



Rule of Law and Lawyer Independence Advisory Committee

Terms of Reference

Updated: January 2020

Mandate

The mandate of the Rule of Law and Lawyer Independence Advisory Committee is

1. To advise the Benchers on matters relating to the rule of law and lawyer independence so that the Law Society can ensure
 - Its processes and activities preserve and promote the preservation of the rule of law and the independence and effective self-governance of lawyers;
 - The legal profession and the public are properly informed about the meaning and importance of the rule of law and how a self-governing profession of independent lawyers supports and is a necessary component of the rule of law; and
2. To monitor issues (including current or proposed legislation) that affect or might affect the independence of lawyers and the rule of law, and to develop means by which the Law Society can effectively respond to those issues.

[Authority: Bencher Resolution, April 13, 2012]

Composition

The Committee is appointed each year by the incoming President. The Chair of the Committee is a Bencher. The majority of the committee is generally comprised of Benchers and Life Benchers, and often an appointed bencher is a member of the Committee. Usually there are at least two lawyers who are not benchers on the Committee. Composition of the Committee should reflect best practices for diversity.

Meeting Practices

1. The Committee shall operate in a manner that is consistent with the Benchers' governance policies.
2. The Committee shall meet as required.
3. At least half the members of the Committee constitutes a quorum.
4. The Committee may, from time to time, invite guests.

Accountability

The Committee is accountable to the Benchers. If the Benchers assign specific tasks to the Committee, the Committee is responsible for discharging the work assigned. If a matter arises that the Committee believes requires immediate attention by the Law Society, the Committee will advise the Executive Committee.

Reporting Requirements

With respect to its general monitoring and advisory function, the Committee provides status reports to the Benchers twice a year. Otherwise, the Committee will perform tasks assigned to it by the Benchers according to the terms of the specific referral.

Duties and Responsibilities

1. Monitor issues (including current or proposed legislation) that affect or might affect the independence of lawyers and the rule of law, and develop means by which the Law Society can effectively respond to those issues. This can either be to keep the Benchers informed of key matters, to assist in setting policy, or to recommend that specific action be taken by the Benchers;
2. Advise the Benchers on matters relating to the rule of law and lawyer independence so that the Law Society can ensure its processes and activities preserve and promote the preservation of the rule of law and the independence and effective self-governance of lawyers, and to ensure that the legal profession and the public are properly informed about the meaning and importance of the rule of law;
3. Discharge any specific tasks that the Benchers delegate to the Committee;
4. Discharge all work in a manner consistent with the Law Society's public interest mandate.