



January 22, 2021

Sent via email

Michelle D. Stanford, QC
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Dean Lawton, QC
President

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Dear Michelle:

Re: 2021 Mandate for Unauthorized Practice Committee

Thank you for agreeing to accept the appointment as Chair of the Unauthorized Practice Committee for 2021.

The 2021-2025 Strategic Plan and the Terms of Reference along with the particular priorities outlined below should guide the Unauthorized Practice Committee in its work this year.

The mandate from the Terms of Reference for the Unauthorized Practice Committee is:

The Unauthorized Practice Committee considers and makes policy decisions with respect to the unauthorized practice of law and the relevant provisions of the Legal Profession Act. From time to time, staff consults with the Committee on policy matters that arise regarding the interpretation and application of sections 1, 15 and 85 of the Act and informs the Committee on current litigation. In appropriate situations, the Committee may refer issues to other Committees or the Benchers as a whole for review, comment and determination.

I expect that you will guide the Unauthorized Practice Committee in its work over the year in a manner that reflects its terms of reference, the Benchers Code of Conduct and the Benchers governance policies regarding committees, always ensuring we remain committed to evidence-based decision-making that takes into consideration the impacts of policies on our members and the public and that we act in the public interest.

In particular, please keep in mind that the Benchers have directed that:

- a) Benchers committees are to help the Benchers do their job, not to help the staff do its jobs. Committees ordinarily will assist the Benchers

by preparing policy alternatives and implications for Benchers' deliberation.

- b) Benchers' committees do not exercise authority over staff.
- c) In keeping with the Benchers' broader focus, Benchers' committees will normally not have direct dealings with current staff operations.

I expect you and the members of Unauthorized Practice Committee to work in a professional and respectful manner with the staff assigned to support the Committee.

During 2021, I would like to see the Unauthorized Practice Committee make substantial progress on the following priority:

When addressing cases involving persons likely engaged in the unauthorized practice of law, consider, subject to it being in the public interest, if such persons should be invited to apply to the Law Society for participation in the Law Society's innovation "Sandbox".

As Chair of Unauthorized Practice Committee, please ensure that all members of the Unauthorized Practice Committee understand they are expected to abide by the Benchers' Code of Conduct and the Law Society's workplace policies and that the Unauthorized Practice Committee is expected to act within its Terms of Reference.

I look forward to hearing about the work of Unauthorized Practice Committee over the balance of the year and trust that you and the Unauthorized Practice Committee will make substantial progress on the priorities in this letter.

Yours truly,

A handwritten signature in black ink, appearing to read "Dean Lawton". The signature is stylized and cursive.

Dean Lawton, QC
President, Law Society of BC