

The Law Society
of British Columbia



Strategic Plan

2018 - 2020

Our Strategic Plan

The initiatives identified in this Plan are intended to advance the objects and duties of the Law Society. They represent opportunities to initiate or improve Law Society policies, visions or positions on various issues of importance facing the justice system and the legal profession.

Mandate

The Law Society fulfills its mandate and implements its vision through its day-to-day operations and through its strategic initiatives. Our Strategic Plan identifies Law Society goals under each of these statutory objects and duties.

The Mandate of the Law Society is contained in section 3 of the *Legal Profession Act*:

It is the object and duty of the society to uphold and protect the public interest in the administration of justice by

- (a) preserving and protecting the rights and freedoms of all persons,*
- (b) ensuring the independence, integrity, honour and competence of lawyers,*
- (c) establishing standards and programs for the education, professional responsibility and competence of lawyers and of applicants for call and admission,*
- (d) regulating the practice of law, and*
- (e) supporting and assisting lawyers, articled students and lawyers of other jurisdictions who are permitted to practise law in British Columbia in fulfilling their duties in the practice of law.*

Law Society Vision:

The Law Society of British Columbia protects the public interest in the administration of justice. It does this by ensuring the public is well served by legal professionals who are honourable and competent, and brings a voice to issues affecting the justice system and the delivery of legal services.

Strategic Goal 1: Preserving and Protecting the Rights and Freedoms of All Persons

The Law Society's duty to preserve and protect the rights and freedoms of all people recognizes the Law Society's role extends beyond ensuring that individuals are well served by their lawyers. It also requires that we ensure the public has access to justice and has confidence in the rule of law and the administration of justice.

Strategy 1-1: We will ensure the public has better access to justice by

- (a) Pursuing our Vision for Publicly Funded Legal Services adopted by the Benchers in March 2017.
- (b) Pursuing our initiative to license alternate legal service providers and work with government to obtain the necessary legislative amendments to do so.
- (c) Collaborating with other justice system organizations to identify issues within the justice system, such as document disclosure, mega trials, and advocacy skills and training that could be addressed to improve the delivery of legal services.
- (d) Examining the underlying economic costs of the provision of legal services and the cost of accessing justice.
- (e) Reviewing regulatory requirements to ensure that they do not hamper innovation regarding or hinder cost-effective delivery of legal services.

Strategy 1-2: We will ensure the public has greater confidence in the Rule of Law and the Administration of Justice by

- (a) Identifying opportunities for public discussion about the meanings of these topics and about their importance to Canadian society.
- (b) Developing educational materials about the role of a lawyer in the justice system and how lawyers advance the cause of justice.

Strategy 1-3: We will identify and implement appropriate responses to the Calls to Action from the Report of the Truth and Reconciliation Commission by

- (a) Seeking opportunities to collaborate with Aboriginal groups and other organizations to further examine the Recommendations and identify strategic priorities.
- (b) Embarking upon the development of an action plan to facilitate the implementation of relevant Recommendations.
- (c) Encouraging all lawyers in British Columbia to take education and training in areas relating to Aboriginal law (the Law Society's mandatory continuing professional development program recognizes and gives credit for education and training in areas relating to Aboriginal issues).

- (d) Urging all lawyers in British Columbia to act on the TRC Report and to consider how they can better serve the Indigenous people of British Columbia.

Strategic Goal 2: Ensuring the Independence, Integrity, Honour and Competence of Lawyers

The Law Society's obligation to ensure the independence, integrity, honour and competence of lawyers is essential to the effective provision of legal advice and service.

Without independence, the public cannot be assured that lawyers are acting only in their clients' interests.

Without integrity and honour, the public cannot be assured that lawyers are discharging their role in the justice system with time-honored values of probity, honesty, and diligence.

Without competence, the public cannot be assured that the services provided by lawyers will meet clients' needs or provide value. Moreover, public confidence in the justice system would falter if the Law Society could not establish professional standards of competence for lawyers.

Strategy 2-1: We will maintain and improve our standards for effective professional education, practice standards and practice advice by

- (a) Identifying opportunities to educate the public and the profession about the benefits of the public's right to an independent legal profession.
- (b) Continuously examining the standards of lawyer competence requirements to ensure they maintain public confidence in the excellence of the delivery of legal services.

Strategic Goal 3: Establishing Standards and Programs for the Education, Professional Responsibility and Competence of Lawyers and of Applicants for Call and Admission

The public expects and deserves effective regulation of the legal profession. Proper regulation of the legal profession requires setting effective standards and enforcement mechanisms to ensure applicants are properly qualified, and those who practise law do so

competently, professionally and ethically. To meet that expectation, we will seek out and encourage innovation in all of our practices and processes in order to continue to be an effective professional regulatory body.

Strategy 3-1: We will ensure, bearing in mind the mobility of lawyers within Canada, that the Admission Program remains appropriate and relevant by

- (a) Examining the availability of Articling positions and develop a Policy and proposals on access to Articling positions and remuneration.
- (b) Examining the effectiveness of Articling and develop proposals for the enhancement of Articling as a student training and evaluation program.
- (c) Examining alternatives to Articling.

Strategy 3-2: We will ensure that appropriate standards are maintained for ethical and professionally responsible practice of law by

Reviewing standards to ensure they are effective to reduce the likelihood of the laundering of money through the use of legal professionals.

Strategic Goal 4: Regulating the Practice of Law

The regulation of the practice of law is a key function of the Law Society and reflects how the public interest in the administration of justice is protected through setting standards for the competence and conduct of lawyers. Law Society investigations and hearings must continue to ensure that processes are fair and transparent.

The Goals that the Benchers have identified relating to this subsection of the Act are:

Strategy 4-1: We will maintain a fair and transparent process through which concerns about lawyers' professional conduct can be investigated and, where appropriate, sanctioned by

Continuously examining our regulatory processes to ensure they are fair and transparent and that they work to protect the public interest.

Strategy 4-2: We will enhance our regulatory oversight of law firms by

Implementing the recommendations of the Law Firm Regulation Task Force.

Strategy 4-3: We will mitigate risk and prevent misconduct and improve regulatory outcomes by

Examining “pro-active” or “outcomes focused” methods of regulation to complement the disciplinary process.

Strategy 4-4: We will review our disclosure processes to balance transparency and privacy by

Undertaking an examination of disclosure and privacy issues relating to Law Society core functions and recommend updates to our current practices.

Strategic Goal 5: Supporting and Assisting Lawyers, Articled Students, and Lawyers of other Jurisdictions who are Permitted to Practise Law In British Columbia in Fulfilling their Duties in the Practice of Law

While the public interest is the focus of the work of the Law Society, the public interest is also served where, as relevant, the Law Society can support and assist students and lawyers to meet the standards the Law Society has established. Disciplining those who fail in meeting standards will always be important, but such processes address after-the fact results. On the other hand, providing resources to assist lawyers and students in meeting the standards can lead to better and healthier lawyers and reduce the likelihood of incidents that will lead to a regulatory outcome.

Strategy 5-1: We will improve the mental health of the legal profession by

- (a) Identifying ways to reduce the stigma of mental health issues.
- (b) Developing an integrated mental health review concerning regulatory approaches to discipline and admissions.

Strategy 5-2: We will develop initiatives to improve the retention rate of lawyers in the profession, including in particular Indigenous and women lawyers by

Promoting initiatives to improve the equity and diversity of the legal profession.