

Years at the Bar	Male		Female		Total	
	#	%	#	%	#	%
0 - 5	171	8.79	183	9.40	354	18.19
6 - 10	103	5.29	114	5.86	217	11.15
11 - 15	137	7.04	94	4.83	231	11.87
16 - 20	122	6.27	90	4.62	212	10.89
21 - 25	144	7.34	75	3.85	219	11.25
26 - 30	166	8.53	63	3.24	229	11.77
31 - 35	158	8.12	40	2.06	198	10.18
36+	277	14.23	9	0.46	286	14.70
TOTAL	1278	65.67	668	34.33	1946	100.00

endeavours. **Table A** on page 9 provides a historical record of the number of practising lawyers in Manitoba and **Table B** above provides a gender breakdown by years in practice.

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 regulations through two main processes:

- The Spot Audit Program
- The Annual Trust Account filings
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### 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 on a “surprise” basis so that the auditor will observe the law firm’s records in their usual state. There are three types of audits conducted:

- 1) *Regular Audits* are conducted of all Manitoba law firms on a rotational basis;
- 2) *New Firm audits* are conducted within the first year of a firm opening their 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.
- 3) *Priority audits* are conducted of firms having a history of trust account problems or if information received by the Law Society suggests a law firm is of higher risk and should be audited sooner than the regular rotation.

During the fiscal year ended March 31, 2012, the following audits were completed:

Regular Audits	44
New Audits	6
Priority Audits	<u>8</u>
Total	<u>58</u>

### Results of Audits

The Law Society’s auditors devoted 40 % of their time to conducting audits. During the past year, 88% 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 12 % 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, 2012, the Audit Department spent 417 hours or 9 % of its time conducting investigations, which was a fairly typical year. In contrast, in the previous fiscal year (2011) the Audit Department spent 1098 hours (20%) of its time on investigations. The majority of the time spent in the previous year related to the investigation of two members whose matters are currently being dealt with through the Discipline process. Two additional investigations commenced this year, both involving a misappropriation of trust funds.

## Annual Trust Account Report

Law firms are required to file an *Annual Trust Account Report* in order to provide the Law Society with yearly up to date information regarding their trust and general accounts, accounting systems and their compliance with the Rules. The report will take the form of a "Self-Report" or alternatively 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 typically have had past poor audit results 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 need be, write to the law firm outlining the necessary changes. A report indicating problems may trigger a spot audit. In addition, if a member does not file their Annual Trust Account Report by the required due date, the Law Society may conduct an inspection to determine if the law firm is in compliance with the rules. The law firm is responsible for the costs associated with this type of inspection. The Audit Department spent 19% of its time with the review and follow-up of issues arising from the Annual Trust Account filings. This time also included the administration of the process and the inspection of one member who did not file the report as required.

## Other Activities of the Audit Department

The Audit Department works closely with the Discipline Department and the Complaints Investigation Department regarding members with 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 Audit Department also provides more formal educational assistance to the Education and Competence Department by providing materials and presenting CPLED.

### Complaints

The aim of the Law Society of Manitoba is a public well served by a competent, honourable and independent legal profession. The Discipline 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 198 such concerns through this type of early intervention.

The Law Society received 373 written complaints last year, 413 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 245 matters (some received in the prior fiscal year) as follows:

- a. 114 complaints were determined to be outside the Law Society's jurisdiction or did not merit investigation;
- b. 37 complaints were resolved to the satisfaction of the complainant and the lawyer through telephone conciliation;
- c. on 86 matters, it was determined that the lawyer had provided a satisfactory response to the complaint;
- d. on 63 occasions, the lawyer received a reminder letter with respect to his or her professional obligations;
- e. on 10 occasions it was recommended that the lawyer follow a particular course of action;
- f. on 8 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 5 lawyers on 7 matters for failing to respond to Law Society correspondence.

This past year the Complaints Investigation Committee was comprised of 6 Benchers 1 lay-Bencher (who is not a 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, authorize charges of professional misconduct, conduct unbecoming or incompetence, issue formal cautions, direct personal appearances and suspend lawyers from practice on an interim basis.

Last year, the Complaints Investigation Committee had 12 meetings in which they considered 79 matters as well as concerns arising from the bankruptcies of 2 lawyers. Several matters were considered by the Committee on more than one occasion as the matters progressed. One lawyer's conduct (which was referenced in 7 separate investigations) was repeatedly

considered by the Committee, first in an effort to have the lawyer cooperate with the investigation, secondly as a personal appearance which resulted in charges and the imposition of restrictions and then on several occasions thereafter at the member's request, to have the Committee amend the restrictions. This lawyer's matters accounted for 46 of the 79 matters considered. The Committee also required 5 lawyers to appear personally 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 34 matters, relating to 17 lawyers;
- b) undertakings were sought from 2 lawyers relating to their practice;
- c) one lawyer was suspended from practice;
- d) one lawyer was 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 2 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 agree to arbitration.

The Law Society received 68 complaints relating to excessive fees. No action was taken in 16 matters due to no follow through by complainants, direct settlement between the parties, or the Society having no jurisdiction to deal with the complaint. Eight fee-related complaints could not be dealt with due to the Law Society having no jurisdiction. There were 52 requests for arbitration upon which the Law Society was able to act. Six of the arbitration requests resulted in a satisfactory settlement being reached between the member and the complainant directly. No further action was taken on 24 requests due to the fact that the lawyer declined to arbitrate the dispute. There were five 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. Ten matters are ongoing, either pending an arbitration hearing or pending the member's or the complainant's consideration.

Fifteen arbitration hearings were conducted between April 1, 2010 and March 31, 2011. Eight of those hearings related to arbitration proceedings which commenced prior to April 1, 2010. Of

the fifteen hearings, in three instances, the fees were upheld, in eleven instances the fees were reduced, and in one instance the parties settled during the arbitration hearing.

### **Discipline**

When an investigation into a complaint results in charges of professional misconduct, conduct unbecoming or incompetence the matter is referred to The Law Society's discipline committee.

The Law Society's disciplinary process is a public one. Hearings into allegations of professional misconduct, conduct unbecoming and incompetence are heard in public by a panel of three persons appointed to a panel by the Chair of the Discipline Committee. The panel has the jurisdiction to make an order to exclude the public only where necessary to prevent the disclosure of information that is subject to solicitor-client privilege or where it is in the public interest to do so. There is public participation through public representatives on every hearing panel. Notices of disbarments and suspensions are published in the media. Summaries of decisions of discipline panels are posted on the Law Society's website and published on CanLII, the legal research website operated by the Federation of Law Societies.

This year 13 discipline matters were scheduled to proceed to a hearing before a panel of the discipline committee. Twelve of those matters led to convictions and one matter did not proceed due to the lawyer's health related issues. Discipline panels have a very broad range of options available to them to address lawyer misconduct pursuant to section 72 (1) of The Legal Profession Act. Two of the convicted lawyers were reprimanded for their conduct, six were fined and one was fined and required to practice under the supervision of another lawyer for a period of one year. Two lawyers were disbarred and one matter has not yet proceeded to sentencing.

The issues that were considered by the discipline panels included allegations that lawyers had failed to provide an adequate quality of service, failed to conduct themselves with integrity, misappropriated client funds, breached law society accounting rules, failed to respond to the Law Society, acted while in a conflict of interest or where clients' interests were in conflict, improperly asserted a solicitor's lien, practiced law without a practising certificate and without being insured, failed to encourage public respect for the administration of justice and breached trust conditions imposed by other lawyers. In the case of one of the lawyers who was disbarred it was necessary to obtain a custodial order from the Court of Queen's Bench to take custody of client files in order to protect clients' interests as the lawyer was a sole practitioner.

Over the past year the Law Society collaborated with law societies across Canada in developing a pilot project to test a set of national discipline standards. Those standards address timeliness, hearings, public participation, transparency, accessibility, quality, and qualification and training of adjudicators and investigators. The pilot project will run over the next two years with the expectation that at its conclusion law societies will agree upon a set of meaningful standards against which our performance will be assessed.



In the interim the Law Society has implemented a fast track hearing process which provides for the appointment of hearing panels to a fixed date every month, with either fast track or other disciplinary matters that are ready for hearing then being scheduled to appear on the first available date. This process improves the Law Society's ability to address disciplinary matters in a timely fashion.

The Law Society also continues to monitor and respond to concerns relating to the unauthorized practice of law as part of its mandate to protect the public interest.

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

### *Admissions and Education Committee*

The Admissions and Education Committee assists Benchers governance by preparing policy alternatives and implications for Benchers deliberation related to admission matters, the education of applicants seeking admission as lawyers and on continuing professional development of practising lawyers. In addition, the Committee hears appeals from both admissions and education decisions.

The Admissions and Education Committee met 5 times during the year and considered the following policy issues:

- Admissions and education appeal rules and processes
- Developments in the Ontario articling program

The Committee's major focus this year was on reviewing the appeal rules and processes. This work culminated in recommendations to the Benchers to amend the Law Society Rules and to adopt specific guidelines to govern the appeal process.

One appeal panel was convened to consider an appeal of a decision to impose conditions on a lawyer's resumption of active practice.

### *CPLED and Articles*

Law graduates seeking admission to the Manitoba bar must complete the Manitoba CPLED Program. 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 2011-2012 Manitoba CPLED Program began on August 29, 2011 with 97 students. The program ended on March 6, 2012 with 101 students. Three modules were completed in traditional classroom and seminar settings, and six modules were completed online. Students completed 10 assignments and 10 competency evaluations during the program to demonstrate their competency to practise law. Students who missed earlier modules due to late enrolment will complete the program next year.

In addition to the Manitoba CPLED Program, law graduates must complete 52 weeks of articles under the supervision of a lawyer who has been approved as a principal. The objective of articles is to provide students with realistic experiences in a supervised and reflective atmosphere. At the end of the articling term, principals must provide an assessment of their students' competency in the essential skills and legal knowledge required by an entry level

lawyer. Twenty-one students articulated outside the City of Winnipeg for all or part of their articling period.

On June 22, 2011 at the annual Call to the Bar ceremony for the 2010-2011 bar admission class, the A.M. Montague Israels, Q.C. Prize was awarded to Katie Hall.

### *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.

Practising members of the Manitoba Bar must annually report on their CPD activities. For the 2011 calendar year the Law Society recommended that each practising member participate in at least 12 hours of CPD activities per year; however, CPD participation was still voluntary in 2011. These voluntary CPD activities were reported in the 2011 in the Annual Member Report.

Beginning in January of 2012 participation in CPD is mandatory. The Society has set minimum requirements for participation. Practising members must participate in at least 1 hour of eligible 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 or practice management (EPPM).

The new *Code of Professional Conduct* came into effect January 1, 2011. Practising members were required to complete training on the new *Code* by December 31, 2011. Training sessions were offered, including 26 sessions in 2011-12. In addition, *Code* training was made available on DVD. In 2011-12, 1566 members attended a training session or viewed the DVD.

The Law Society offered 65 CPD programs throughout the province (including the 26 *Code* sessions): 55 in Winnipeg (2 by webinar and 2 by teleseminar) and 10 outside Winnipeg (2 in The Pas, 4 in Brandon, 2 in Clear Lake, 1 in Portage la Prairie and 1 in Winkler). Three programs were French language CPDs. The 65 programs attracted 2871 attendees (4437 when *Code* training attendees are included).

Continuing Professional Development (CPD) Programs delivered in 2011-12:

- Time Mastery for Support Staff
- Time Mastery for Lawyers
- DNA Evidence: Current Issues (teleseminar)
- 2011 Intensive Advocacy Workshop

- 2011 Accommodation in the Workplace
- Powers of Attorney Accountability: A Litigator's Perspective
- Will Drafting Process and Pitfalls – Can you Afford to Charge \$175? (offered In Winnipeg and Brandon)
- Section 10(b) of the *Charter* (Right to Counsel): Recent Developments (teleseminar)
- Financial Statements for Lawyers
- 2011 Northern Bar CPD – How to Excel at Direct Examination
- 2011 Legal Research Boot Camp
- 2011 Western Bar CPD – Preparation for Big Cases (also offered in Winnipeg)
- Succession Planning
- Comment Travailler Avec Les Nouveaux Arrivants
- How to Work With New Immigrants
- DNA Evidence
- Advanced Cross-Examination Techniques
- When the Family Business Fails
- *Real Property Act* Amendments (offered 4 times: twice in Winnipeg, once in Brandon, and once in Portage la Prairie for the Central Bar's winter program)
- 2011 Pitblado Lectures, Back From the Brink: Insolvency in the New Era
- Fingerprint Evidence
- Challenges to Wills and Gifts
- Changes to Support Enforcement – What You Need to Know (offered 3 times: in Winnipeg, in Brandon and by webinar)
- Arson Evidence
- *Not For Profit Corporations Act* (webinar)
- Cours de terminologie juridique – les voies de faits
- Electronic Legal Research Refresher
- Practical Ethics (offered twice)
- 2012 Hot Topics In Real Estate
- Expedited Actions – The New Queen's Bench Rule 20(A)
- 2012 Annual Joint Family Law Program - What's Time Got To Do With It? Examinations of Shared Custody and Child Support
- 26 sessions on the new *Code of Professional Conduct*

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 and its co-sponsors, the Manitoba Bar Association and the University of Manitoba Faculty of Law, presented a successful program entitled "Back From the Brink: Insolvency in the New Era" for the annual Isaac Pitblado Lectures. The Law Society joined forces with its Equity Ombudsperson and with the Manitoba Bar Association's specific sections to present a number of programs, including a series of 5 criminal law programs planned jointly with the MBA's Criminal Law Subsection. "What's Time Got To Do With It? Examinations of Shared Custody and Child Support" 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 to offer three French language programs, one of which was offered both in French and English.

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.

### *New Media*

The Law Society recognizes the need to provide continuing professional development to its members at times and in places that are convenient for them. During the period ending March 31, 2012, the Law Society made available to members video compilations of some of its live-format CPD programs. Work continues on a fully online delivery portal, which will be introduced later in 2012.

### *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, new in 2011 Labour and Employment. In 2011-2012 we saw an 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.

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 one of the Society's most active equity initiatives. 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 2011 calendar year the Equity Ombudsperson was contacted a total of 877 times, down slightly from last year's number of 940; 377 of these contacts dealt with issues or concerns relating to discrimination, 114 dealt with issues relating to sexual harassment and 227 related to workplace harassment issues or concerns. There was an increased number of calls from outside Winnipeg. Seven hundred and fifty-three females contacted the program this year as opposed to 124 males.

The Law Society's Parental Support Program, introduced in October of 2008, which 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, continues to be used by members. Eleven people contacted the program this year for a total of 38 contacts over the past three years. The program has also been adopted for use in Nova Scotia and Ontario. The Law Society 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. There is currently one lawyer enrolled in the program.

Over the past two years the Law Society Equity Committee has been reviewing the Law Society of Upper Canada's Justicia Project which is designed to help law firms identify and adopt principles and best practices to promote the retention and advancement of women in private practice. This year the Benchers approved an implementation plan for the Justicia Project in Manitoba and a special sub-committee of the Equity Committee was struck to begin planning. The special sub-committee is chaired by Law Society Bencher Karen Clearwater and Brenlee Carrington Trepel, the Law Society's Equity Ombudsperson.

The Law Society also implemented an Annual Member Report which included questions designed to gather statistics on the composition of the profession 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.

The Law Society has a Practice and Ethics Committee made up of a broad cross section of lawyers engaged in a variety of practice areas. In the event that a complex ethical issue arises the Society will call upon members of the Committee to consider the issue and provide advice and direction to those lawyers seeking such assistance.

More frequently members of the profession contact staff at the Law Society directly to seek direction with respect to practice and ethical issues on an informal basis. Members are frequently directed to provisions in the *Legal Profession Act*, the *Law Society Rules* and the *Code of Professional Conduct*.

This fiscal year was the first full year in which the new *Code of Professional Conduct* was in effect. Lawyers were required to complete a continuing professional development program on the new *Code* by December 31, 2011. Training was conducted across the province for lawyers via teleconference, DVD, presentations and in house sessions to law firms, legal departments and for the judiciary. By the end of the fiscal year 1566 lawyers had received training on the new *Code*.

Work continues on the Federation of Law Societies *Model Code of Conduct*. The Society will continue to monitor and engage in that work with a view to ensuring that to the extent possible there is consistency between the *Model Code* and our own *Code*.



## *Professional Liability Claims Fund*

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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 2011/2012 fiscal year, the insurance assessment was levied at \$700 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.

At March 31, 2012, 63 claims had been reported during the 2011/2012 policy year. During the 2011/2012 fiscal year, the Insurance Program paid claims totalling \$511,004 in damages and \$325,524 in legal defence costs. This compares to \$738,103 in claims and \$183,772 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.

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 \$100 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 2011/2012 fiscal year \$115,213 was paid to 10 claimants out of the Reimbursement Fund.



**Front Row:** (L to R) Allan Fineblit, Q. C., Chief Executive Officer, Charlie Curtis, Irene Hamilton, Past President, Jeff Hirsch, Marilyn Billinkoff, Deputy Chief Executive Officer **Second Row:** Christina Kopynsky, Q.C., Peter Cole, Q.C., Jennifer Cooper, Q.C., Ted Bock, Helga Van Iderstine, President, David Swayze, Dean Lorna Turnbull, Linda Brazier Lamoureux **Third Row:** James McLandress, Dean Scaletta, Karen Clearwater **On Stairs:** Roberta Campbell, Diane Stevenson, Jack Cram, Vice President **Absent:** Robert Campbell, Alison Cathcart, David Gray, Marston Grindey, Brian Lerner, Joelle Robinson, Niranjana Venugopal, Jasmine Zurbriggen

### **Officers**

(appointed May 19, 2011)

President:	Helga D. Van Iderstine
Vice President:	John (Jack) D. C. Cram
Past President:	Irene A. Hamilton

**Benchers**

(elected for a two year term on May 5, 2010)

**Winnipeg Electoral District**

Theodor E. Bock  
Roberta L. Campbell  
Karen L. Clearwater  
Jennifer A. Cooper, Q.C.  
Barry C. Effler<sup>1</sup>  
Christina V. Kopynsky, Q.C.  
Brian D. Lerner  
James E. McLandress  
Dean I. Scaletta  
Helga D. Van Iderstine

**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<sup>2</sup>  
Niranjan Venugopal<sup>3</sup>

**Faculty Bencher**

Dean Lorna Turnbull

**Student Bencher**

Alison Cathcart<sup>4</sup>  
Jasmine Zurbrigen<sup>5</sup>

<sup>1</sup> Became a Bencher in May, 2011

<sup>2</sup> Appointed Lay Bencher in December 2011

<sup>3</sup> Ceased to be a Bencher in June, 2011

<sup>4</sup> Ceased to be Student Bencher in September, 2011

<sup>5</sup> Became a Student Bencher in September, 2011

**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  
Timothy J.P. Killeen  
Bryan D. Klein  
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  
Alan Sweatman, Q.C.  
J.F. Reeh Taylor, Q.C.  
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  
Lawrence R. McInnes, Q.C.  
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 Sub-Committee and the Discipline Committee.

\*Denotes Non-Bencher  
 \*\*Denotes Public Representative

**Admissions and Education Committee**

Bock, Ted (Chair)  
 Scaletta, Dean (Vice Chair)  
 Bowman, Myfanwy\*  
 Cathcart, Alison<sup>1</sup>  
 Choy, Lindy\*  
 Cooper, Q.C., Jennifer  
 Dear, Kyle\*  
 Dixon, Kelly\*  
 Grindey, Marston<sup>2</sup>  
 Offrowich, Leonard\*  
 Paul, Sacha\*  
 Robinson, Joelle  
 Turnbull, Dean Lorna  
 Venugopal, Niranjana<sup>3</sup>  
 Zurbriggen, Jasmine<sup>4</sup>

**Admissions and Education Appeals Sub-Committee**

Bock, Ted (Chair)  
 Scaletta, Dean (Vice Chair)  
 Bowman, Myfanwy\*  
 Browne, Miriam\*\*  
 Cathcart, Alison<sup>5</sup>  
 Choy, Lindy\*  
 Cohen, Neil\*\*  
 Cooper, Q.C., Jennifer  
 Dear, Kyle\*  
 Dixon, Kelly\*

Garinger-Niekamp, Marla\*\*<sup>6</sup>

Gibson, Lorne\*\*  
 Grindey, Marston<sup>7</sup>  
 Hrynyk, Suzanne\*\*  
 Martin, Lorna\*\*  
 Molloy, Kenneth\*\*  
 Offrowich, Leonard\*  
 Paul, Sacha\*  
 Richmond, Keely\*\*  
 Robinson, Joelle  
 Turnbull, Dean Lorna  
 Venugopal, Niranjana<sup>8</sup>  
 Wolfe, Jim\*\*  
 Zurbriggen, Jasmine<sup>9</sup>

**Complaints Investigation Committee**

Lerner, Brian (Chair)  
 Campbell, Roberta (Vice Chair)  
 Campbell, Robert  
 Dalmyrn, Joyce\*  
 Effler, Barry  
 Finlayson, Michael\*  
 Hatch, Gwen\*  
 Hirsch, Jeff  
 McDuff, Colleen\*  
 Rempel, Ryan\*  
 Stewart, Wendy\*  
 Troup, Lynda\*

**Discipline Committee**

Clearwater, Karen (Chair)  
 Hamilton, Irene (Vice Chair)  
 Mitchell, Q.C., Grant  
 (Conflicts Chair)  
 Bass, Q.C., George<sup>10</sup>  
 Bates, Gordon  
 Bedford, Douglas  
 Bellay, Victor\*  
 Browne, Miriam\*\*  
 Choy, Lindy\*  
 Christianson, Q.C., Bjorn  
 Cohen, Neil\*\*  
 Deeley, Q.C., Richard  
 Douglas, Donald\*  
 Ferguson Sain, Lori\*  
 Finkbeiner, Q.C., Doug  
 Fraser, Patricia  
 Gabor, Q.C., Robert\*  
 Gange, Bill  
 Garinger-Niekamp, Marla\*\*<sup>11</sup>  
 Gibson, Lorne\*\*  
 Gilmour, Gary  
 Good, Richard\*  
 Gorlick, Q.C., Celia\*  
 Grindey, Marston<sup>12</sup>  
 Haight, Bill  
 Hedley, James\*  
 Hoeschen, Gordon

**Standing Committees**

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\*Denotes Non-Bencher

\*\*Denotes Public Representative

Hrynyk, Suzanne\*\*  
 Irwin, Eric  
 Killeen, Tim<sup>13</sup>  
 King, Q.C., Roger\*  
 Knight, Q.C., Donald  
 Kroft, David  
 LaBossiere, Keith\*  
 Leonoff, Q.C., Heather  
 Leibl, Q.C., Ellen\*  
 Martin, Lorna\*\*  
 McInnes, Q.C., Lawrence  
 Molloy, Kenneth\*\*  
 Neufeld, Q.C., John  
 Olson, Q.C., William  
 Onchulenko, Wayne\*  
 Pappas, Q.C., Chrys  
 Pauls, Brian  
 Peters, Herbert  
 Rachlis, Vivian\*  
 Richmond, Keely\*\*  
 Riley, Patrick  
 Secter, Harvey\*  
 Semchuk, Alan  
 Shaw, Jim\*  
 Sims, Q.C., Norman  
 Smorang, Q.C., Garth  
 Southall, Anita\*  
 Stefanson, Grant\*  
 Toews, Mark\*  
 Tolton, Catherine\*  
 van der Krabben, Jon  
 Walsh, Sherri\*  
 Wolfe, Jim\*\*

**Equity Committee**  
 Clearwater, Karen (Chair)  
 Brazier Lamoureux, Linda  
 (Vice Chair)  
 Arnal Soul, Kimberly\*  
 Cathcart, Alison\*  
 Frost, Issie\*  
 Kroft, David  
 Leven, Elliot\*  
 Margolis, Rachel\*  
 Neufeld, Q.C., John  
 Scaletta, Dean

**Practice and Ethics  
 Committee**  
 Robinson, Joelle (Chair)  
 Cole, Q.C., Peter (Vice Chair)  
 Bedford, Douglas  
 Bock, Ted  
 Bowman, Myfanwy\*  
 Bueti, Katherine\*  
 Burgess, Q.C., John\*  
 Campbell, Roberta  
 Choy, Lindy\*  
 Dalmyn, Joyce\*  
 Dawson, Robert\*  
 Derwin, George\*  
 Dixon, Kelly\*  
 Effler, Barry  
 Elgert, Kirsty\*  
 Frost, Issie\*  
 Gabor, Q.C., Robert\*  
 Good, Richard\*  
 Gray, David  
 Grower, Paul\*  
 Hatch, Gwen\*  
 Horst, Annette\*

Kantor, Mark\*  
 Killeen, Tim  
 King, Q.C., Roger\*  
 Laurencelle, Alain\*  
 Lerner, Brian  
 Leven, Elliot\*  
 Martin, Gregory\*  
 McDuff, Colleen\*  
 McLandress, Jim  
 Mitchell, Q.C., Grant  
 Onchulenko, Wayne\*  
 Pauls, Cameron\*  
 Phillips, Sandra\*  
 Rambow, Todd\*  
 Scaletta, Dean  
 Southall, Anita\*  
 Stefanson, Grant\*  
 Stevenson, Diane  
 Stewart, Wendy\*  
 Swayze, David  
 Thompson, Mary Ann\*  
 Thow, Mira\*  
 van der Krabben, Jon  
 Walsh, Sherri\*

**Professional Liability Claims  
 Fund Committee**  
 Cole, Q.C., Peter (Chair)  
 McLandress, Jim (Vice Chair)  
 Bock, Ted  
 Campbell, Robert  
 Dawson, Robert\*  
 Gange, Bill  
 Mayes, Brian\*<sup>14</sup>  
 Rambow, Todd\*  
 Thompson, Mary Ann\*



**Standing Committees**

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

\*Denotes Non-Bencher  
\*\*Denotes Public Representative

**Reimbursement Claims Fund Committee**

Kopynsky, Q.C., Christina (Chair)  
Swayze, David (Vice Chair)  
Derwin, George\*  
Grindey, Marston<sup>15</sup>  
Kantor, Mark\*  
Pauls, Cameron\*  
Reilly, Pam\*  
Stevenson, Diane  
Sychuk, Bruce\*  
Thow, Mira\*  
Venugopal, Niranjana<sup>16</sup>

**Access Stakeholders Committee**

Stevenson, Diane (Chair)  
Gray, David (Vice Chair)  
Abel, Scott\*  
Brazier Lamoureux, Linda  
Buset, Hope\*  
Chartier, Assoc. Chief Judge Michel\*  
Clifford, Gil\*  
Curtin, Shauna\*  
Hamilton, Irene  
Hirsch, Jeff  
Katz, Joel\*  
Kopynsky, Q.C., Christina  
Palace Churchill, Barbara\*  
Rachlis, Vivian\*  
Schmidt, Joan\*

Thompson, Assoc. Chief Judge Murray\*  
Thomson, Justice Michael\*  
Troszko, Mary\*  
Turnbull, Dean Lorna

**Conveyancing Practices Committee**

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

**Investment Committee**

Lerner, Brian (Chair)  
Bock, Ted  
Curtis, Charlie  
Onchulenko, Wayne\*  
Stefanson, Grant\*

**Technology Committee**

Swayze, David (Chair)  
Cole, Q.C., Peter (Vice Chair)  
Asper, David\*  
Elgert, Kirsty\*  
Gabor, Q.C., Robert\*  
Grower, Paul\*  
Margolis, Rachel\*  
McLandress, Jim  
Pellizzaro, Robert\*

<sup>1</sup> Ceased to be a Committee member in September, 2011

<sup>2</sup> Became a Committee member in December, 2011

<sup>3</sup> Ceased to be a Committee member in June, 2011

<sup>4</sup> Became a Committee member in September, 2011

<sup>5</sup> See endnote 1

<sup>6</sup> Ceased to be a Committee member in March, 2012

<sup>7</sup> Membership capacity changed from Public Representative to Lay Bencher in December, 2011

<sup>8</sup> See endnote 3

<sup>9</sup> See endnote 4

<sup>10</sup> Ceased to be a Committee member in June, 2011

<sup>11</sup> See endnote 6

<sup>12</sup> See endnote 7

<sup>13</sup> Ceased to be a Committee member in December, 2011

<sup>14</sup> Ceased to be a Committee member in December, 2011

<sup>15</sup> See endnote 2

<sup>16</sup> See endnote 3



**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	Lana Renaud
Assistant to Deputy Chief Executive Officer	Judy Cheetham
Comptroller	Ryan W. Sasaki
Chief Financial Officer	Colleen D. Malone <sup>1</sup>
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
Office Receptionist	Susan Mott
Office Receptionist	Jennifer Jones

**Admissions and Membership Department**

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

**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
Director of Discipline	Leah C. Kosokowsky
Discipline Counsel	Noelia Bernardo
Discipline Counsel	Omalara O. Badmus
Discipline Counsel	Susan D. Billinkoff <sup>2</sup>
Discipline Counsel	James A. Cox <sup>3</sup>
Discipline Paralegal	Grace Page
Discipline Assistant	Stefanie Krochak

**Insurance Department**

Director of Insurance	Tana P. Christianson
Claims Counsel	Kathleen M.T. Craton
Claims Counsel	Joan M. Holmstrom

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<sup>1</sup> Became Chief Financial Officer in December, 2011

<sup>2</sup> Joined the Law Society in April, 2011

<sup>3</sup> Left the Law Society in September, 2011

Claims Examiner  
Insurance Assistant  
Insurance Assistant

Louise Ritchie <sup>4</sup>  
Heather Vanrobaeys  
Kristin Forbister

### **Education and Competence Department**

Director of Education and Competence  
Counsel  
Counsel  
Program Counsel – Continuing Professional Development  
Program Counsel – Continuing Professional Development  
Assistant to Program Counsel  
CPLED Program Administrative Registrar  
Publications Assistant

Brenda L. Silver  
Ian F. Blomeley  
Ellen J. Henry  
Eileen S. Derksen Mead  
Tracy M. Lloyd  
Jennifer Lavallee  
Debra Rossol  
Laura Ziemanski

### **Audit Department**

Director of Audit  
Auditor/Inspector  
Auditor/Inspector  
Auditor/Inspector  
Assistant to Auditor/Inspectors

Sherri J. Jack  
Sandra Alleyne<sup>5</sup>  
Kathy L. Levacque  
Nancy E. Zacharias  
Lara Brescacin

### **Family Law Access Centre**

Administrator

Lana Renaud

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<sup>4</sup> Retired in May, 2011

<sup>5</sup> Joined the Law Society in February, 2012