

Agenda

Benchers

Date:	Friday, February 2, 2024
Time:	8:00 am – Breakfast 9:00 am – Call to Order
Location:	The Bencher Meeting is taking place as a hybrid meeting. If you would like to attend the meeting as a virtual attendee, please email BencherRelations@lsbc.org
Recording:	<i>The public portion of the meeting will be recorded. Any private chat messages sent will be visible in a transcript of the meeting.</i>

OATH OF OFFICE

The Honourable Chief Justice Hinkson, will administer an oath of office (in the form set out in Rule 1-3) to President Jeevyn Dhaliwal, KC, First Vice-President Brook Greenberg, KC and Second Vice-President Lindsay R. LeBlanc, KC (individually) and all of the Benchers elected, re-elected or appointed for the term commencing January 1, 2024 (en masse).

1	Indigenous Welcome
2	Administer Oaths of Office

CONSENT AGENDA

Any Bencher may request that a consent agenda item be moved to the regular agenda by notifying the President and/or the Manager, Governance & Board Relations prior to the meeting.

3	Minutes of December 8, 2023 meeting (regular session)
4	Minutes of December 8, 2023 meeting (<i>in camera</i> session)
5	KC Nomination Advisory Committee Appointment
6	Retired Member Fee Waiver Request

Agenda

REPORTS		
7	President's Welcome and Report	Jeevyn Dhaliwal, KC
8	CEO's Report	Don Avison, KC
9	Briefing by the Law Society's Member of the Federation Council	Brook Greenberg, KC
GUEST PRESENTATIONS		
10	Update on the Lawyers Assistance Program	Derek LaCroix, KC
11	Access to Justice Presentation	Tina Parbhakar, A2JBC and co-founder of South Asian Legal Clinic of BC
DISCUSSION/DECISION		
12	Exploring Access to Justice Priorities for 2024	Claire Marchant
UPDATE		
13	Lawyers Indemnity Fund: Program Report for 2023	Su Forbes, KC
FOR INFORMATION		
14	External Appointment: Law Foundation of BC	
15	2024 Bencher and Executive Committee Meeting Dates	
16	2025 Bencher and Executive Committee Meeting Dates	
IN CAMERA		
17	Other Business	

Minutes

Benchers

Date: Friday, December 08, 2023

Present:

Christopher A. McPherson, KC, President	Geoffrey McDonald
Jeevyn Dhaliwal, KC, 1 st Vice-President	Steven McKoen, KC
Brook Greenberg, KC, 2 nd Vice-President	Paul Pearson
Paul Barnett	Georges Rivard
Kim Carter	Michèle Ross
Christina J. Cook	Gurminder Sandhu, KC
Tanya Chamberlain	Thomas L. Spraggs
Jennifer Chow, KC	Barbara Stanley, KC
Cheryl S. D'Sa, KC	Natasha Tony
Tim Delaney	Michael Welsh, KC
Lisa Dumbrell	Kevin B. Westell
Brian Dybwad	Sarah Westwood, KC
Sasha Hobbs	Guangbin Yan
Lindsay R. LeBlanc, KC	Gaynor C. Yeung
Dr. Jan Lindsay	

Unable to Attend: Kelly H. Russ

Staff:

Don Avison, KC	David MacLean
Avalon Bourne	Claire Marchant
Barbara Buchanan, KC	Fiona McFarlane
Natasha Dookie	Tara McPhail
Jackie Drozdowski	Jeanette McPhee
Su Forbes, KC	Cary Ann Moore
Vicki George	Doug Munro
Katrina Harry, KC	Mimi Odkhuu
Kerryn Holt	Michelle Robertson
Jeffrey Hoskins, KC	Lesley Small
Aara Johnson	Arrie Sturdivant
Alison Kirby	Christine Tam
Julie Lee	Adam Whitcombe, KC
Michael Lucas, KC	Charlene Yan
Alison Luke	Vinnie Yuen

Guests:	Simran Bains	2024 Appointed Bencher
	Dom Bautista	Executive Director, Courts Center & Executive Director, Amici Curiae Friendship Society
	Ian Burns	Digital Reporter, The Lawyer's Daily
	Nikki L. Charlton	2024 Bencher-elect
	Paul Hargreaves	CFO, Courthouse Libraries BC
	Ravi R. Hira, KC	2024 Bencher-elect
	Madeleine Holm-Porter	Law Society Guest
	Derek LaCroix, KC	Executive Director, Lawyers Assistance Program of BC
	James A.S. Legh	2024 Bencher-elect
	Benjamin D. Levine	2024 Bencher-elect
	Jamie Maclaren, KC	Executive Director, Access Pro Bono Society of BC
	Jaspreet Singh Malik	2024 Bencher-elect
	Jay Michi	2024 Bencher-elect
	Lee Nevens	First Vice-President, Canadian Bar Association, BC Branch
	Rob Seto	Director of Programs, CLEBC
	Kerry Simmons, KC	Executive Director, Canadian Bar Association, BC Branch
	James Struthers	2024 Bencher-elect
	Lana Walker	Assistant Dean of Law, Thompson Rivers University
	Jonathan Yuen	2024 Bencher-elect

CONSENT AGENDA

1. Minutes of November 3, 2023, meeting (regular session)

The minutes of the meeting held on November 3, 2023 were approved unanimously and by consent as circulated.

2. Minutes of November 3, 2023, meeting (*in camera* session)

The minutes of the *in-camera* meeting held on November 3, 2023 were approved unanimously and by consent as circulated.

3. Rule Amendments: Return to Practice

The following resolution was passed unanimously and by consent:

BE IT RESOLVED to amend the Law Society Rules as follows:

1. ***Rule 1 is amended in the definition of “qualification examination” by striking out “for the purposes of Rule 2-89 [Returning to practice after an absence]” and substituting “that may be required by the Credentials Committee as a condition for a lawyer’s or applicant’s return to practice;”.***
2. ***Rule 2-5 (2) is amended***
 - (a) ***by striking out “undertaking” and substituting “an undertaking” and***
 - (b) ***by adding “or 2-90 [Conditions on returning to practice]” at the end of the subrule.***
3. ***Rule 2-79 is amended:***
 - (a) ***in subrule (2) by adding “or 2-90 [Conditions on returning to practice]” at the end of the subrule,***
 - (b) ***in subrule (5)***
 - (i) ***by striking out “Rule 2-89 [Returning to practice after an absence] and substituting “the qualification examination”, and***
 - (ii) ***by striking out “the Executive Director’s decision ” and substituting “a decision”, and***
 - (c) ***in subrule (6), by striking out “Rule 2-89 [Returning to practice after an absence]” and substituting “the qualification examination.”***

4. ***Rule 2-85 (2) is amended by adding “or 2-90 [Conditions on returning to practice];” at the end of the subrule.***
5. ***Rule 2-88 (1) is amended by rescinding paragraph (a) and substituting:***
 - (1) In Rules 2-88 to 2-90, unless the context indicates otherwise, **“relevant period”** is the shortest of the following periods of time in the immediate past:
 - (a) 7 years;
 - (b) the time since the lawyer’s first call and admission in any jurisdiction;
 - (c) the time since the lawyer last passed the qualification examination.
6. ***Rule 2-89 is rescinded and the following is substituted***
 - 2-89** (1) If, for a total of between 3 years and less than 5 years in the relevant period, a lawyer has not engaged in the practice of law, the lawyer must not practise law without first completing the practice management course described in Rule 3-28 [*Practice management course*] or another course offered by the Society or by a provider approved by the Society.
 - (1.1) If, for a total of 5 years or more in the relevant period, a lawyer has not engaged in the practice of law, the lawyer must not practise law without first
 - (a) completing the practice management course described in Rule 3-28 or another course approved by the Executive Director, and
 - (b) certifying, in the prescribed form, that the lawyer has reviewed and understands all of the materials reasonably required by the Executive Director.
 - (2) Subrules (1) and (1.1) apply
 - (a) despite any other rule, and
 - (b) whether or not the lawyer holds or is entitled to hold a practising certificate.
 - (3) A lawyer may apply in writing to the Credentials Committee for permission to practise law without completing a requirement set out in subrule (1) or (1.1).
 - (4) On an application under subrule (3), the Credentials Committee may approve the application if, in its judgement
 - (a) the lawyer has engaged in activities that have kept the lawyer current with substantive law and practice skills, or
 - (b) the public interest does not require the lawyer to complete the relevant requirements.
 - (5) Before approving an application under subrule (4), the Credentials Committee may require the lawyer to enter into a written undertaking to do

any of the things set out in Rule 2-90 (5) (b) [*Conditions on returning to practice*].

7. Rule 2-90 is amended by rescinding subrules (4) and (5) and substituting the following:

- (5) As a condition of permission to practise law under subrule (1), the Credentials Committee may require one or more of the following:
- (a) successful completion of all or part of one or more of the following:
 - (i) the admission program;
 - (i.1) the qualification examination;
 - (ii) the practice management course described in Rule 3-28 [*Practice management course*] or another course approved by the Executive Director;
 - (iii) certification, in the prescribed form, that the lawyer has reviewed and understands all of the materials reasonably required by the Executive Director;
 - (b) a written undertaking to do any or all of the following:
 - (i) practise law in British Columbia immediately on being granted permission;
 - (ii) not practise law as a sole practitioner;
 - (iii) practise law only in a situation approved by the Committee for a period set by the Committee, not exceeding 2 years;
 - (iv) [rescinded]
practise law only in specified areas;
 - (vi) not practise law in specified areas.

8. Rule 3-45 (3) is amended by adding “or 2-90 [*Conditions on returning to practice*].” at the end of the subrule.

9. Schedule 1 is amended

(a) in the title, by striking out “2023” and substituting “2024”

(b) in Section E. Transfer fees, by striking out “2-89 (6) [*Returning to practice after an absence*]” and substituting “2-90 (5) [*Conditions on returning to practice*]”.

REQUIRES 2/3 MAJORITY OF BENCHERS PRESENT

4. Rule Amendments: Rule 1 Definition “Motions Adjudicator”

The following resolution was passed unanimously and by consent:

BE IT RESOLVED to amend the Law Society Rules as follows:

1. ***Rule 1 is amended in the definition of “motions adjudicator” by striking out the word “Bencher”***

REQUIRES 2/3 MAJORITY OF BENCHERS PRESENT

5. External Appointment: Legal Aid BC

Brian Dybwad recused himself from this item.

This item was removed from the Consent Agenda for discussion *in camera*.

Following discussions *in camera*, the following resolution was passed unanimously:

BE IT RESOLVED the Benchers appoint Eloise Spitzer and Thomas Arbogast, KC, to the LABC Board for three-year terms commencing December 11, 2023 and concluding on December 10, 2026.

REPORTS

6. President’s Report

President Christopher A. McPherson, KC confirmed the recusals from Item 5 for Brian Dybwad and Item 10 for Gaynor C. Yeung. He confirmed that no further conflicts of interest had been declared.

Mr. McPherson began his report by congratulating the Benchers that were elected to the 2024 Executive Committee and thanking all those who put forward their names.

Mr. McPherson spoke about his time as a Bencher and reflected on his experiences and the people with whom he worked. He spoke about the dedication of Benchers and Law Society staff towards serving the public interest in the administration of justice and the important role of the Law Society. He spoke about his experiences as a member of the 2SLGBTQI+ community, and how this contributed to his desire to run for Bencher and for President. Mr. McPherson spoke about the responsibility of lawyers to advance the rights of every single person in the province and elsewhere, and to support clients, sometimes against the interests of government. Mr.

McPherson referenced the single legal regulator initiative and the importance of the independence of the profession and of the regulator.

Mr. McPherson spoke about his time as President of the Law Society and highlighted a number of the Law Society's accomplishments during his time as Bencher, in particular the work of the Mental Health Task Force, and the efforts made towards truth and reconciliation through the adoption by Benchers of the report of the Indigenous Engagement in Regulatory Matters Task Force. He indicated that the conclusion of his time as a Bencher was bittersweet, and he thanked everyone for their support.

7. 2024 Committees, Task Forces, and Working Groups

First Vice-President Jeevyn Dhaliwal, KC introduced the item and provided some background on her recommendations for the 2024 committees, task forces, and working groups. She spoke about the essential importance of the independence of the profession and of the regulator with the Ministry moving towards tabling the proposed single legal regulator legislation in the spring of 2024. She also spoke about access to justice being the central driver of the Ministry's proposal, and that these critical matters should be addressed by the Bencher table as a whole and not delegated to committees. Ms. Dhaliwal indicated that she would not be appointing members to the Access to Justice Advisory Committee or the Ethics and Lawyer Independence Advisory Committee, and that these issues would be discussed and considered directly by Benchers with staff bringing forward materials as necessary.

8. CEO's Report

Don Avison, KC began his report by updating Benchers on completion rates for the Indigenous Cultural Awareness Program. He indicated that a considerable number of lawyers have not yet reported completion of the program, and that communication efforts regarding this requirement and consequences of not completing the program by the due dates had increased and become more direct. Mr. Avison informed Benchers that staff completion rates of the program are quite high, and that completion of the program is a condition of new employment with the Law Society.

Mr. Avison updated Benchers on the status of *Federation of Law Societies of Canada v. Canada (Attorney General)*, 2023 BCSC 2068, which sought an injunction against sections 237.3 and 237.4 of the *Income Tax Act*, requiring legal professionals to report certain client transactions to the Canada Revenue Agency. He indicated that the injunction was granted, and that he would keep Benchers informed as to the final ruling. He also indicated that it would be necessary from time to time to enforce the independence of the profession and the profession's obligations to clients.

Mr. Avison informed Benchers that the focus of the 2024 International Conference of Legal Regulators would be on engagement with Indigenous populations, and that the Law Society would have the opportunity to play a role with the program conference.

Mr. Avison then presented on the current status of the Law Society's Strategic Plan. He indicated that quite a bit of progress has been made on the plan's objectives, and provided an overview of the work being done for each of the initiatives supporting the objectives of the plan.

Vicki George, Senior Advisor, Indigenous Engagement, from the Wet'suwet'en First Nation provided an overview of the work being done in support of the Law Society's truth and reconciliation objectives. She also gave an overview of the work that was being done to implement the recommendations included within the report of the Indigenous Engagement in Regulatory Matters Task Force (IERM). She spoke about the work that was done to commemorate Indigenous History Month, the National Day of Truth and Reconciliation (Orange Shirt Day), and Indigenous Veterans' Day. Ms. George also spoke about the importance of Indigenous people and non-Indigenous people working together on these matters. She also spoke about the distinctive history of Indigenous Peoples that needs to be addressed. Mr. Avison spoke about the development of the IERM Task Force as a result of the Bronstein decision. He also spoke about the Law Society's engagement with the Tsilhqot'in Chiefs, along with Terri-Lynn Williams-Davidson, KC, on this matter, and that the Law Society would continue with this engagement.

DISCUSSION/DECISION

9. Mental Health Task Force Final Report

Second Vice-President Brook Greenberg, KC, Chair of the Mental Health Task Force introduced the item and provided some background regarding the recommendations included within the Final Report of the Task Force. Mr. Greenberg provided a brief overview of the recommendations contained within the report, many of which had been developed following the Task Force's comprehensive review of the *National Study on the Health and Wellness Determinants of Legal Professionals in Canada*. He also reviewed those recommendations regarding the Law Society's continued engagement with mental health and substance use issues once the Mental Health Task Force completes its work at the end of the year.

Benchers discussed the report and the Task Force's recommendations, including a system for dispatching lawyers on an emergency basis to act as custodians for a short period of time in situations in which a lawyer is undergoing medical treatment or dealing with a health issue. Benchers also discussed how to manage custodianships in a transparent manner that also addressed the stigma associated with mental illness. Mr. Greenberg advised that the Task Force

had considered these items and recommended that a working group of three Benchers be appointed as a sub-committee of the Equity, Diversity, and Inclusion Advisory Committee to look into this issues.

Benchers discussed the role of the Federation of Law Societies of Canada in the national wellbeing of the profession. Mr. Greenberg advised that he expected the Federation would likely be creating a standing committee on the wellbeing of the profession, and that the Law Society’s Equity, Diversity, and Inclusion Advisory Committee could monitor the status of discussions at the national level and make recommendations to Benchers on this work. Mr. Greenberg concluded the discussion by recognizing that this was the fifth and final report of the Mental Health Task Force and thanked Benchers for supporting the work of the Task Force.

The following resolution was passed unanimously:

BE IT RESOLVED that the Benchers approve the six recommendations contained in the Mental Health Task Force’s Final Report.

10. Access to Justice Report: Alternative Business Structures

Gaynor C. Yeung recused herself from this item.

Dr. Jan Lindsay, Chair of the Access to Justice Advisory Committee introduced the item and provided some background on the proposal regarding multi-disciplinary practices and alternative business structures. She reviewed in detail the proposed recommendations contained within the report to, in principle, consider whether a liberalization of the current requirements in the rules for multi-disciplinary practices regarding lawyer ownership and control, and to permit alternative business structures in BC might result in improved access to legal services. However, Dr. Lindsay indicated that any proposed reforms would need to be considered carefully to ensure that adequate safeguards would be in place. She spoke about the need to create greater flexibility in the market in terms of how legal services are delivered, recognizing that the public’s need for legal needs are often intertwined with other issues, and that many members of the public currently struggle to access legal services within the existing regulatory framework.

Benchers discussed multi-disciplinary practices with some Benchers raising concerns about ownership of these practices being dispersed amongst groups where the enterprise may be driven by profit without appropriate risk mitigation in place, particularly as the Law Society is only able to regulate lawyers. Benchers also discussed whether or not the Law Society would be able to regulate these types of structures effectively. Dr. Lindsay advised that the proposal was in early stages, and that caveats and safeguards would be developed to mitigate these possible scenarios.

Benchers discussed the overarching aim of the recommendations, with many Benchers in agreement that the goal was not necessarily to create large corporations within this structure, but

rather to encourage the creation of smaller collaborative models, in which the group of professions would all generally be regulated, and that it would be helpful to think about how to incentivize those interested in these new structures and practices to focus on an access to justice approach. Benchers also discussed how these models have worked in other jurisdictions and how to gather and track data to determine if these models are helpful in improving access to justice. Dr. Lindsay advised that it could be helpful to incorporate client feedback into the model, so as to gather data. Geoffrey McDonald, Vice-Chair of the Access to Justice Advisory Committee added that it would be helpful to think about gathering data regarding how the public is being served by the current model. Mr. McDonald also suggested that promoting access to justice could be added to both of the proposed recommendations to help clarify the purpose of these proposed structures and practices.

The following resolution was passed unanimously, subject to amending the recommendations to include “and promote access to justice” at the end of each recommendation:

BE IT RESOLVED that the Benchers support, in principle:

- a. the relaxation of the current requirements in the rules for multi-disciplinary practices regarding lawyer ownership and control, subject to determination as to what safeguards are necessary to preserve lawyer independence, professionalism and ethics, *and promote access to justice*; and
- b. permitting alternative business structures in BC, subject to determination as to what safeguards are necessary to preserve lawyer independence, professionalism and ethics, *and promote access to justice*.

UPDATES

11. Financial Matters

Ms. Dhaliwal, as Chair of the Finance and Audit Committee, introduced the item and thanked the members of the Finance and Audit Committee and staff for all of their efforts and work. Mr. Avison then gave a presentation on the Law Society’s 2023 Enterprise Risk Management Plan, along with changes from previous years. Mr. Avison summarized the Law Society’s major strategic risks, and indicated that risks related to cyber security and loss of key personnel had been moved higher on the register. He then reviewed the mitigation plans for these risks.

Jeanette McPhee provided an overview of the financial results and highlights to the end of September 2023. Ms. McPhee indicated that the General Fund operations had resulted in a positive variance to budget, due to higher interest income, additional practising lawyers, and fines and penalties revenue, along with permanent savings and expense timing differences. Ms. McPhee also provided an overview of forecasted 2023 year-end results, noting that revenue was

projected to be ahead of budget due to much higher interest income, a slightly higher number of practising lawyers, and additional administrative penalties revenue. Ms. McPhee indicated that total operating expenses were projected to be below budget for the year due primarily to savings with external counsel fees. Ms. McPhee concluded her remarks with an overview of the Law Society's investment portfolio.

FOR INFORMATION

12. Indigenous Engagement in Regulatory Matters Progress Update Report

There was no discussion on this item.

13. Year-End Advisory Committee Reports

There was no discussion on this item.

14. Equity, Diversity and Inclusion Committee: Diversity Action Plan Implementation Report

There was no discussion on this item.

15. External Appointment: Law Foundation of BC

There was no discussion on this item.

16. 2024 Schedule of Bencher and Executive Committee Meetings

There was no discussion on this item.

FINAL REMARKS

Mr. Avison and First Vice-President Dhaliwal paid tribute to outgoing President McPherson and thanked him for his dedication, commitment, and significant contributions to the Law Society over the past year. Mr. McPherson thanked Mr. Avison and Ms. Dhaliwal for their kind words, and then welcomed Ms. Dhaliwal as President for 2024 and presented her with the President's pin.

The Benchers then commenced the *in camera* portion of the meeting.

Memo

To: Benchers
From: Executive Committee
Date: February 2, 2024
Subject: **Law Society Representatives on the 2024 KC Appointments Advisory Committee**

In accordance with the *King's Counsel Act*, the Attorney General must consult, inter alia, with two members of the Law Society appointed by the Benchers. The Benchers' past practice, on the recommendation of the Executive Committee, has been to appoint the current President and First Vice-President for that purpose.

The other members of the KC Appointments Advisory Committee are the Chief Justices, the Chief Judge, the Deputy Attorney General, and the CBABC President.

The Executive Committee recommends that Benchers approve the following resolution:

BE IT RESOLVED the Benchers appoint President Jeevyn Dhaliwal, KC and First Vice-President Brook Greenberg, KC as the Law Society's representatives on the 2024 KC Appointments Advisory Committee.

Memo

To: Benchers
From: Executive Committee
Date: February 2, 2024
Subject: **Retired Member Fee Waiver Request**

Purpose

This memorandum seeks the Benchers' approval of a request from a retired member to waive their retired member fee for 2024, and for the rest of the lawyer's life, on the basis of financial hardship.

Background

In accordance with section 14(1) of the *Legal Profession Act* and Law Society Rule 2-1, one category of membership established by the Benchers is retired members. The current fee for a retired membership is \$125.

Retired lawyers have almost all the rights of membership in the Law Society, including voting at the Annual General Meeting and in Bencher elections, and they may also run as a candidate in Bencher elections. However, they must undertake to refrain from practising law generally, although they may provide pro bono legal services. The retired member fee also includes providing retired lawyers with a subscription to *The Advocate*.

The Benchers have approved a recommendation of the Executive Committee to waive this retired member's fee annually since 2020. The retired lawyer has again requested a waiver of the retired member fee, in respect of 2024 as well as for the rest of the lawyer's life. The letters from the lawyer are not included in the agenda materials in order to protect the retired lawyer's privacy.

Request

As noted above, the retired lawyer has made this request annually since 2020. They have provided limited information beyond indicating they have been retired for 20 years and had been

paying the fee, but that they have found themselves in increasingly strained financial circumstances with no realistic prospect of things improving.

At its January 18, 2024 meeting, the Executive Committee considered the retired lawyer's request. The Committee agreed to recommend to Benchers the approval of the retired lawyer's request for a waiver of the 2024 retired member fee and the retired fees for the rest of the lawyer's life.

Decision

The Executive Committee recommends Benchers approve the following resolution:

BE IT RESOLVED the Benchers approve the retired member's request for a waiver of the retired member fee for 2024 and the retired fees for the rest of the lawyer's life.

CEO Report

February 2, 2024

Prepared for: Benchers

Prepared by: Don Avison, KC

1. February 2 Bencher Meeting

The February meeting, which will be the first for ten new Benchers, will cover a fairly extensive agenda.

Those newly elected Benchers have been actively engaged in the work of the Law Society since the beginning of the year but they, along with the President, the two Vice-Presidents, and the returning Benchers will all take the oath of office before Chief Justice Hinkson of the Supreme Court of British Columbia.

Prior to the oaths of office, there will be an Indigenous Welcome by elder Carleen Thomas of the Tsleil-Waututh Nation. In addition to her work with the Tsleil-Waututh, Ms. Thomas is also the Chancellor of the Emily Carr University of Art and Design.

In addition to updates from the President and the CEO, the February agenda will include a presentation by Derek LaCroix, KC, Executive Director of the Lawyers Assistance Program of British Columbia. We will also hear from Tina Parbhakar from Access to Justice BC about the opening of the South Asian Legal Clinic and Access to Justice Week.

During the early part of the year, we will be having senior staff provide overviews of their respective program areas. First up will be Su Forbes, KC, Chief Operating Officer of the Lawyers Indemnity Fund. Ms. Forbes is consistently recognized, nationally and internationally, as a key leader and expert in lawyer-focused indemnity programs.

Paul Craven, Assistant Deputy Minister at the Justice Services Branch of the Ministry of Attorney General will also be attending to provide information to Benchers about the Ministry's latest position on governance structures. That portion of the meeting will be *in camera*.

2. Indigenous Cultural Awareness Program

I am pleased to report that we have recorded a very high level of program completion amongst the profession with only a modest element of the profession in non-compliance.

I expect to be able to report out on the specific completion numbers, together with a report on internal Law Society completion rates, at the February meeting.

3. Single Legal Regulator Update

In addition to hearing from Mr. Craven, I will be providing Benchers with a summary of recent discussions with the Canadian Bar Association British Columbia Branch, with the Federation Executive and with the CEOs of law societies in the four western provinces.

I should also report that President Dhaliwal, joined by Second Vice-President Lindsay LeBlanc, KC, and public Bencher Michèle Ross and I, met with Attorney General Sharma at the Vancouver Cabinet Office on January 25, 2024. You can expect a more fulsome discussion about this at the February meeting, but that will also take place *in camera*.

President Dhaliwal and I will also be meeting with the Benchers of the Law Society of Alberta on February 29th for a discussion regarding the implications of a single legal regulator.

4. Addressing Late Filings on Mortgage Discharges

Benchers will be aware that we have had a requirement that lawyers report late filing of mortgage discharges since the Wirick crisis in the early 2000s. The annual number of filings was very consistent for a number of years but saw a sharp rise from 856 in 2019 to 4386 in 2021. In addition to the time and effort necessary to file reports with us, the failure of banks to provide mortgage discharges in a timely fashion meant lawyers had to devote time and effort to following up with the banks. In 2022, we, along with the Society of Notaries Public of BC and the Land Title and Survey Authority brought this problem to the attention of Consumer Protection BC and provided them with evidence to follow up with the banks. To date, Consumer Protection BC has obtained undertakings from 11 of the major banks and credit unions to correct their non-compliance with mortgage discharge requirements under the *Business Practices and Consumer Protection Act* and made combined payments to the Consumer Advancement Fund of almost \$12 million. Equally important, in 2023 we received only 682 late filing reports. While the successful outcome received little attention, it nevertheless represents how the Law Society can work with other organizations to assist lawyers in serving their clients in the public interest.

5. Retreat Planning

Planning is underway for this year's retreat which, one again, will take place in Whistler.

I will be asking First Vice-President Brook Greenberg, KC to provide a brief summary of the proposed program content.

As Benchers know, the Friday retreat is followed by a Saturday morning Bencher meeting. I am expecting that the focus of that discussion will be on the importance of preserving the independence of the profession and the inextricable link to preserving the independence of the regulator.

I note that this year's retreat will take place two weeks after the anticipated completion of the Legislative Assembly's Spring Session.

6. Meeting with the Federal Attorney General

On January 15, 2024 the Law Society took part in a meeting organized by the Canadian Bar Association British Columbia Branch with Federal Attorney General Virani. Representatives of the Canadian Association of Black Lawyers, South Asian Bar Association, Federation of Asian Canadian Lawyers and the Trial Lawyers Association were also in attendance.

The primary focus of the discussion was on encouraging an increase in applications for federal judicial appointments.

I will take some time at the February meeting to inform Benchers of the role the Law Society can, and should, take to help facilitate a greater understanding of the applicable processes and the public interest need to widen the pool of potential applicants.

Don Avison, KC
Chief Executive Officer

Memo

To: Benchers
From: Brook Greenberg, KC, Law Society Representative on the Federation Council
Date: January 19, 2024
Subject: **Report on the Federation of Law Societies of Canada (the “Federation”)
December 2023 Council Meeting**

Purpose

1. This memorandum is intended to provide a summary of the Federation Council’s December 2023 meeting.

The Federation Council Meeting

2. The Federation Council met virtually on December 11, 2023.
3. As in the past, the December meeting was largely a planning and organizational meeting for the year to come.
4. Council approved the composition of its various committees, including the newly established Standing Committee on Wellness and the Good Character Working Group.
5. Council also approved the fees paid by the law societies for CanLII for 2024.
6. Finally, Council approved the proposed Annual Activity Plan.
7. In addition to these approvals, Council received reports from its committees, as well as CanLII and Lexum.
8. Some of the more significant updates are summarized below.

The Indigenous Advisory Council (the “IAC”)

9. As provided for in the IAC Terms of Reference, the IAC continued to be invited to send a member to each Federation meeting, including the December meeting. This meeting was attended by Cathy Banning on behalf of the IAC.

10. At the time of the Council meeting, the IAC had not met since the October Council meeting, but was scheduled to meet on December 13, 2023. The primary purpose of that meeting was to discuss with representatives of CanLII the potential to incorporate more Indigenous content into CanLII.

The National Requirement Review Committee (the “NRRC”)

11. The NRRC has received feedback from its requests for comments on the discussion paper that was circulated in May 2023, and it has scheduled meetings in December 2023, and January and February 2024, to discuss that feedback.
12. The NRRC expects to deliver a final report with its recommendations for the March 2024 Council meeting.

Money Laundering Prevention

13. The Standing Committee on Anti-Money Laundering and Terrorist Financing reported that it was exploring a benchmarking initiative to obtain information and data rules in a systemic way on the experiences of law societies with respect to Anti-Money Laundering.
14. The purpose of seeking this data is to help inform the Federation’s model regulatory approach to money laundering and other financial crime issues.

National Wellness Study

15. The National Wellness Study Steering Committee (the “Steering Committee”) reported that the Phase II interviews being conducted by the researchers are nearly complete.
16. The Steering Committee has received the first draft Phase II Report for the Law Society of BC, and was set to meet on December 18, 2023, to discuss.
17. The completion of all Phase II Reports is anticipated in the fall of 2024.

Constitutional Challenge to Mandatory Reporting Provisions in the *Income Tax Act*

18. Council received an update on this litigation, including that the B.C. Supreme Court had granted the Federation’s application for an interlocutory injunction until the challenge is determined on the merits.
19. The CBA is in the process of seeking to intervene in the challenge. The Federation supports that proposed intervention.
20. A hearing on the merits of the substantive petition is expected to be set for a date in 2024.

Working Group on National Good Character Standards

21. Council previously passed a motion to establish and set the terms of reference for a working group to consider and make recommendations relating to:
 - the policy rationale for a good character requirement;
 - identifying and minimizing the potential adverse effects of the good character requirement and assessment process, including potential differential effects on “marginalized groups”; and
 - best practices regarding the assessment of good character.
22. The Working Group is meant to deliver its recommendations to Council by, or before, March 2025.

Standing Committee on Wellness

23. Council previously passed a motion to establish and set the terms of reference for a Standing Committee on Wellness tasked with:
 - considering the National Wellness Study reports and the role of the Federation in responding to them;
 - considering wellness initiatives that the Federation might undertake, in addition to those specified in the National Wellness Study reports;
 - liaising with other Federation Committees;
 - considering the creation of a forum to evaluate the wellness challenges faced by law students and new lawyers;
 - making recommendations to Council on wellness issues and initiatives;
 - consulting with law societies and other stakeholders as appropriate in developing guidance and recommendations;
 - exploring opportunities for collaboration with law societies and other stakeholders on wellness initiatives; and
 - developing a work plan within six months of being constituted and providing an annual update on its work plan to Council.
24. The Committee is meant to deliver a first work plan within six months and expects to meet in late January to begin work on that task.

CanLII and Lexum Reports

25. CanLII has prepared its 2024 budget.
26. CanLII reported having 600,000 unique visitors per month, five million visits per quarter, and twenty-five million page views per quarter.
27. The Lexum board recently approved its financial statements, which included a clean audit report.
28. Lexum is on-boarding more employees, including more engineers, and now employs forty people.

Next Meeting

29. The next meeting of the Federation Council will be held in-person in Banff, Alberta on March 12, 2024.

Policy Brief

To: Benchers
From: Aara Johnson, Senior Policy Analyst
Claire Marchant, Director, Policy & Practice
Doug Munro, Staff Lawyer, Policy and Legal Services
Date: January 26, 2024
Subject: **FOR DISCUSSION – Exploring Access to Justice Priorities for 2024**

KEY POINT: While substantial efforts have been made, access to justice remains beyond the reach of many in British Columbia. Staff seeks the views of the Benchers on what access to justice issues remain unaddressed or could be approached differently, and the role the Law Society as regulator in addressing these issues.

Executive Summary

1. Improving access to justice in British Columbia has been a key priority for the Law Society. The Law Society has adopted a number of policy initiatives that it will continue to pursue, but this should not be to the exclusion of identifying new and different approaches to analyzing the issues that inform the current state of access to justice in British Columbia. The purpose of this policy brief is to provide some background in regard to how policy has been developed in this area and an overview of adopted policies, and facilitate a broader discussion on the role of the regulator in improving access to justice.

Issues

2. Access to justice is a multi-faceted challenge that can seem intractable. Potential solutions abound, but how to truly “move the needle” can be elusive. Measuring impact is difficult both before and after a policy is implemented. Moreover, there is the even more fundamental issue of whether the challenges to access to justice have been properly identified, are being analyzed correctly, and whether all aspects of the problem have been identified and understood. At the core of every policy analysis is a clear and informed understanding of the problem (or problems) to be addressed, and without that understanding, any solution that policy-makers adopt may in fact be ineffective or worse, counter-productive.

3. As the challenge is multi-faceted, progress on access to justice initiatives can also be dependent on the coordination of many entities – government, courts, practitioners, regulators – all with a myriad of important and sometimes competing priorities. While cooperative efforts are important, there are issues where the Law Society can be a voice for change, and others where it can be a driver of change.
4. With this in mind, the Law Society needs to be thoughtful and deliberate in identifying access to justice issues and focus on those where the Law Society has the greatest ability to create change.

Background

5. The Benchers have adopted a number of policies that establish the analytical framework in which access to justice policy development occurs. A list of the principles the Law Society has used in analyzing regulatory barriers to access to justice, the Law Society’s Access to Justice Vision, and references to other key reference documents is attached as **Appendix A**.
6. Over the past few years the Benchers adopted recommendations regarding a number of policies. **Appendix B** provides a summary of access to justice policies already adopted, including the policy’s current status and whether the Law Society can operationalize the policy independently or requires coordination with and cooperation of third parties.
7. In addition to the policies set out in **Appendix B**, the Law Society has long supported a number of other initiatives that address access to justice, including the allocation of trust fund interest to the Law Foundation, financial support for the Courthouse Libraries BC, CanLII and Access Pro Bono and more generally the promotion and support for the delivery of pro bono services by BC lawyers. More recently, the Law Society asked for amendments to the *Legal Profession Act* permitting the licensing of paralegals, and following the recommendation of the Licensed Paralegal Task Force, created the sandbox initiative to advance innovation in the delivery of legal services.
8. In regard to implementation priorities for 2024, staff will be working on proposals for reforming multi-disciplinary practices (“MDP”) and recognizing alternative business structures (“ABS”) following the approval in principle at the December 2023 Benchers meeting of this work. Expanding the models through which lawyers can offer legal services and increasing options for people experiencing legal issues aligns with the Law Society’s objective of being an innovative regulator and is within the Law Society’s ability to implement.
9. Staff will also continue with outreach to the courts regarding the need to build on innovative regulatory and court responses to accessing services undertaken during the COVID-19 pandemic, recognizing progress on these matters depends on coordination with third parties.

Analysis to Date

10. It is important for the Law Society to continue to address the access to justice challenges in British Columbia. In particular, the Law Society should focus on those issues that fall within the Law Society's jurisdiction.
11. Set out below are some themes and examples of issues the Law Society could consider to facilitate discussion and further issue identification.

Identified Barriers for Further Exploration

12. The Law Society identified a number of barriers to meaningful access to justice in its 2020 Access to Justice Vision:¹
 - a. how our laws are developed - particularly their scope and complexity;
 - b. how law is implemented, enforced, interpreted and how disputes are resolved;
 - c. how our rules governing practice may prevent lawyers from creating new business models, new partnerships, new services and products, and keep out potential innovators who have made other industries more efficient, effective and resilient;
 - d. the cost of delivering legal services;
 - e. how lawyers direct their services, and how the government funds or does not fund legal services;
 - f. how geographical barriers affect access to legal services and the justice system;
 - g. historic disadvantages due to individual circumstances, including but not limited to economic means, education, race, religion, language skills, sexual orientation, disability, and gender; and
 - h. the systemic barriers people face in accessing the systems and services that exist for managing and resolving legal problems.

¹ Set out in Appendix B and available here: [An Access to Justice Vision for the Law Society of British Columbia, December 2020](#).

Legal Services in BC 2020 Survey

13. The Law Society conducted legal needs surveys in 2009² and 2020³ to get data to better inform policy work. The following summarizes a few findings that may be of interest from the 2020 survey.
14. The survey found that those who sought assistance were nearly twice as likely to have consulted a non-lawyer as a lawyer, with usage of non-lawyers up by 11 percent while usage of lawyers remained unchanged from the 2009 survey.⁴ Cost was the main reason for electing to work with a non-lawyer rather than a lawyer, and was the biggest barrier to hiring a lawyer in the future.⁵
15. Self-reliance was the main reason for not seeking legal assistance.⁶ This is interesting in the context of the findings about individual's knowledge of their personal legal rights, obligations, and resources, which found that those that are less knowledgeable about their rights are also less likely to seek any kind of legal assistance.⁷ The knowledge base generally presented potential issues for further exploration, with fewer than three-in-five British Columbians claiming to be knowledgeable about these issues, down 12 percent from 2009, with less than one-in-ten saying they feel 'very knowledgeable'.⁸ Fewer than one-in-five said they had received any kind of education or training on their personal legal rights, obligations, and resources.⁹

Applying an Access to Justice Lens to Contingency Fee Agreements

16. An issue within the jurisdiction of the Law Society¹⁰ that the Benchers could elect to explore is that of contingency fee agreements ("CFA"). Legal services provided pursuant to CFAs are an important access to justice opportunity for those with claims they would otherwise abandon due to the cost of legal counsel. CFAs can, and do in many cases, provide more access to justice by addressing the cost of legal services through back-loading the payment of legal fees. That said, issues have arisen regarding whether CFAs are fully delivering on their access to justice opportunity. Recently, issues related to CFAs also formed part of a resolution "Reform

² [Report: Legal Services in BC, September 2009 \(lawsociety.bc.ca\).](#)

³ [Ipsos Reid Survey on Legal Needs, Law Society of BC.](#)

⁴ *ibid.* at page 8.

⁵ *ibid.* at page 10.

⁶ *ibid.* at page 8.

⁷ *ibid.* at page 12.

⁸ *ibid.* at page 12.

⁹ *ibid.* at page 12.

¹⁰ Section 65(2) of the *Legal Profession Act* states:

(2) *The benchers may make rules respecting contingent fee agreements, including, but not limited to, rules that do any of the following:*

(a) *limit the amount that lawyers or law firms may charge for services provided under contingent fee agreements;*

(b) *regulate the form and content of contingent fee agreements;*

(c) *set conditions to be met by lawyers and law firms making contingent fee agreements.*

Exploitative Legal Fee Structures” carried by consensus at the Special Chiefs Assembly of the Assembly of First Nations.¹¹ The following is an excerpt from a whereas clause to the resolution:

Contingency fees can be particularly exploitative for First Nations who do not have the financial means to pay legal fees up front. Such fees have been subject to court scrutiny, where firms have charged up to 20 per cent of a settlement for legal services. They have been widely criticized for unfair outcomes, lack of transparency, and for resulting in legal fees which are out of proportion to typical market rates in other areas of law.

17. It stands to reason that there are unaddressed challenges in British Columbia in regard to CFAs to which the Law Society could analyze and respond, and presents an example of an issue where the Law Society need not rely on third parties to create change because of its rule-making authority as the regulator.¹²

Discussion

18. The following questions are suggested for Benchers discussion:

What is the role of the Law Society in addressing access to justice issues?

What, if anything, should the Law Society do to make policy makers and the public aware of what the profession does now to support access to justice initiatives?

What thoughts do the Benchers have on the position the Law Society should advance on access-related issues when engaging the provincial government and entities like the government’s Standing Committee on Finance?

With the role of the Law Society in mind, what access to justice issue(s) should the Law Society prioritize?

¹¹ [Resolution no.91/2023](#) adopted December 7, 2023:

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Direct the Assembly of First Nations to call on the Federation of Law Societies and the 14 provincial and territorial law societies to develop and implement, in coordination and collaboration with First Nations, distinctions-based rules of professional conduct to address fair and reasonable legal fees for First Nations clients.
2. Call on the Government of Canada to take a strong stance against law firms who prey upon First Nations and utilize exploitative legal fee structures against them.

¹² Any policy analysis on this topic would occur in conjunction and collaboration with any work undertaken in response to [Resolution no.91/2023](#) by Benchers and the Truth & Reconciliation Advisory Committee and would be guided by the [Indigenous Framework](#) and in consultation with the Senior Advisor, Indigenous Engagement. Moreover, selection of different access to justice policy initiatives for exploration by Benchers will not forestall any work to be undertaken in response to [Resolution no.91/2023](#) by Benchers and the Truth & Reconciliation Advisory Committee, which will also be guided by the [Indigenous Framework](#) and in consultation with the Senior Advisor, Indigenous Engagement.

APPENDIX “A” – Key Access to Justice Reference Documents

Principles for Access to Justice Policy Development

- **Reforms and innovation must balance theoretical benefits with actual safeguards.** This principle includes the idea that a certain benefit should trump a theoretical one, unless the magnitude of realizing the theoretical benefit greatly outweighs the actual impact of the benefit that is certain;
- **Reforms must target real problems and offer practical solutions.** Most policy analysis should include identifying and understanding the problem the Law Society seeks to address, and from that determine the causal relation between regulation or innovation and the problem or its potential solution. In order for lawyers to embrace changes and promote access, the changes need to be practical and alive to the realities of practising law;
- **Reforms should not sacrifice professionalism or standards of competence in order to maximize access:** The goal is not simply to improve access to justice and legal services, but access to meaningful justice and to competently delivered legal services;
- **The Law Society must not try to bring about change by regulating outside its jurisdiction; but should be prepared to make constructive suggestions beyond its jurisdiction when the public interest requires it.** In order to withstand judicial scrutiny and to achieve acceptance by the profession and other justice system stakeholders, it is important to ensure regulatory reform and innovation is consistent with s. 3 of the *Legal Profession Act*. However, because some matters within the Law Society’s mandate affect (and are impacted by) broad, societal conditions that lie outside its mandate, the Law Society might in some circumstances lend its voice to issues the Benchers determine it is in the public interest to do so.
- **The Law Society should explore what opportunities exist through regulation and innovation to promote access to justice and legal services, subject to the overriding object of protecting the public interest in the administration of justice.** The Committee recognizes the importance of a pro-active, positive statement of purpose to support the objects of advancing access to justice and legal services as being consistent with the Law Society’s broad, public interest mandate.

Law Society of BC's Access to Justice Vision

Preamble

Meaningful Access to Justice means that our justice systems, and the legal services that support them, are available, affordable, understandable and effective. Meaningful Access to Justice not only provides essential service to the people who must resort to our legal systems, but also sustains the rule of law on which our democracy depends. Without Meaningful Access to Justice, people do not receive the legal help that they need and public confidence in the rule of law and indeed, in democracy itself may falter.

The Law Society believes that:

1. Democracy depends on the rule of law and Meaningful Access to Justice is necessary to maintain it;
2. Meaningful Access to Justice can be achieved through several means, including the vindication of legal rights through our formal and informal dispute resolution systems, through law reform, and through political reform;
3. Legal service providers, including lawyers who are authorized to provide legal services for a fee, have an obligation to make their services appropriately accessible to the public;
4. Access to legal services has a regulatory component, and the Law Society should take appropriate steps to allow for legal markets and services to develop to address those needs;
5. Meaningful Access to Justice requires digitization of justice systems and legal services, as well as transformation of how those systems and services are delivered in order to reduce or eliminate the barriers identified below;
6. As the justice systems and legal services are modernized, particularly through technological solutions, it is important to ensure the solutions do not create new systemic barriers to Meaningful Access to Justice. This requires thoughtful design at the creation phase of any new approach to achieve the goal of equal access for all.
7. There are many barriers to Meaningful Access to Justice, including:
 - how our laws are developed - particularly their scope and complexity;
 - how law is implemented, enforced, interpreted and how disputes are resolved;
 - how our rules governing practice may prevent lawyers from creating new business models, new partnerships, new services and products, and keep out potential innovators who have made other industries more efficient, effective and resilient;

- the cost of delivering legal services;
- how lawyers direct their services, and how the government funds or does not fund legal services;
- how geographical barriers affect access to legal services and the justice system;
- historic disadvantages due to individual circumstances, including but not limited to economic means, education, race, religion, language skills, sexual orientation, disability, and gender; and
- the systemic barriers people face in accessing the systems and services that exist for managing and resolving legal problems.

The Vision

The Law Society plays an important role in reducing barriers to and enhancing Meaningful Access to Justice in British Columbia. The Law Society will address barriers to Meaningful Access to Justice by:

1. reviewing its regulatory and strategic policy, as needed, and making the necessary changes to reduce or remove barriers that are within the Law Society's authority to control guided by its statutory obligation to ensure the public is well-served by competent and ethical legal professionals;
2. understanding the nature of the barriers that lie outside the Law Society's authority to control and by exploring whether the Law Society has a role to play in helping people and groups overcome those barriers, whether by lending its voice to law and policy reform or by other advocacy efforts;
3. applying Access to Justice BC's Triple Aim measurement framework (which requires improving access for all British Columbians, including groups with particular interests, improving user experience, and improving costs in proportion to the benefits) to the Law society's development of strategic and regulatory policy;
4. analyzing available data and taking an objective, evidence-based approach to the Law Society's decisions and engagement with others in the justice sector;
5. listening to and learning from the diversity of perspectives of British Columbians; in particular, by understanding how some groups are particularly disadvantaged or face acute barriers to accessing justice, and by striving to develop policy that is responsive to those realities;
6. demonstrating leadership to help British Columbians achieve Meaningful Access to Justice. This leadership may include spearheading policy and rule reforms, and supporting government and other justice system stakeholders in developing new and innovative services. The Law Society recognizes that, from time to time, it will be necessary to advance transformative changes to our laws, legal system and related services.

Benchers are also encouraged to review:

- The Law Society's Vision for Publicly Funded Legal Aid, available here: [LegalAidVision2017.pdf \(lawsociety.bc.ca\)](#)
- Legal Aid Strategy, as referenced in Appendix "B".

APPENDIX “B” – Overview: Adopted Access to Justice Policy

Explanatory Note: Categorization offered below is to indicate what policies the Law Society can implement independently and which require coordination and cooperation with third parties.

Category 1: Matters that fall exclusively in the Law Society’s ability to control through Rules and/or Code changes.

Category 2: Matters require working collaboratively with other stakeholders (e.g. Government, the Courts, etc.).

POLICY	STATUS	CATEGORY
<p>ABS and MDP (December 2023): The Benchers adopted recommendations to relax the rules regarding multi-disciplinary practices and to permit alternative business structures, subject to a review of what regulatory efforts are required to preserve lawyer independence and professionalism and to improve access to legal services / justice.</p> <p>Available here at p. 93: 2023-12-08_agenda.pdf (lawsociety.bc.ca)</p>	Pending	<p>Category 1</p> <p>(Note: if policy exploration reveals need for legislative change, becomes Category 2.)</p>
<p>Universal Legal Aid Triage (December 2022): The Benchers adopted a recommendation to direct resources to advancing the universal legal triage concept contained in the Legal Aid Task Force’s March 2017 report to the Benchers.</p> <p>Available here at p. 178: Agenda: Benchers meeting, December 2, 2022 (lawsociety.bc.ca)</p>	Pending	Category 2
<p>Continuing professional development (“CPD”) credit for pro bono legal services (April 2022): The Benchers approved CPD credit for pro bono legal services. The ratio is 1 credit hour per 1 hour of qualifying pro bono legal services.</p>	Complete	Category 1

<p>The report is available at p. 134 of the April 2022 Benchers agenda: Agenda: Benchers meeting, April 22, 2022 (lawsociety.bc.ca)</p>		
<p>Learnings from COVID-19 Pandemic (December 2021): The Benchers adopted a series of recommendations relating to a review of responses to COVID-19. The recommendations fall into two broad classifications:</p> <ul style="list-style-type: none"> ▪ Considering how the regulatory touch can be streamlined to make compliance easier while not sacrificing public interest safeguards; and ▪ Exploring with the courts, in particular, ways to preserve and improve upon innovations to the delivery of legal services and justice that took place in response to COVID-19 (e.g. increased use of virtual processes.) <p>Report available at: Responding to COVID-19 and adjusting regulation to improve access to legal services and justice (lawsociety.bc.ca)</p>	Ongoing	Categories 1 and 2
<p>Improving Access to Justice in Family Law Matters October 2021): The Benchers adopted a series of recommendations regarding how to increase the use of non-adversarial dispute resolution in family matters, and improve the professions’ understanding about adverse childhood experiences.</p> <p>Report available at: Report: Increasing Awareness to Non-Adversarial Resolution in Family Law Matters (lawsociety.bc.ca)</p>	Pending	Categories 1 and 2
<p>Legal Aid Strategy (April 2020): The Benchers adopted a legal aid strategy which creates a legal aid monitoring brief, with two distinct processes:</p> <ul style="list-style-type: none"> ▪ Staying apprised of negotiations between the Association of Legal Aid Lawyers (“ALL”) 	Ongoing	Category 2

<p>and the BC government to determine if the Law Society should offer its views at any given stage; and</p> <ul style="list-style-type: none">▪ Considering whether the government’s negotiations with ALL fail to address important legal aid matters that require the Law Society to advocate for separate and apart from the negotiation process between government and ALL. <p>See also the Law Society Legal Aid Vision at: LegalAidVision2017.pdf (lawsociety.bc.ca)</p>		
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January 22, 2024

Sent via email

Josh Paterson
Executive Director
Law Foundation of British Columbia
1340-605 Robson Street
Vancouver, BC V6B 5J3

Jeevyn Dhaliwal, KC
President

Office Telephone
604.605.5394

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Dear Josh Paterson:

**Re: Appointment to the Board of Governors of the Law Foundation of
British Columbia**

I am pleased to confirm that the Law Society of BC's Executive Committee has appointed David Hughes (Yale County) to the Law Foundation's Board of Governors of BC for a three-year term, effective January 19, 2024 and concluding December 31, 2026.

I am confident that the Law Foundation and its important work will be well-served by the contributions of this engaged and accomplished member of the BC bar.

Yours truly,



Jeevyn Dhaliwal, KC
President, Law Society of BC

c. Mary Childs
Chair, Law Foundation of BC

Jessi McCallum
Governance & Executive Coordinator, Law Foundation of BC

Don Avison, KC
Executive Director/Chief Executive Officer, Law Society of BC

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2024 Bencher & Executive Committee Meetings

Executive Committee	Bencher	Other Dates
Thursday, January 18 Virtual	Friday, February 2 Hybrid	Jan 1: New Year's Day Jan 31: New Bencher Orientation Feb 2: Welcome/Farewell Dinner Feb 10: Lunar New Year TBA: CBABC Provincial Council Meeting TBA: CBA Annual General Meeting Feb 19: Family Day
Thursday, February 22 Virtual	Friday, March 8 Virtual	Mar 11 (sundown)-Apr 9 (sundown): Ramadan Mar 18-28: Spring Break Mar 29-Apr 1: Easter Apr 9 (sundown)-10 (sundown) Eid April 13: Vaisakhi
Wednesday, May 15 Hybrid	Saturday, June 1 Hybrid	May 20: Victoria Day May 30 to June 1: LSBC Bencher Retreat June 5-8: LSA Retreat
Thursday, June 20 Virtual	Friday, July 5 Virtual	June 21: National Indigenous Peoples Day July 1: Canada Day TBA: Federation Council Meeting Aug 5: BC Day TBA: IILACE Conference
Thursday, September 5 Hybrid	Friday, September 20 Hybrid	Sept 2: Labour Day Sept 24: AGM Sept 30: Truth and Reconciliation Day Oct 2 (sundown)-4 (sundown): Rosh Hashanah Oct 11 (sundown)-12 (sundown): Yom Kippur
Thursday, October 17 Virtual	Friday, November 1 Virtual	Oct 14: Thanksgiving Day Nov 1: Diwali TBA: IBA Annual Conference Nov 11: Remembrance Day Nov 15: Bencher By-Election TBA: Federation Fall Meetings
Wednesday, November 13 Hybrid	Friday, November 29 Hybrid	Dec 25: Christmas Day Dec 26: Boxing Day Dec 25(sundown)-Jan 2 (sundown): Hanukkah Dec 26-Jan 1: Kwanzaa

2025 Bencher & Executive Committee Meetings

Executive Committee	Bencher	Other Dates
Thursday, January 23 Hybrid	Friday, February 7 Hybrid	Jan 1: New Year's Day Jan 29: Lunar New Year Feb 5: New Bencher Orientation Feb 7: Welcome/Farewell Dinner TBA: CBABC Provincial Council Meeting TBA: CBA Annual General Meeting Feb 17: Family Day
Thursday, March 27 Virtual	Friday, April 11 Virtual	Feb 28 (sundown)-Mar 29 (sundown): Ramadan March 17-28: Spring Break March 30 (sundown)-April 1 (sundown) Eid April 13: Vaisakhi April 18: Good Friday April 21: Easter Monday TBA: IILACE Conference
Thursday, May 15 Hybrid	Saturday, May 31 Hybrid	May 19: Victoria Day May 29 to 31: LSBC Bencher Retreat (TBC) TBD: LSA Retreat
Thursday, June 19 Virtual	Friday, July 4 Virtual	June 21: National Indigenous Peoples Day July 1: Canada Day TBA: Federation Council Meeting Aug 5: BC Day Sept 1: Labour Day
Thursday, September 4 Hybrid	Friday, September 19 Hybrid	September 23: AGM Sept 23 (sundown)-24 (sundown): Rosh Hashanah Sept 30: Truth and Reconciliation Day Oct 1 (sundown)-2 (sundown): Yom Kippur Oct 13: Thanksgiving Day
Wednesday, October 8 Virtual	Friday, October 24 Virtual	Nov 1: Diwali TBA: IBA Annual Conference Nov 11: Remembrance Day TBA: Federation Fall Meetings
Thursday, November 20 Hybrid	Friday, December 5 Hybrid	Nov 15: Bencher General Elections Dec 25: Christmas Day Dec 26: Boxing Day Dec 14(sundown)-Dec 22 (sundown): Hanukkah Dec 26-Jan 1: Kwanzaa