



THE LAW SOCIETY
OF BRITISH COLUMBIA
2013 REPORT ON
PERFORMANCE



Taking action on
access to legal services

lawsociety.bc.ca

Our mandate

The Law Society of British Columbia regulates the legal profession in BC, protecting the public interest in the administration of justice by setting and enforcing standards of professional conduct for lawyers. We ensure the public is well served by legal professionals who are honourable and competent. We also bring a voice to issues affecting the justice system and the delivery of legal services.



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Access to Legal Services



President's Message



For me, 2013 was both a year of reaching out to others in our community and encouraging innovation in access to justice at the Law Society and in our profession.

Reaching out for innovation

As I reflect on the developments in the justice system over my 10 years as a Bencher, most recently as President, I am struck by the changes that have occurred. One cannot fail to have noticed the increasing number of blogs, websites, articles and reports devoted to the need for change in the delivery of legal services and the developments in the delivery of legal services in Canada, the United Kingdom, Australia, the United States and elsewhere. And yet there remains much more to be done. As the National Action Committee stated in its report last fall:

"Taken together, what is needed is major, sustained and collaborative system-wide change — in the form of cultural and institutional innovation, research and funding-based reform."

This need for sustained systemic change requires us to engage with our clients, the judiciary, the profession and government and take steps to see the public is better served by our profession and even other legal service providers. For me, 2013 was both a year of reaching out to others in our community and encouraging innovation in access to justice at the Law Society and in our profession.

Engaging the judiciary

During 2013, I thought it important to engage with the judiciary on issues that affect both the Courts and the profession in order to initiate an ongoing mutual dialogue about these issues. Early in the year, I had meetings with Chief Justice Finch, Chief Justice Bauman and Chief Judge Crabtree about various matters of mutual interest, including enhancing access to legal services and enhancing the retention of women and young lawyers in BC's legal profession.

Outreach to paralegals

Throughout the year I spoke to many paralegals and lawyers about the importance of the designated paralegal program and family law paralegal pilot project. The work of the Benchers in permitting designated paralegals opened the door to other opportunities to improve the efficiency and affordability of the justice system. After extensive consultations with the BC Supreme Court and the BC Provincial Court, we were successful in establishing a two-year paralegal pilot project in partnership with the Courts. This initiative provides designated paralegals with a limited right of audience and hopes to identify whether lawyer-supervised paralegals are able to perform certain procedural applications in court in an efficient and competent manner.

continued...

President's Message *...continued*

The work of the Benchers in permitting designated paralegals opened the door to other opportunities to improve the efficiency and affordability of the justice system.

Addressing equal justice

The year saw several conferences and summits devoted to the issue of access to justice. I spoke on our designated paralegal program at the Envisioning Equal Justice conference in Vancouver and met with Mr. Justice Cromwell during the course of his work with the National Action Committee. We also saw the inaugural Justice Summit in March at which the focus was on reforms to the criminal justice system and the second Justice Summit in November that expanded and further articulated the goals and objectives for the criminal justice system in BC. These conferences and summits further heightened our awareness of the need to address better access and I am confident that the recommendations generated from these meetings will provide a roadmap for future innovation in the justice system.

Innovation in regulation

The recommendations in the final report of the Legal Service Providers Task Force were unanimously approved by the Benchers at their December meeting. These groundbreaking recommendations included developing a framework for the regulation of non-lawyer legal service providers, certification of paralegals and entering into discussions about a merger of the operations of the Law Society and Society of Notaries Public of British Columbia. The implementation of these recommendations, intended to increase access to affordable legal services, could ultimately transform the regulation of legal services in BC.

Benchers and staff dedicated to public interest

Since becoming a Bencher in 2004, I have had an extraordinary opportunity to serve the public and work alongside a diverse group of lawyers and other stakeholders in the legal profession. I would like to express my deepest thanks and appreciation to the Benchers who guide the Law Society, to our CEO Tim McGee, and to all the management and staff who are fully committed to the public interest. It has been an enormous honour to be president of this exceptional organization during a year when critical steps towards improving access to justice came to fruition.



Art Vertlieb, QC
President

Strategic Plan Progress

Strategic Goal 1: Innovative and effective regulator

Future of legal services regulation

The Law Society held public consultations in Vancouver, Victoria and Prince George to gain input on the proposed single regulation of legal service providers.

The Benchers then approved, in principle, three recommendations:

1. Merge the regulatory operations of the Law Society and Society of Notaries Public of British Columbia.
2. Certify paralegals who meet specific requirements that will be established by the Law Society.
3. Develop a regulatory framework to credential and regulate legal service providers other than lawyers and notaries.

These proposals will be developed in consultation with the notaries, paralegal organizations, government and others.

It is encouraging to see our justice partners work together to transform the regulation and delivery of legal services to the citizens of our province. The Law Society has shown tremendous leadership, and the recommendations made today signal that progress is being made to improving access to justice for British Columbians.

Suzanne Anton, QC, Attorney General and Minister of Justice December 6, 2013

Dual role as insurer and regulator of lawyers

A report from the Rule of Law and Lawyer Independence Advisory Committee concluded that there are certain tensions between the Law Society's co-existing responsibilities as both regulator and insurer of lawyers which require consideration of corrective measures.

A working group will examine the two solutions proposed in the report:

1. Modify the Lawyers Insurance Fund's current integration as a Law Society department.
2. Operate the Lawyers Insurance Fund as a separate legal entity.

By following this recommended course, the advisory committee believes that the Law Society's ability to manage its co-existing responsibilities can be substantially improved, while preserving existing public interest benefits that result from the Law Society's fulfillment of both its regulatory and insurance functions.

Lawyers surveyed about wellness programs

BC lawyers were invited to complete an on-line survey to provide feedback on current wellness programs and to identify barriers to lawyers using these programs. These survey results will assist a working group in making recommendations on how to improve the uptake of these programs and maximize their benefits.

New BC Code in effect January 1, 2013

The new *Code of Professional Conduct for British Columbia (BC Code)* came into effect January 1, 2013, replacing the *Professional Conduct Handbook*. The *BC Code*, which details lawyers' ethical responsibilities, is based on the Federation of Law Societies of Canada's Model Code of Professional Conduct and enhances interprovincial mobility. These national standards help ensure the public is served by lawyers who are held to the same high level of competence and ethics in every province.

Governance review recommendations proceed

The Law Society continued making improvements to its governance practices in accordance with the 60 recommendations from its governance review in 2012, which included:

- communicating the desire for diversity at the Bencher table prior to the 2013 Bencher election;
- combining the Finance and Audit Committees;
- developing terms of reference for the newly constituted Governance Committee;
- approving a requirement for Benchers and committee members to annually complete evaluations.

Strategic Plan Progress

Strategic Goal 2: Access to Legal Services

Designated paralegals pilot project launches

On January 1, 2013, designated paralegals were permitted to make limited appearances in court to deal with certain procedural applications in family law. Retired and non-practising lawyers are also allowed to work as designated paralegals, under the supervision of a practising lawyer. The pilot project is in addition to earlier regulatory changes that permit designated paralegals, working under the supervision of a lawyer, to provide legal advice directly to clients in any area of law.

“Together with the courts, we’re trying this out for two years to see whether paralegals can provide these services in an effective and competent manner. It is our hope that the project succeeds and can eventually be expanded into other areas of law.

Doug Munro, Law Society Policy Lawyer

Pro bono funding increased

The Law Society increased the level of funding provided to the Law Foundation to support pro bono organizations and to create a new Access to Justice Fund designed to fund discrete access to justice initiatives.

Justicia Project underway

The Justicia Project was originally developed by the Law Society of Upper Canada and is now underway in BC. The purpose of this initiative is to retain and advance women lawyers in private practice. The Law Society has a 100 per cent participation rate from the 17 national and large regional firms that were invited to participate in the first phase of Justicia.

Aboriginal mentorship program launches

The Law Society launched a new program to help retain and advance Aboriginal lawyers in BC. The Aboriginal Lawyers Mentorship Program, the first of its kind in North America, is a partnership between the Law Society, the Indigenous Bar Association and the Canadian Bar Association, BC Branch’s Aboriginal Lawyers Forum. In 2013, our mentoring program paired 17 experienced lawyers with 17 less experienced Aboriginal lawyers.

Law Society continues funding REAL Initiative

The Law Society helped fund the Rural Education and Access to Lawyers (REAL) initiative by contributing \$50,000 to the Canadian Bar Association, BC Branch program. The REAL program seeks to address the current and projected shortage of lawyers in rural areas of the province by placing summer students and new lawyers in small, underserved communities.

“Aboriginal people are under-represented in the legal profession. The Law Society wants to see more young Aboriginal lawyers stay in the profession and we believe strong mentoring is a good way to start.

*Maria Morellato, QC,
Chair, Equity and Diversity Advisory Committee*

Strategic Plan Progress

Strategic Goal 3: Public Confidence

Law Week

Law Week is an annual Canadian Bar Association educational event co-sponsored by the Law Society and others. This year, the Law Society made available to news media its governors and senior staff to speak on topics of public interest, such as access to justice in a changing legal marketplace.

“Whether it is the emergence of non-lawyer ownership of law firms in England and Australia, or growth in the number of ‘virtual law firms’ in Canada, the delivery of legal services today is very different from 20 years ago. During Law Week, the Law Society wanted the public to know about the available options when looking for legal services in BC.

Jan Lindsay, QC, *First Vice-President*

Speakers Bureau

In 2013, the Law Society Speakers Bureau was launched to provide information to the public and to lawyers about our organization and how to access our services. Our staff volunteers can speak on 14 topics of interest to the general public and 30 lawyer-related topics.

Clicklaw

In 2013, the Law Society became a contributor to Clicklaw, a website that provides legal information and education to British Columbians. Law Society resources available on Clicklaw help the public to understand what to expect when working with a lawyer and what to do if there is a problem.

Social media

The Law Society expanded its presence on Twitter, LinkedIn and its YouTube channel. Social media provides another opportunity to share information within the legal community and to communicate with the public about the purpose of the Law Society and its role in protecting the rule of law.

Strategic planning and core regulatory programs

The Law Society’s strategic planning process enables the Benchers to focus on policy development that is directly aligned with our primary responsibility, under the Legal Profession Act, to protect the public interest in the administration of justice.

The goals, strategies and initiatives set out in the 2012-2014 strategic plan are in addition to the overall operations of the Law Society’s core regulatory programs, such as discipline, credentials, and practice standards. These programs are fundamental to fulfilling the Law Society’s mandate and will always be priorities for the Society.

MORE INFORMATION

- 2012-2014 Law Society Strategic Plan

Benchers

The Benchers are responsible for the Law Society Rules, the *Code of Professional Conduct for British Columbia* and governance policies, and also govern and administer the affairs of the Society. Benchers serve two-year terms and can be re-elected or re-appointed for a maximum of eight years. The president is the chief elected official of the Law Society and serves a one-year term.



First, left to right:

C.E. Lee Ongman
(Cariboo County)

Leon Getz, QC
(Vancouver County)

Richard Fyfe, QC
(representing Attorney
General of BC)

E. David Crossin, QC
(Vancouver County)

FIRST VICE-PRESIDENT
Jan Lindsay, QC
(Westminster County)

PRESIDENT
Art Vertlieb, QC
(Vancouver County)

SECOND VICE-PRESIDENT
Ken Walker, QC
(Kamloops District)

CEO Timothy E. McGee, QC

David W. Mossop, QC
(Vancouver County)

Second, left to right:

Stacy Kuiack
(Appointed Bencher)

David M. Renwick, QC
(Westminster County)

Richard N. Stewart, QC
(Victoria County)

Tony Wilson
(Vancouver County)

Bill Maclagan, QC
(Vancouver County)

Phil Riddell
(Westminster County)

Gregory A. Petrisor
(Cariboo County)

Third, left to right:

Barry Zacharias
(Prince Rupert County)

Nancy G. Merrill
(Nanaimo County)

Miriam Kresivo, QC
(Vancouver County)

Haydn Acheson
(Appointed Bencher)

Kathryn Berge, QC
(Victoria County)

Fourth, left to right:

Peter B. Lloyd, FCA
(Appointed Bencher)

Benjimen Meisner
(Appointed Bencher)

Claude Richmond
(Appointed Bencher)

Herman Van Ommen, QC
(Vancouver County)

Lynal E. Doerksen
(Kootenay County)

Tom Fellhauer
(Okanagan District)

Not pictured:

Rita C. Andreone, QC
(Vancouver County)

Satwinder Bains
(Appointed Bencher)

Maria Morellato, QC
(Vancouver County)

Thelma O'Grady
(Vancouver County)

Vincent Orchard, QC
(Vancouver County)

Appointed Benchers

The six Appointed Benchers are members of the public who are not lawyers and are appointed by the provincial government. Appointed Benchers participate fully in policy debates, discipline and credentials hearings and all committees. Following are their observations about the role of Appointed Benchers and the Law Society's 2013 operations:

Appointed Benchers bring a public perspective and a different expertise to policy debates and governance of the Law Society. We ensure that discussions and decisions at the Bencher table consistently take the interests of the public into consideration.

In our view, 2013 was a particularly impressive year for the Law Society. In keeping with our public interest mandate, the Benchers wholeheartedly embraced a number of new initiatives to increase access to justice, such as approving, in principle, the inclusion of notaries under the same regulatory framework as lawyers.

The Law Society continued to increase the transparency of its process this year. Non-lawyer members of the public now serve as adjudicators when the review of a hearing panel's decision is required. Their participation in these review boards is in addition to being included in all discipline panels since 2011.

As a result of being directly involved in all regulatory processes, the Appointed Benchers are confident in the Law Society's ability to protect the public interest in every aspect of policy and operations.



Front, left to right:

Peter B. Lloyd, FCA is retired as an office managing partner with Grant Thornton, a Canadian accounting and advisory firm.

Benjimen Meisner has over 50 years of experience in the media working as a news reporter, writer and talk show host.

Back, left to right:

Claude H. Richmond is a former Speaker of the Legislative Assembly and the former Member of the Legislative Assembly for the Kamloops riding.

Haydn Acheson is president and general manager of Coast Mountain Bus Company.

Satwinder Bains is a professor at the University of the Fraser Valley and the director of the Centre for Indo-Canadian Studies.

Stacy Kuiack is a corporate finance consultant and an executive in residence with the Peter B. Gustavson School of Business at the University of Victoria.

Committees and Task Forces



Art Vertlieb, QC

Chair
Executive Committee
Governance Committee
Appointments Subcommittee
Litigation Subcommittee



Tom Fellhauer

Chair
Act and Rules Committee



Peter Lloyd, FCA

Chair
Audit Committee



Haydn Acheson

Chair
Complainants' Review
Committee



Gregory Petrisor

Chair
Credentials Committee



Herman Van Ommen, QC

Chair
Discipline Committee

Committees

Executive

Assists the Benchers and the Executive Director in establishing relative priorities for the assignment of Law Society financial, staff and volunteer resources and planning Bencher meetings.

BENCHERS:
Art Vertlieb, QC (*Chair*)
Jan Lindsay, QC (*Vice-chair*)
David Crossin, QC
Stacy Kuiack
Nancy Merrill
Herman Van Ommen, QC
Ken Walker, QC

Act and Rules

Recommends amendments to the *Legal Profession Act* and Law Society Rules.

BENCHERS:
Tom Fellhauer (*Chair*)
Kathryn Berge, QC (*Vice-chair*)
Leon Getz, QC
Bill Maclagan, QC
David Renwick, QC

Audit

Assists the Benchers in determining that the financial affairs of the Law Society are properly managed by staff.

BENCHERS:
Peter Lloyd, FCA (*Chair*)
Rita Andreone, QC (*Vice-chair*)

NON-BENCHERS:
Jindy Bhalla
Peter Kelly
Simon Margolis, QC
Phillip Marshall

Complainants' Review

Reviews the case files of complainants who are dissatisfied with dismissal of their complaints.

BENCHERS:
Haydn Acheson (*Chair*)
Benjimen Meisner (*Vice-chair*)
Lee Ongman
Gregory Petrisor

NON-BENCHERS:
Johanne Blenkin
Pinder Cheema, QC

Credentials

Oversees the enrolment, education, examination and call to the bar of articulated students, the transfer of lawyers to BC and the reinstatement of former lawyers.

BENCHERS:
Gregory Petrisor (*Chair*)
Ken Walker, QC (*Vice-chair*)
Haydn Acheson
Jan Lindsay, QC
Peter Lloyd, FCA
David Mossop, QC
Thelma O'Grady
Vincent Orchard, QC
David Renwick, QC

NON-BENCHERS:
Rose Keith
Patsy Scheer
Angela Westmacott, QC

Discipline

Reviews complaints concerning lawyers or articulated students who are referred by Law Society staff, the Complainants' Review Committee or other committees.

BENCHERS:
Herman Van Ommen, QC (*Chair*)
Stacy Kuiack (*Vice-chair*)
Bill Maclagan, QC
Maria Morellato, QC
Claude Richmond
Phil Riddell
Richard Stewart, QC

NON-BENCHERS:
Karey Brooks
Shelley Sugarman
Anthony Vecchio, QC

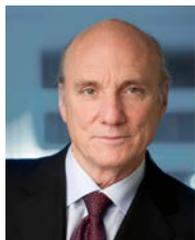
Ethics

Identifies current professional responsibility issues and makes recommendations on changes to the *Code of Professional Conduct for British Columbia* for consideration by the Benchers.

BENCHERS:
David Crossin, QC (*Chair*)
Miriam Kresivo, QC (*Vice-chair*)
Satwinder Bains
Lynal Doerksen
Leon Getz, QC

NON-BENCHERS:
Life Bencher Gavin Hume, QC
Brian Harvey
Stanley Martin
Edward Montague
Gary Weatherill, QC

Committees and Task Forces



David Crossin, QC
Chair
Ethics Committee



Jan Lindsay, QC
Chair
Finance Committee



Nancy Merrill
Chair
Practice Standards Committee
Lawyer Education Advisory
Committee



Lee Ongman
Chair
Unauthorized Practice
Committee



Bill Maclagan, QC
Chair
Access to Legal Services
Advisory Committee

Committees ...continued

Finance

Reviews annual fee-setting process and related budgeting process, periodically reviews financial reporting and investment results, reviews financial matters as required.

BENCHERS:
Jan Lindsay, QC (*Chair*)
Ken Walker, QC (*Vice-chair*)
Haydn Acheson
Peter Lloyd, FCA
Bill Maclagan, QC
David Renwick, QC

Governance

Assesses the Law Society's current governance structure and practices to identify any areas for improvement.

BENCHERS:
Art Vertlieb, QC (*Chair*)
Jan Lindsay, QC (*Vice-chair*)
Haydn Acheson
Rita Andreone, QC
Miriam Kresivo, QC
Stacy Kuiack
Ken Walker, QC

Practice Standards

Reviews information about lawyers who may have competency-related problems and, when appropriate, orders investigations.

BENCHERS:
Nancy Merrill (*Chair*)
Barry Zacharias (*Vice-chair*)
Kathryn Berge, QC
Tom Fellhauer
Benjimen Meisner
Lee Ongman
Tony Wilson
NON-BENCHERS:
Jennifer Johnston
Christopher McEwan
Alan Ross

Unauthorized Practice

Enforces the *Legal Profession Act* with respect to all aspects of the practice of law by people who are not lawyers and develops policy recommendations for the Benchers in unauthorized practice matters.

BENCHERS:
Lee Ongman (*Chair*)
Tony Wilson (*Vice-chair*)
Lynal Doerksen
Miriam Kresivo, QC
NON-BENCHER:
Amrik Narang

Advisory Committees

Access to Legal Services

Monitors developments on issues affecting access to legal services and reports those developments to the Benchers.

BENCHERS:
Bill Maclagan, QC (*Chair*)
David Mossop, QC (*Vice-chair*)
Tom Fellhauer
Richard Stewart, QC
NON-BENCHERS:
Life Bencher Carol Hickman, QC
Lawrence Alexander
Maryann Reinhardt
Rose Singh

Equity and Diversity

Monitors developments on issues affecting equity and diversity in the legal profession and the justice system.

BENCHERS:
Maria Morellato, QC (*Chair*)
Satwinder Bains (*Vice-chair*)
Thelma O'Grady
Barry Zacharias
NON-BENCHERS:
Pavel Dosanjh
Linda Locke, QC
Suzette Narbonne
Linda Robertson

Committees and Task Forces



Maria Morellato, QC
Chair
Equity and Diversity Advisory Committee



Claude Richmond
Chair
Rule of Law and Lawyers Independence Advisory Committee



Life Bencher Ralston Alexander, QC
Chair
Alternative Dispute Resolution Task Force



Life Bencher Carol Hickman, QC
Chair
Family Law Task Force



Life Bencher Bruce LeRose, QC
Chair
Legal Service Providers Task Force

Advisory Committees ...continued

Lawyer Education

Monitors developments on issues affecting lawyer education in BC and reports to the Benchers about those developments.

BENCHERS:
Nancy Merrill (*Chair*)
Vincent Orchard, QC (*Vice-chair*)
Thelma O'Grady
David Renwick, QC
Phil Riddell
Tony Wilson

Rule of Law and Lawyers Independence

Monitors issues and legislation affecting the rule of law and the independence and self-governance of the legal profession and reports on those matters to the Benchers.

BENCHERS:
Claude Richmond (*Chair*)
Kathryn Berge, QC (*Vice-chair*)
David Crossin, QC
Leon Getz, QC
Herman Van Ommen, QC
NON-BENCHERS:
Life Bencher James Vilvang, QC
Craig Dennis
Jeevyn Dhaliwal

Task Forces

Alternative Dispute Resolution

Reports to the Benchers with recommendations for action based on the findings in its report and any decisions of the Benchers arising from this report.

NON-BENCHERS:
Life Bencher Ralston Alexander, QC (*Chair*)
Life Bencher John Hunter, QC
Stanley Lanyon, QC
Jerry McHale, QC

Family Law

Creates best practice guidelines for lawyers practising family law in collaboration with a working group of the Canadian Bar Association, BC Branch.

BENCHERS:
Kathryn Berge, QC
Nancy Merrill
Lee Ongman
Gregory Petrisor
Richard Stewart, QC
NON-BENCHER:
Life Bencher Carol Hickman, QC (*Chair*)

Legal Service Providers

Considers whether the Law Society ought to regulate only lawyers in BC or whether it should regulate other legal service providers.

BENCHERS:
Ken Walker, QC (*Vice-chair*)
Satwinder Bains
NON-BENCHERS:
Life Bencher Bruce LeRose, QC (*Chair*)
John Eastwood
Carmen Marolla
Kerry Simmons, QC
Godfrey Archbold

Subcommittees

Appointments

Provides advice and guidance to the Executive Committee, the Benchers and the President for managing the Law Society's appointment of directors and governors to the boards of more than 20 organizations.

BENCHERS:
Art Vertlieb, QC (*Chair*)
Jan Lindsay, QC
Ken Walker, QC

Litigation

Deals with litigation matters that are referred by staff and determines which matters should come before the Executive Committee.

BENCHERS:
Art Vertlieb, QC (*Chair*)
Jan Lindsay, QC
Ken Walker, QC

CEO's Message



Our goals are ambitious, but we have the benefit of employees who are dedicated and engaged in what they do.

Serving the public interest calls for ongoing improvement

For several years, we have evaluated our core regulatory activities through the use of key performance measures. In 2013, we met most of our targets and in all cases we are continuously working to improve. Our goals are ambitious, but we have the benefit of employees who are dedicated and engaged in what they do, as measured by our annual employee survey. Their passion for serving the public was instrumental in all we accomplished during what has been a very productive year.

The work of the Law Society can generally be divided into two camps. The first is to implement the policies that are developed and approved by the Benchers. The second is to carry out day-to-day operations with the intent to improve, wherever possible.

Enhancing the scope and delivery of lawyer support services

In fulfilling our mandate to support and assist lawyers and articled students in carrying out their duties in the practice of law, the Law Society provides support and assistance to the profession in a number of areas to enable lawyers to meet their professional obligations to their clients, the courts and other lawyers. In 2013, a working group addressed our current model for delivering lawyer support and assistance to determine which Law Society services are most useful to lawyers, who can best deliver them and how they are best delivered. Recommendations have now been made to the Benchers and will be implemented in the months to come.

Collaborating with stakeholders in BC justice system

The two provincial Justice Summits brought together representatives of over 50 justice system stakeholders. The summits were further to the provincial government's white paper on justice reform. At the summits, senior members of the judiciary, among others, spoke openly of the need to maintain focused discussion to create real and meaningful change, the Canadian Bar Association was active in discussing the issues and how lawyers can respond, and there were a number of important reports released that helped fuel a sense of urgency.

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CEO's Message *...continued*

Accrediting lawyers as family law mediators

In 2013, under the new *Family Law Act*, the Law Society was given the authority to oversee the accreditation of lawyers who want to act as family law mediators, family law arbitrators and parenting coordinators. The Law Society encouraged lawyers seeking accreditation to meet the requirements and register with the Society by the January 1, 2014 deadline.

The Law Society aims to operate to the highest standard of professional self-regulation.

Increased security and efficiency in managing information

We successfully implemented a new state-of-the-art enterprise-wide document and records management system that is now being used by all Law Society employees. The system, and related new information management policies and procedures, is facilitating a much higher level of collaboration and efficiency as well as better-protecting our critical information assets.

Changes to employee recognition and management structure

We developed and launched a new employee recognition program with a goal to provide appropriate acknowledgement of achievement at all levels of the organization and enhance our culture of recognition and appreciation at the Law Society. We also made some changes to the Law Society's management structure to increase development opportunities and implemented a working group structure that is intended to generate more innovation and opportunities for skills and leadership development. Several staff working groups will be in place in 2014 to focus on key strategic initiatives.

Meeting highest standard of professional self-regulation

The Law Society aims to operate to the highest standard of professional self-regulation and is able to do so thanks to the dedication of the Benchers and other volunteers and the commitment of our staff. It is impossible to adequately recognize the extent of the contribution made in the public interest, but I do wish to formally acknowledge and thank the efforts of so many. In particular, I want to thank our 2013 president, Art Vertlieb, QC, who has worked tirelessly for many years to implement so many important initiatives. I also welcome our new president, Jan Lindsay, QC, and wish her the very best during what is sure to be another dynamic year.



Timothy E. McGee, QC
Chief Executive Officer

Operational improvements

Enhancing the effectiveness of our operations is essential to fulfilling the Law Society's mandate.

Highlights of operational improvements during the past year include:

Recommendations to improve the scope and method of delivery of our broad range of lawyer support services

A staff working group evaluated how the Law Society provides advice and practice support to lawyers and how it can be improved based on lawyers' needs, best practices and staff resources. Results from a random survey of 800 lawyers in the province were used by the working group to develop its recommendations.



"The role of providing practice advice and support is to help lawyers be the best they can be and to avoid complaints and discipline," said Alan Treleven, Director of Education and Practice. "If we strive to provide the best support possible, we can ultimately have a better regulated legal profession."

Regulatory initiatives ensure highly effective investigations and disciplinary actions and significantly reduce timelines

As part of a new regulatory plan introduced in 2011, a number of changes were made to enhance our conduct investigations and improve the timely processing of complaints and discipline matters. In 2013, the proportion of complaints closed within one year increased to 98 per cent.



"This is the highest percentage in the last 10 years and significantly exceeds the Federation of Law Societies of Canada's national discipline standard of 80 per cent," said Deborah Armour, Chief Legal Officer.

Document management system enables staff to more effectively access and better protect information

A new organization-wide document and records management system was successfully implemented and is being used by all Law Society employees. The system, and related new information management policies and procedures, is facilitating a much higher level of staff collaboration and access to documents as well as better-protecting our critical information assets.



Employees enter metadata into the document management system to enable fast retrieval and appropriate retention of documents.

Operational improvements *...continued*

Launch of redesigned program to recognize and reward employee excellence

The Law Society reviewed its program for recognizing and rewarding excellence in job performance and employee contributions. The redesigned program was based on external research and extensive consultation with staff to ensure that the program would incorporate the types of incentives that motivate performance, innovation and teamwork.



Tim McGee, QC presenting awards at 2013 employee recognition event.

Management structure changed to meet Law Society future needs

Changes were made to the management structure to provide staff with greater opportunities to develop and demonstrate leadership skills and to participate in decision-making at more senior levels:

Leadership Council includes the chief executive officer's direct reports and three other managers appointed by the chief executive officer for one-year terms. Leadership Council develops and oversees implementation of operational initiatives in fulfillment of the organization's mandate and strategic plan.

Management Team includes all managers and is responsible for planning overall implementation of annual operational priorities and sharing information from the working groups.

Working groups of managers and staff assume responsibility for implementing the operational priorities established by Leadership Council each year.



Leadership Council

Seated, left to right:

Robyn Crisanti
Manager, Communications and Public Relations

Alan Treleaven
Director, Education and Practice

Jeanette McPhee
*Chief Financial Officer/
Director of Trust Regulation*

Deborah Armour
Chief Legal Officer

Kensi Gouden
Manager, Standards and Professional Development

Standing, left to right:

Adam Whitcombe
Chief Information and Planning Officer

Susan Forbes, QC
Director, Lawyers Insurance Fund

Timothy E. McGee, QC
Chief Executive Officer and Executive Director

Jeffrey Hoskins, QC
Tribunal and Legislative Counsel

Lesley Small
Manager, Member Services and Credentials

Key Performance Measures

Key performance measures provide the Law Society with a means of objectively quantifying and demonstrating to the public how well we are fulfilling our mandate.

This past year has seen ongoing achievement of most of our goals. The key performance measures that were slightly below our targets provide a valuable opportunity to reassess and make improvements where necessary.

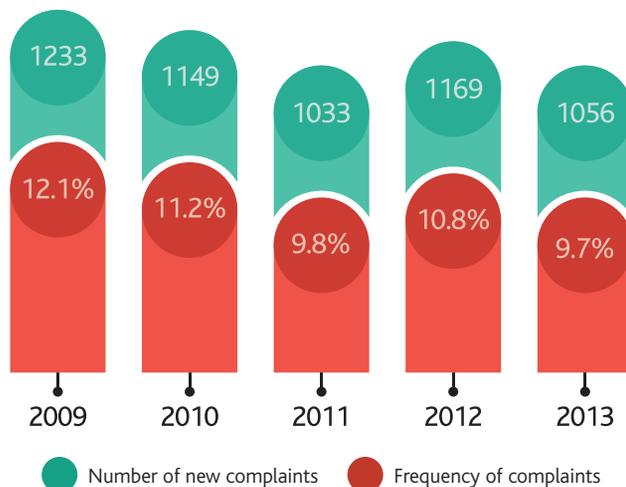
Bellwether Measures

The two bellwether measures are indicators of long-term trends in overall performance of the Law Society.

Frequency of public complaints

Measuring the frequency of public complaints provides some indication of public satisfaction with the legal services or advice received, to the extent the public is moved to complain when not satisfied.

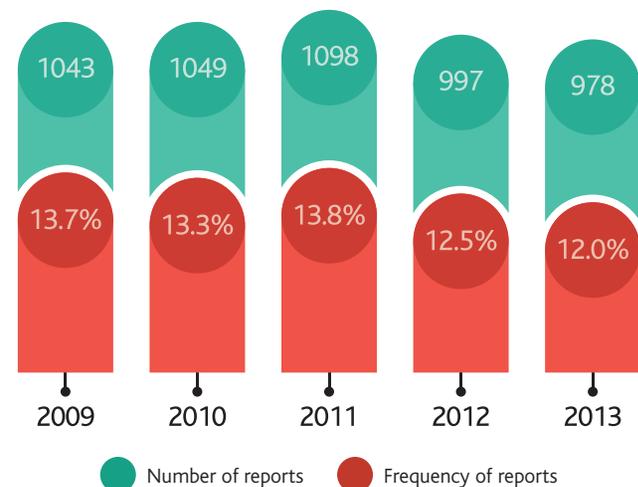
The number of complaints about lawyers divided by the median number of practising lawyers.



Frequency of insurance reports

The frequency of insurance reports is some indication of the degree to which those in private practice recognize and report that the legal services delivered may have failed to meet acceptable standards.

The number of insurance reports divided by the median number of insured lawyers.



Key Performance Measures *...continued*

Professional Conduct and Discipline

Core function

Handle complaints about lawyers in a fair, effective and timely manner and maintain a regulatory process that is consistent, thorough and transparent.

Performance results

74% of complainants were satisfied with timeliness in the handling of their complaints.
 → Slightly below our goal of 75 per cent

64% of complainants expressed satisfaction with the fairness of the process; and

59% expressed satisfaction with the thoroughness with which complaints were managed.
 → Less than the target of 65 per cent for each

91% of complainants were satisfied with the courtesy extended to them; and

61% would recommend the complaint process to someone else.
 → Exceeded our objectives of 90 percent and 60 percent respectively

MORE INFORMATION

- Disposition of complaint files closed in 2013
- Complaints and discipline process

Law Society Complainants' Review Committee and BC Ombudsperson

Core function

The Law Society Complainants' Review Committee and the BC Ombudsperson consider requests from people unhappy with their complaints about lawyers being dismissed by the Law Society following investigations.

In 2013, both of these oversight groups found the Law Society's complaint-handling processes and procedures appropriate.

Assessment results

73 complaints were considered by the Complainants' Review Committee. The Committee closed 71 of those complaints without further action against the lawyer. Of the remaining two complaints, one lawyer was referred for a conduct review and the other lawyer was referred for a conduct meeting.
 → Compared to 71 complaints in 2012

2 enquiries were received from the BC Ombudsperson concerning our complaint investigation process. Out of those two files, one was closed and one remained open at the end of 2013.
 → Compared to seven enquiries received in 2012

MORE INFORMATION

- Complainants' Review Committee
- BC Ombudsperson

Unauthorized practice

Core function

Under the *Legal Profession Act*, the Law Society has responsibility to protect the public by taking action against those who illegally offer legal services or misrepresent themselves as lawyers.

Performance results

66 new investigations into unauthorized practice allegations were opened in 2013. The Law Society also reopened several files on individuals who had previously been investigated.

36 undertakings were received from unauthorized practitioners.

9 injunctions were received from unauthorized practitioners.

Applications to the Registrar were obtained in four cases and we obtained one Supreme Court of Canada order.

MORE INFORMATION

- Unauthorized Practice
- Unauthorized Practitioners Database

Key Performance Measures *...continued*

Admissions and Credentials

Core function

Ensure that new and transferring lawyers are properly qualified and of good character before practising law in BC and that current lawyers are registered and meet continuing professional development requirements.

Performance results

90% of students achieved an initial pass in the Professional Legal Training Course.
→ Exceeded the goal of 85 per cent

3.8 The students' rating of the value of the Professional Legal Training Course on a five-point scale, where a rating of one was lowest and five was highest.
→ Exceeded our target of an average of 3.5 or higher

3.3 The articling principals' rating of the value of the Professional Legal Training Course.
→ Fell marginally below the target average of 3.5

3.9 The rating from articled students on the preparatory value of the articling experience, based on a five-point scale, where a rating of one was lowest and five was highest.

4.3 The rating from articling principals on the preparatory value of the articling experience.
→ Both exceeded the target average of 3.5

MORE INFORMATION:

- Professional Legal Training Course
- Articling program
- Admission to the profession
- Continuing Professional Development program

Practice Standards

Core function

Address issues of lawyer competence by providing online educational courses and practice management resources, conducting practice reviews of lawyers whose competence is in question, and recommending and monitoring remedial programs.

Performance results

93% of the lawyers who were referred to the Practice Standards program demonstrated an improvement in competency; and

100% of the referrals were completed efficiently, indicating the effectiveness of the remedial programs.
→ Surpassed our goals of at least 66 per cent in both categories

86% to 98% of lawyer respondents rated four of the five online practice support resources at three points or higher, based on a five-point scale where a rating of one was lowest and five was highest.

→ Exceeded the 85 per cent target

76% of lawyer respondents rated the practice locum program at three points or higher.

→ Less than the 85 per cent target

MORE INFORMATION

- Online Learning Centre

Practice Advice

Core function

Assist the legal profession to serve the public effectively by providing advice and support to lawyers on ethical and practice management issues.

Performance results

91% of lawyers surveyed to assess the effectiveness of the Practice Advice program rated the timeliness of the advice and the quality of the resources to which they were referred, at three points or higher on a five-point scale.
→ Exceeded the target of 90 per cent

90% of lawyers surveyed were satisfied overall with the program and with the quality of advice.
→ Met our 90 per cent objective

MORE INFORMATION

- Practice Resources
- Practice Advisors
- Equity Ombudsperson

The Law Society provides BC law firms with the services of Equity Ombudsperson Anne Bhanu Chopra. Lawyers, articled students or other staff who may be experiencing harassment or inequity in a legal workplace may contact the Equity Ombudsperson for confidential support.

Key Performance Measures *...continued*

Custodianships

Core function

Ensure practice coverage, including providing cost-effective custodianships when a lawyer cannot continue his or her practice due to illness, death or disciplinary action.

Performance results

18 months to complete custodianships due to death or disability issues.

→ Reduced from a historical average of 24 months

35 months to complete custodianships arising from disciplinary action.

→ Decrease in the historical average of 48 months

83% of clients surveyed were satisfied with the way their matters were handled by the custodian.

→ Less than our target of 90 per cent

MORE INFORMATION

- Succession planning
- Custodianships

Trust Assurance

Core function

Ensure that law firms comply with Law Society Rules regarding proper handling of clients' trust funds and trust accounting records.

Performance results

8% of the lawyers audited were referred to professional conduct for further investigation.

→ Compared to six per cent in 2012

1 financial suspension was issued by the trust assurance program.

→ Significant decrease from six suspensions in 2012

MORE INFORMATION

- Trust Assurance Program

Lawyers Insurance Fund

Core function

Ensure clients are reasonably compensated if a lawyer is negligent or misappropriates trust funds.

Performance results

The Lawyers Insurance Fund met its goal of providing policy limits, insurance coverage and deductibles comparable to the 13 other Canadian law societies.

All meritorious insurance claims were settled with the consent of the claimant or paid after judgment, and no claimant sued the Lawyers Insurance Fund directly for compensation for an unrecovered loss.

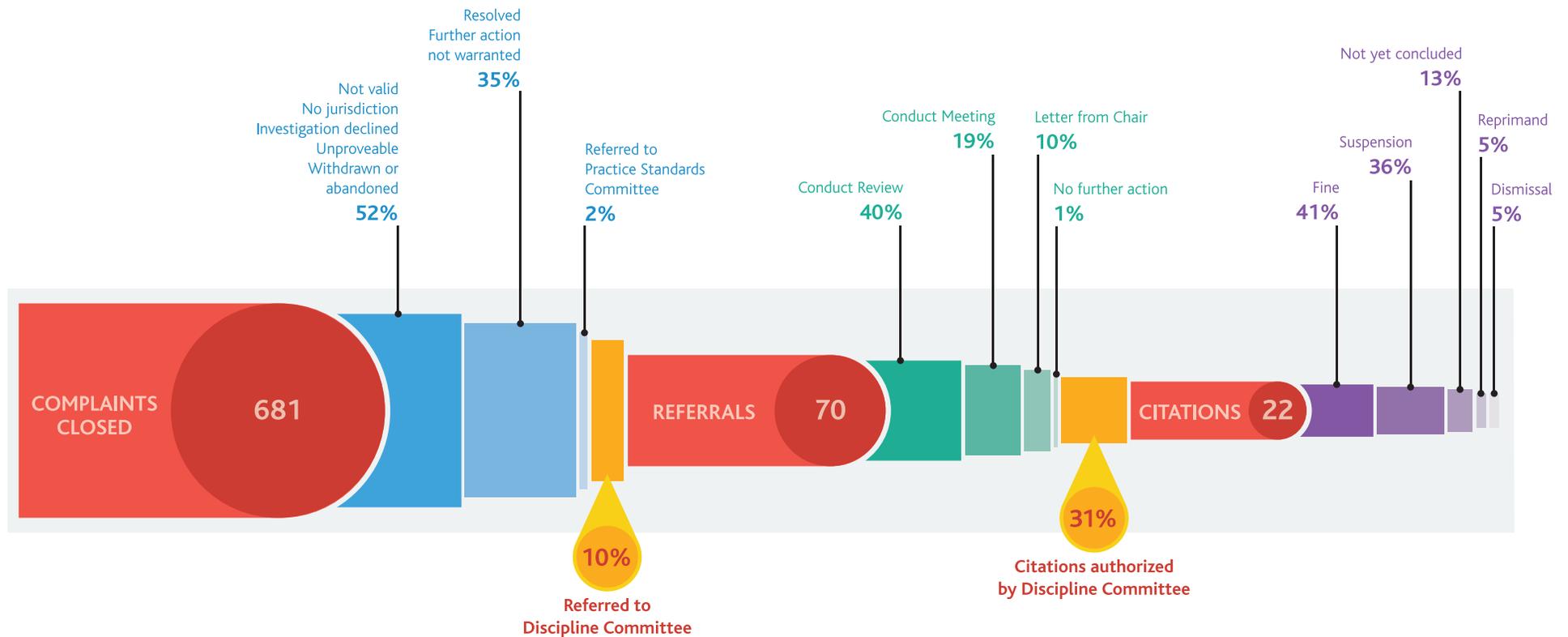
98% of the lawyers represented by the Lawyers Insurance Fund gave the program high marks of four or five on a five-point scale.

→ Exceeded the target of 90 per cent

MORE INFORMATION

- Lawyers Insurance Fund
- Professional liability and misappropriation insurance

Disposition of complaint files closed in 2013



Please note that, while this graph attempts to demonstrate proportion, it is not to scale. Percentages not adding to 100 per cent are due to rounding.

Legal Profession in BC

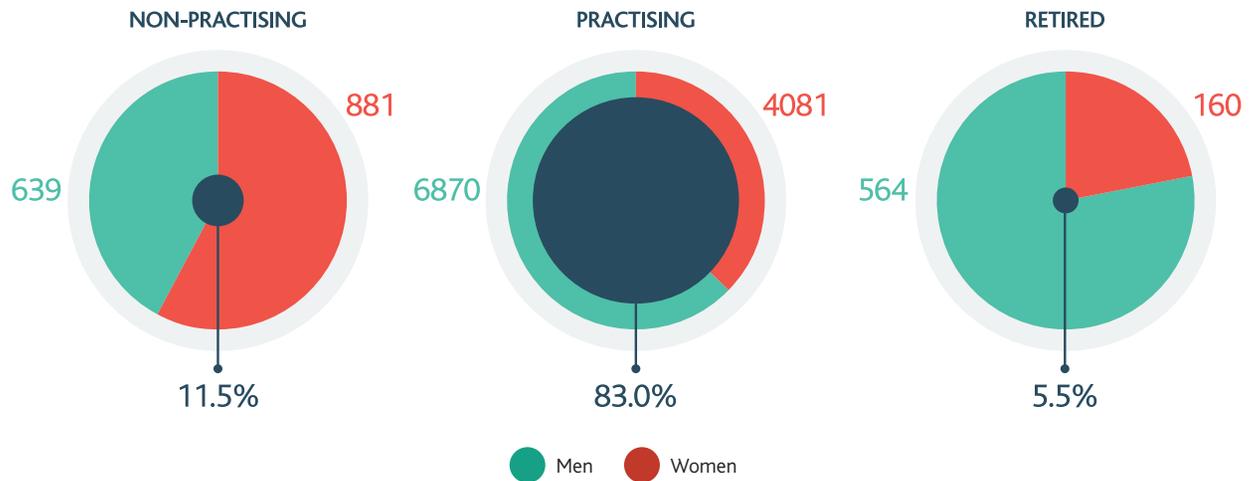
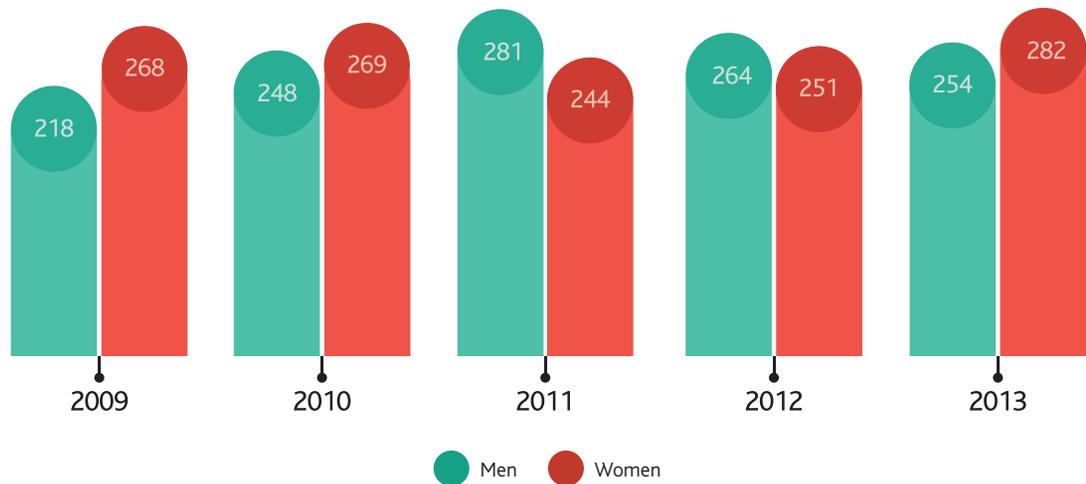
Current and historical statistics support the conclusion that age, gender and geography will influence the delivery of legal services by lawyers in BC in the coming decades.

New BC lawyers

In recent years, more women than men are being called to the bar. However, women continue to leave practice in greater numbers than men, despite these Law Society initiatives:

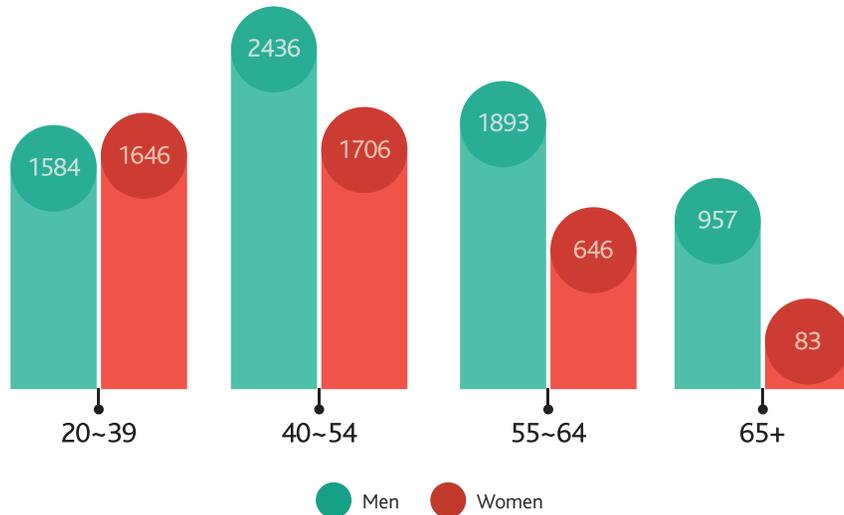
- Insurance discount to encourage part-time work and job-sharing
- Non-practising memberships to permit leaves of absence from the profession
- Maternity Leave Benefit Program

In 2012, the Justicia Project launched as a voluntary program for law firms to identify and implement best practices to retain and advance women lawyers in private practice. Seventeen firms accepted the invitation to participate in 2013 and are in the process of developing model policies.



Status of lawyers registered with the Law Society

Legal Profession in BC *...continued*

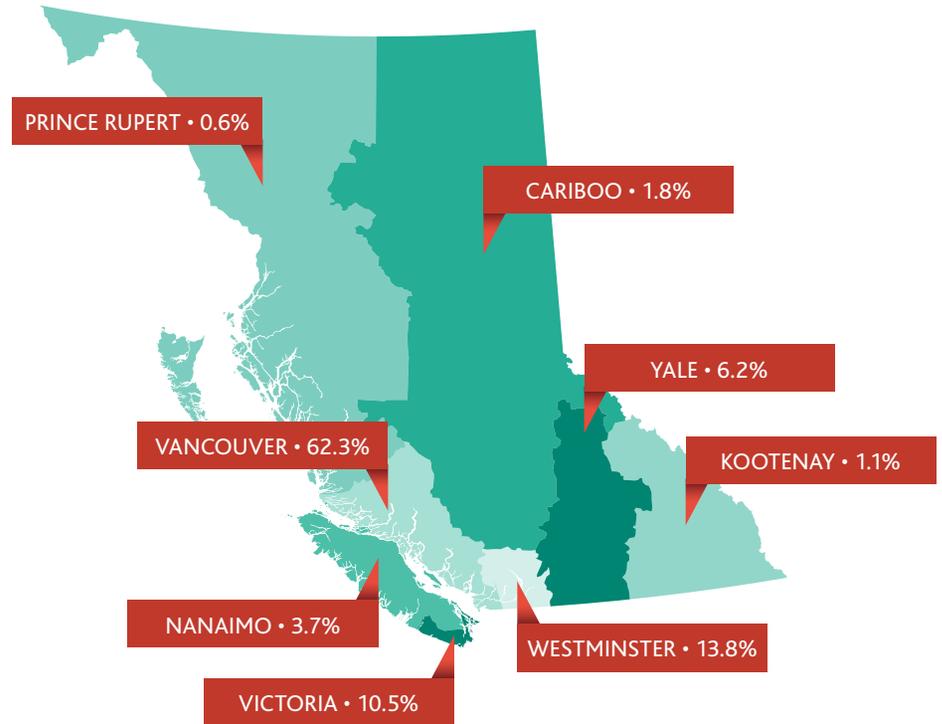


Age demographic of practising BC lawyers

The distribution of practising lawyers across the entire age range is more even in 2013 than it has been since the early 1980s due to:

- an increase in the number of lawyers practising after age 65
- only a small change in the number of practising lawyers under age 40
- the number of younger lawyers who leave practice early in their careers

Looking ahead, the most significant unknown is whether the current trend for lawyers to practise past the age of 65 will continue. The Law Society is monitoring the growth rate of practising lawyers for indications of a potential shortage of lawyers in the coming decade.



Lawyers around the province by electoral district

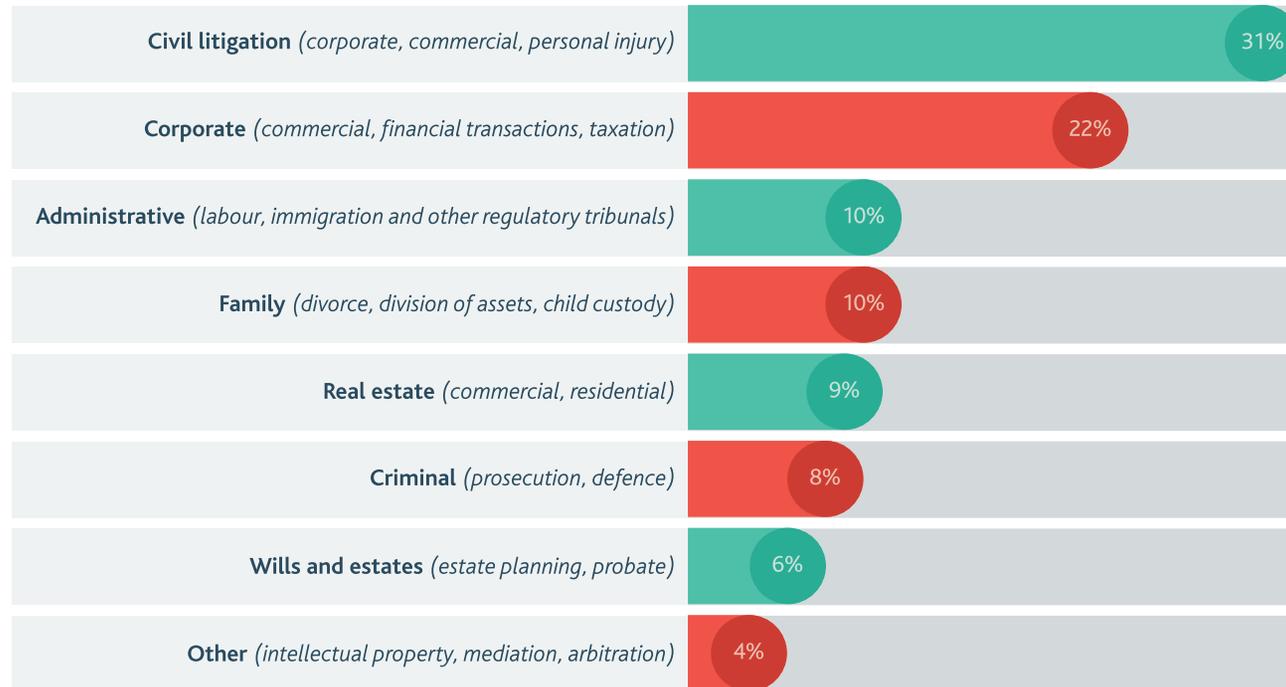
The overall ratio of lawyers to population for the province is about one lawyer for every 450 residents; however, a rural community such as Merritt has one lawyer for every 2,450 residents.

In addition to the relatively few lawyers in some rural areas, the age of those lawyers also tends to be considerably older than the average age of 48 for practising lawyers in BC.

To help address the current and projected shortage of lawyers in rural areas of the province, the Law Society provides funding to the Rural Education and Access to Lawyers (REAL) program, which places summer students and new lawyers in small, under-served communities.

Legal Profession in BC *...continued*

Legal areas of practice in BC



The demand for legal services in each of these categories can be affected by the economy, societal trends and changes to legislation. Over the past few years, the legal areas of practice have remained fairly consistent. While there is a significant overlap in the work of barristers and solicitors, approximately 40 per cent of the legal work in BC continues to be solicitor's work while 60 per cent involves barristers.

Hearing Panel Pool Members

Hearing panel pools were introduced in 2011 and demonstrate the Law Society's commitment to maintaining public confidence and becoming a more transparent organization.

Lawyers and members of the public from around the province volunteer to be part of the Law Society's hearing panel pools. Members are selected from a public (non-lawyer) pool and a lawyer (non-Bencher) pool to help adjudicate all discipline and credentials hearings.

A Law Society rule change in 2013 mandates that hearing panel pool members will also serve as adjudicators on review boards when a review of a discipline or credentials hearing panel decision is requested.

Members of the public

Donald Amos, Sidney
 Dr. Gail Bellward, Vancouver
 Glenys Blackadder, Victoria
 Paula Cayley, Lions Bay
 Dennis Day, Langley
 Adam Eneas, Penticton
 Jory Faibish, Vancouver
 John Ferguson, Burnaby
 Carol Gibson, Vancouver
 Dan Goodleaf, Vancouver
 J.S. (Woody) Hayes, Duncan
 Patrick Kelly, Victoria
 John Lane, Cobble Hill
 Linda Michaluk, North Sannich
 Laura Nashman, Victoria
 Lance Ollenberger, Fort St. John
 June Preston, MSW, Victoria
 Graeme Roberts, Brentwood Bay
 Lois Serwa, Kelowna
 Clayton Shultz, Surrey
 Thelma Siglos, New Westminster
 Robert Smith, Surrey

Non-Bencher lawyers

Jasmin Ahmad, Vancouver
 Ralston Alexander, QC, Victoria
 Joost Blom, QC, Vancouver
 Jo Ann Carmichael, QC, Vancouver
 Jennifer Chow, Vancouver
 Ian Donaldson, QC, Vancouver
 James Dorsey, QC, North Vancouver
 William Everett, QC, Vancouver
 Anna Fung, QC, Vancouver
 Carol Hickman, QC, New Westminster
 John Hogg, QC, Kamloops
 Gavin Hume, QC, Vancouver
 David Layton, Vancouver
 Bruce LeRose, QC, Trail
 Richard Lindsay, QC, Vancouver
 Shona Moore, QC, Vancouver
 Karen Nordlinger, QC, Vancouver
 Jennifer Reid, Prince Rupert
 Dale Sanderson, QC, Vancouver
 Donald Silversides, QC, Prince Rupert
 Marvin Storrow, QC, Vancouver
 William Sundhu, Kamloops
 Gordon Turriff, QC, Vancouver
 John Waddell, QC, Victoria
 Brian J. Wallace, QC, Victoria
 Peter Warner, QC, Prince George
 Sandra Weafer, Vancouver

Life Benchers

Benchers who have volunteered for four terms or have served as president of the Law Society are recognized with the title Life Bencher.

The Honourable A. Brian B. Carrothers, QC (1963-1973)

The Honourable Peter J. Millward, QC (1965-1975)

The Honourable Mary F. Southin, QC (1971-1980)

Norman Severide, QC (1975-1981)

H. Allan Hope, QC (1974-1982)

Brian W.F. McLoughlin, QC (1974-1984)

The Honourable Thomas R. Braidwood, QC (1973-1975; 1979-1985)

The Honourable Jack L.T. Edwards, QC (1978-1985)

The Honourable Mr. Justice Bruce I. Cohen (1978-1986)

Marvin R.V. Storrow, QC (1980-1987)

R. Paul Beckmann, QC (1980-1989)

Robert M. Dick, QC (1983-1991)

The Honourable Mr. Justice Peter Leask (1984-1992)

Brian J. Wallace, QC (1985-1993)

John M. Hogg, QC (1984-1993)

P. Michael Bolton, QC (1985-1993)

The Honourable Mr. Justice Robert T.C. Johnston (1986-1994)

The Honourable Mr. Justice Grant D. Burnyeat (1988-1995)

Donald A. Silversides, QC (1984-1995)

Gary L.F. Somers, QC (1984-1995)

James M. MacIntyre, QC (1986-1995)

Cecil O.D. Branson, QC (1988-1995)

Alan E. Vanderburgh, QC (1989-1995)

Karen F. Nordlinger, QC (1988-1996)

Benjamin B. Trevino, QC (1991-1997)

Richard C.C. Peck, QC (1988-1997)

Leonard T. Doust, QC (1990-1997)

William M. Trotter, QC (1990-1997)

Trudi L. Brown, QC (1992-1998)

Warren T. Wilson, QC (1991-1999)

The Honourable Ujjal Dosanjh, QC (1995-2000)

Karl F. Warner, QC (1994-2000)

Richard S. Margetts, QC (1995-2001)

Gerald J. Lecovin, QC (1994-2001)

Emily M. Reid, QC (1994-2001)

Jane S. Shackell, QC (1994-2001)

Ann Howard (1992-2002)

Marjorie Martin, MSW (1992-2002)

Richard C. Gibbs, QC (1996-2002)

Howard R. Berge, QC (1992-2003)

Russell S. Tretiak, QC (1992-2003)

Robert D. Diebolt, QC (1996-2003)

G. Ronald Toews, QC (1996-2003)

Gerald J. Kambeitz, QC (1996-2003)

William J. Sullivan, QC (1997-2003)

Master Peter J. Keighley (1996-2004)

William M. Everett, QC (1998-2004)

Ralston S. Alexander, QC (1999-2005)

Patricia L. Schmit, QC (1998-2005)

Ross D. Tunnicliffe (1998-1999; 2000-2005)

Master Robert W. McDiarmid (1998-2006)

Anna K. Fung, QC (1998-2007)

Ian Donaldson, QC (2000-2007)

June Preston, MSW (2001-2008)

John J.L. Hunter, QC (2002-2008)

Gordon Turriff, QC (2002-2009)

Terence E. La Liberté, QC (2000-2001, 2004-2009)

James D. Vilvang, QC (2002-2009)

David A. Zacks, QC (2002-2009)

The Honourable Judge William F.M. Jackson (2003-2009)

Patrick Kelly (2002-2010)

Dr. Maelor Vallance (2002-2010)

G. Glen Ridgway, QC (2002-2010)

Gavin Hume, QC (2004-2011)

Joost Blom, QC (2004-2011)

Carol W. Hickman, QC (2004-2011)

Bruce A. LeRose, QC (2004-2012)

The dates in parentheses represent years of service as a Bencher.

In the Community

Scholarships and awards

The Law Society offers scholarships and awards to graduate law students to provide financial assistance, recognize excellence and promote diversity for the benefit of law students, the public and the legal profession in BC.



The first **Aboriginal Scholarship** was presented in 2013. This annual award aims to enhance the retention of Aboriginal lawyers by supporting the development of Indigenous leaders and role models in the legal academic community.

The \$12,000 **Law Society Scholarship for Graduate Legal Studies** was given to a doctoral student in law at the University of Victoria.

Two **Gold Medals** were awarded to graduating law students from the University of Victoria and the University of BC.



Community

In 2013, Law Society employees continued to demonstrate their community spirit and commitment to local charities and events, including:



Our **United Way** employee campaign kicked off with a pancake breakfast. We surpassed our goal for 2013, raising more than \$40,000.

A group of employees volunteered at the **Greater Vancouver Food Bank Society** warehouse. Staff also donated boxes of non-perishable food.

A Law Society team of 46 employees, family and friends participated in the **2013 Vancouver Sun Run**.

Law Society lawyers volunteered at Access Pro Bono's **Legal advice-a-thon**, providing free legal advice to low and modest-income people.



Environment

The Law Society's green committee promotes and facilitates greener choices in our workplace. Here are some highlights of our sustainable initiatives in 2013:



Green meetings and events – Our recycling and composting program was expanded to include all-staff events and meetings where food is served.

Big Little Bin Club – Our Big Little Bin Club invites staff to replace the large, plastic bag-lined waste bins in their workspaces with smaller bins.

Office supplies recycling campaign – Staff de-cluttered their workstations of surplus office supplies, which were collected and reused, recycled or accountably discarded.

Book and DVD library – Employees donated books and DVDs to create an in-house library and promote the concept of re-use.

