



# Minutes

## Benchers

Date: Saturday, June 15, 2013

Present: Art Vertlieb, QC, President  
Jan Lindsay, QC 1<sup>st</sup> Vice-President  
Ken Walker, QC 2<sup>nd</sup> Vice-President  
David Crossin, QC  
Lynal Doerksen  
Thomas Fellhauer  
Leon Getz, QC  
Miriam Kresivo, QC  
Nancy Merrill  
Maria Morellato, QC  
David Mossop, QC  
Thelma O'Grady  
Lee Ongman

Vincent Orchard, QC  
David Renwick, QC  
Phil Riddell  
Catherine Sas, QC  
Richard Stewart, QC  
Tony Wilson  
Bill Maclagan  
Haydn Acheson  
Stacy Kuiack  
Peter Lloyd, FCA

Absent: Rita Andreone, QC  
Satwinder Bains  
Kathryn Berge, QC  
Richard Fyfe, QC, Deputy Attorney  
General of BC, Ministry of Justice,  
representing the Attorney General  
Ben Meisner  
Greg Petrisor  
Claude Richmond  
Herman Van Ommen, QC  
Barry Zacharias

Staff Present: Tim McGee  
Deborah Armour  
Su Forbes, QC  
Jeffrey Hoskins, QC  
Michael Lucas

Bill McIntosh  
Jeanette McPhee  
Alan Treleaven  
Adam Whitcombe

Guests: Honourable Robert Bauman, Chief Justice of the Supreme Court of BC  
Kevin Feth, QC, President-Elect, Law Society of Canada  
Jonathan Herman, Chief Executive Officer, Federation Law Societies of Canada  
Gavin Hume, QC, Council Member representing the Law Society of BC,  
Federation of Law Societies of Canada  
Carsten Jensen, QC, President, Law Society of Alberta  
Bruce LeRose, QC, Past President, Law Society of BC  
Malcolm Mercer, Bencher, Law Society of Upper Canada, Partner, McCarthy  
Tetrault  
Myron Plett, Raincoast Law, Ucluelet, BC  
Don Thompson, QC, Executive Director, Law Society of Alberta  
Gérald R. Tremblay, C.M., O.Q., Q.C., Ad.E., President, Federation of Law  
Societies of Canada

## 1. CONSENT AGENDA

### a. Minutes

The minutes of the meeting held on May 10, 2013 were approved as circulated.

The *in camera* minutes of the meeting held on May 10, 2013 were approved as circulated.

### b. Resolutions

The following resolutions were passed unanimously and by consent.

- Appointment to Vancouver Airport Authority Board of Directors

*BE IT RESOLVED to appoint Anna Fung, QC to the Vancouver Airport Authority Board of Directors for a three-year term, commencing June 30, 2013.*

- Rules Amendments Implementing Benchers' Decision to Approve Credentials Committee Recommendation for Temporary Mobility of Foreign Lawyers

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

*1. In Rule 1*

(a) *by rescinding the definition of “practitioner of foreign law” and substituting the following:*

**“practitioner of foreign law”** means a person qualified to practise law in a foreign jurisdiction who provides foreign legal services in British Columbia respecting the laws of that foreign jurisdiction;

(b) *by adding the following definitions:*

**“disciplinary record”** includes any of the following, unless reversed on appeal or review:

(a) any action taken by a governing body as a result of

(i) professional misconduct,

(ii) incompetence,

(iii) conduct unbecoming a lawyer,

(iv) lack of physical or mental capacity to engage in the practice of law, or

(v) any other breach of a lawyer’s professional responsibilities;

(b) disbarment;

(c) a lawyer’s resignation or otherwise ceasing to be a member of a governing body as a result of disciplinary proceedings;

(d) restrictions or limits on a lawyer’s entitlement to practise, other than those imposed as a result of failure to pay fees to a governing body, insolvency or bankruptcy or other administrative matter;

(e) any interim suspension or restriction or limits on a lawyer’s entitlement to practise imposed pending the outcome of a disciplinary hearing;

**“provide foreign legal services”** means give legal advice in British Columbia respecting the laws of a foreign jurisdiction in which the person giving the advice is qualified;

*2. In Rule 2-10.1, by rescinding the definition of “disciplinary record”.*

*3. By adding the following Rule:*

**Definitions**

**2-17.2** In Rules 2-17.2 to 2-22,

**“business day”** means any calendar day or part of a calendar day in which a practitioner of foreign law provides foreign legal services;

**“permit”** means a practitioner of foreign law permit issued under Rule 2-18;

“**resident**” has the meaning respecting a province or territory that it has with respect to Canada in the *Income Tax Act* (Canada).

4. *By rescinding the preamble to Rule 2-18(2) and substituting the following:*

- (2) The Executive Director may issue a permit to a person applying under subrule (1) if satisfied that the person

5. *In Rule 2-19, by rescinding subrules (1) and (2) and substituting the following:*

**2-19(1)** Subject to Rule 2-19.1, no one may provide foreign legal services or market a foreign legal practice in British Columbia without a permit issued under Rule 2-18(2).

- (2) A practitioner of foreign law who holds a current permit may provide foreign legal services in British Columbia respecting
  - (a) the law of a foreign jurisdiction in which the practitioner of foreign law is fully licensed to practise law, and
  - (b) trans-jurisdictional or international legal transactions.

6. *By adding the following Rule:*

**Providing foreign legal services without a permit**

**2-19.1(1)** Subject to the other requirements of this Rule, a practitioner of foreign law may provide foreign legal services without a permit for a maximum of 30 business days in any calendar year.

- (2) Subject to subrule (3), to qualify to provide foreign legal services without a permit, a practitioner of foreign law must at all times
  - (a) qualify for a permit under Rule 2-18(2),
  - (b) comply with Rules 2-19(3) to (5),
  - (c) not be subject to conditions of or restrictions on his or her membership in the governing body or his or her qualification to practise law in any jurisdiction imposed as a result of or in connection with proceedings related to discipline, competency or capacity,
  - (d) not be the subject of criminal or disciplinary proceedings in any jurisdiction,
  - (e) have no criminal or disciplinary record in any jurisdiction, and
  - (f) not establish an economic nexus with British Columbia.

- (3) A practitioner of foreign law who provides foreign legal services without a permit must, on request,
  - (a) provide evidence to the Executive Director that the practitioner of foreign law has complied with and continues to comply with this Rule, and
  - (b) disclose to the Executive Director each governing body of which the practitioner of foreign law is a member.
- (4) For the purposes of this Rule, an economic nexus is established by actions inconsistent with a temporary basis for providing foreign legal services, including but not limited to doing any of the following in British Columbia:
  - (a) providing foreign legal services beyond 30 business days in a calendar year;
  - (b) opening an office from which foreign legal services are offered or provided to the public;
  - (c) becoming resident;
  - (d) holding oneself out or allowing oneself to be held out as willing or qualified to provide legal services, except as a practitioner of foreign law without a permit.
- (5) A practitioner of foreign law who practises law in a law firm in his or her home jurisdiction and provides legal services in or from an office in British Columbia affiliated with that firm does not, for that reason alone, establish an economic nexus with British Columbia.
- (6) A practitioner of foreign law who becomes disqualified under subrule (4) must cease providing foreign legal services forthwith, but may apply under Rule 2-18 for a permit.
- (7) On application by a practitioner of foreign law, the Executive Director may allow the practitioner of foreign law to begin or continue to provide foreign legal services pending consideration of an application under Rule 2-18.

## **REGULAR AGENDA – for Discussion and Decision**

### **2. Remarks by Hon. Robert Bauman, Chief Justice of the Supreme Court of BC**

Mr. Vertlieb welcomed the Honourable Robert Bauman to the meeting, noting that His Lordship will become Chief Justice of British Columbia at midnight tonight.

Chief Justice Bauman addressed the Benchers and guests. He commented on the legislative changes embodied in the *Legal Profession Amendment Act, 2012*, noting particularly the importance of the Section 3's statement of the Law Society's sole object and duty "to uphold and protect ... the public interest in the administration of justice by ..."

Chief Justice Bauman's remarks covered a number of other themes, including the importance of the Law Society's initiatives to enhance access to legal services by expanding the scope of services that may be provided by paralegals and articulated students, and the importance of an independent judiciary and legal profession to safeguarding the rule of law. A summary of Chief Justice Bauman's presentation will be published in the fall issue of the Benchers' Bulletin.

### **3. Selection of Benchers' Nominee for 2014 Second Vice-President**

Mr. Vertlieb announced that to date Vancouver Bencher David Crossin, QC is the only candidate for selection as the Benchers' nominee for 2014 Second Vice-President of the Law Society. After asking whether other Bencher were prepared to declare their candidacy and hearing none, Mr. Vertlieb declared David Crossin, QC acclaimed as the Benchers' nominee for election as 2014 Second Vice-President of the Law Society at the 2013 Annual General Meeting on Tuesday, October 1, 2013.

## **REPORTS**

### **4. Mid-Year Report from the Governance Committee: Recommendations**

Ms. Lindsay reported as Vice-Chair of the Governance Committee. She outlined the working process followed by the Governance in addressing the Bencher Governance Review Task Force recommendations referred to the Committee for review and action following the Benchers' adoption of the task force's final report in December 2012.

Ms. Lindsay referred to page 4003 of the meeting materials for a summary of the Governance Committee's recommendations to the Benchers, focusing on Recommendation B:

- B. The Benchers approve the development and implementation of the straightforward recommendations set out in the table at pages [4008-4009 of the meeting materials].

In the ensuing discussion a number of questions about specific provisions were raised and resolved by Ms. Lindsay and Mr. Whitcombe. A suggestion was passed on to Mr. Whitcombe for re-wording a clause of Appendix C.<sup>1</sup>

The Benchers agreed to adopt the recommendations set out in the Governance Committee's Mid-Year Report and summarized on page 4003.

Ms. Lindsay thanked Mr. Whitcombe for his excellent work in preparing the Committee's report.

Mr. Vertlieb thanked the Committee members for their commitment and hard work.

## **5. 2012 - 2014 Strategic Plan Implementation Update**

Mr. McGee addressed this matter in his CEO's Report (see Item 7).

## **6. President's Report**

Mr. Vertlieb briefed the Benchers on various Law Society matters to which he has attended since the last meeting, including:

### **a) Follow-up to 2013 Benchers Retreat Workshop**

Mr. Vertlieb noted that First Vice-President Jan Lindsay, QC deserves much credit for the success of yesterday's Retreat Workshop (*The Business of Law in the 21<sup>st</sup> Century: Do We Risk Losing (or can we maintain) Our Professional Values?*). Ms. Lindsay thanked the presenters (Jordan Furlong of Edge International and Malcolm Mercer of McCarthy Tetrault LLP), the Bencher panelists (Bill Maclagan and Maria Morellato, QC), and Law Society staff (Michael Lucas, Manager of Policy & Legal Services, and Adam Whitcombe, Chief Information & Planning Officer) for their valuable contributions to the planning and execution of the program.

Mr. Vertlieb canvassed the Benchers for input regarding the Law Society's possible and preferred next steps. The following issues were raised in the ensuing discussion:

- While many future events will be beyond the scope of our predictive abilities, much can and should be done by the Law Society to protect the public interest in the administration of justice
- The creation of a standing committee on the future of legal regulation should be considered

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<sup>1</sup> Page 4028: President Position Description, Item 3 under the heading called "Election and Term."

- The upcoming report of the Legal Service Provider Task Force (July Bencher meeting) should provide valuable insight and guidance for such a standing committee
- The Independence and Rule of Law Advisory Committee's 2012 report on regulation of alternate business structures should be revisited as a valuable source of context for consideration of the current Strategic Plan's provision for the regulation of law firms

Mr. Vertlieb confirmed that the Executive Committee will review the results of yesterday's Retreat Workshop and this discussion, and then prepare a memorandum with recommendations for the Benchers' consideration in the fall.

**b) Law Society Luncheon for 50 & 60 Year Commemorative Certificate Recipients (May 30, 2013)**

Mr. Vertlieb noted that Bencher attendance at the Law Society's 50 & 60<sup>th</sup> Cert Luncheon for 2013 was disappointingly low, and he stressed the importance of respecting the Society's traditions.

A Bencher requested that in future, staff email bulletins to Benchers regarding upcoming Law Society events make particular reference to events and functions hosted or sponsored by the Benchers, such as the 50 & 60 Year Certificate Commemorative Luncheon.

**c) Designated Paralegal Pilot Project Update**

Mr. Vertlieb reported that about 80 people attended a recent Designated Paralegal Pilot Project presentation in Victoria. He commented on the strong interest in the project expressed by paralegals and members of the public and noted the need for greater lawyer engagement. Mr. Vertlieb encouraged Benchers to promote and model the designated paralegal program.

**d) Meeting with the Honourable Suzanne Anton, Attorney General and Minister of Justice**

Mr. Vertlieb briefed the Benchers on his recent meeting with the Honourable Suzanne Anton, noting that he had confirmed the Attorney's right and standing invitation to attend Bencher meetings as an ex officio Bencher.

## **7. CEO's Report**

Mr. McGee provided highlights of his monthly written report to the Benchers (Appendix 1), including the following matters:

- Introduction



- Media Relations Update
- National Action Committee on Access to Justice in Civil and Family Matters
- Inaugural Justice Summit – Follow-up
- Recent Activities
- CEO’s Breakfasts with Staff
- PLTC Thank You’s

## **8. Federation of Law Societies of Canada Executive Update**

### **a. President’s Remarks**

Gérald Tremblay, C.M., O.Q., Q.C., Ad. E, addressed the Benchers as President of the Federation of Law Societies of Canada for 2013. Mr. Tremblay commented on the parallels between the themes of the public interest and professionalism (the themes of the 2013 retreats of the Law Societies of Alberta and BC). He stressed the importance of effective public communication and expeditious discharge of regulatory responsibilities to the maintenance of public confidence in the legal profession and its regulators.

Mr. Tremblay also commented on the value of the Federation as an instrument for advancing the shared vision and values of its member societies, noting the National Mobility Agreement and the Model Code as examples. He noted the importance of cooperation and collaboration between the Federation and the Canadian Bar.

Mr. Tremblay thanked the Benchers and staff of the Law Society of BC for their hospitality.

### **b. CEO’s Briefing**

Jonathan Herman briefed the Benchers as CEO of the Federation. Mr. Herman said that this is the sixth consecutive Law Society of BC Benchers Retreat he has attended as Federation CEO, and noted the importance he attaches to these annual gathering as opportunities to meet new Benchers and to brief them on the Federation’s operations.

Mr. Herman commented on the accountability of the Federation to its 14 member law societies. He stressed that the Federation is not akin to an autonomous level of government, but rather is a product of and answerable to all of its members. Mr. Herman described the Federation as the “national branch office” of the member societies.

The Federation relies on member societies' Benchers and staff for leadership and technical support on policy issues. Mr. Herman recognized Gavin Hume, QC as the Law Society of BC's member of the Federation Council and Chair of the Federation's Standing Committee on the Model Code, and David Mossop, QC as a member of the Standing Committee on Access to Legal Services. Mr. Herman also commented on the Federation's reliance on the staff and resources of its member societies for policy analysis and development, noting the perennially strong contributions of the Law Society of BC. He thanked CEO Tim McGee for his personal support and contributions in that regard, and recognized a number of staff members, including Deborah Armour, Chief Legal Officer, Robyn Crisanti, Manager of Communications and Public Relations, Su Forbes, QC, Director of Insurance, Jeff Hoskins, QC, Tribunal and Legislative Counsel, Michael Lucas, Manager of Policy and Legal Services, Alan Treleaven, Director of Education, and Adam Whitcombe, Chief Information and Planning Officer.

Two current initiatives were outlined as examples of the Federation's commitment to a harmonized and cooperative—as opposed to generic or prescriptive— approach to issues identified by the member societies as having mutual importance: the National Admission Standards and National Discipline Standards projects.

Mr. Herman thanked Mr. Vertlieb for providing this briefing opportunity to the Federation, and he thanked the Benchers and staff of the Law Society for their hospitality.

## **9. Report on Outstanding Hearing & Review Reports**

The Benchers received and reviewed a report on outstanding hearing and review reports.

## **OTHER BUSINESS**

### **10. Remarks by President of the Law Society of Alberta**

Mr. Vertlieb invited Law Society of Alberta President Carsten Jensen, QC to address the Benchers.

Mr. Jensen commented on the value of the tradition of reciprocal attendance by senior Benchers of the Law Societies of Alberta and BC at their respective annual retreats. He noted that opportunities for collaboration often arise from the shared discussions, particularly when the retreat themes overlap, as is the case this year. Mr. Jensen particularly noted the interest of Law Society of Alberta leadership in pursuing joint study and discussion of alternate business structures and their regulation by the law societies of the western provinces.

On behalf of Law Society of Alberta President-Elect Keith Feth, QC and Executive Director Don Thompson, QC, Mr. Jensen thanked the Benchers and staff of the Law Society for their fellowship and hospitality.

The Benchers discussed other matters *in camera*.

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## **CEO's Report to Benchers**

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June 15, 2013

Prepared for: Benchers

Prepared by: Timothy E. McGee

## **Introduction**

My report this month will be briefer than usual, as I will be delivering a comprehensive mid-year report to the Benchers in July. That report will provide updates on progress made on the 2012 – 2014 Strategic Plan, our 2013 Operational Priorities and various other items.

In this report, I am pleased to provide you with a media relations report for 2012 and an update on activities to date in 2013. I will also share with you some of the activities I have participated in during the past months.

## **Media Relations Update**

Appended to this report as Appendix “A” is the 2012 Media Relations Report, which details the extent of our media coverage last year. In general, the Law Society was mentioned in approximately 150 unique media reports (many of which ran in multiple publications). The quality of those reports was also evaluated. For those that ran in response to Law Society news releases, the average score for tone was 4.25 out of five, meaning the story is considered generally positive and the Law Society is portrayed favourably. On average, two or more key messages were included in each story. Reports that resulted from media inquiries tended to be about more negative subject matter overall, but the Law Society was still portrayed favourably and at least two key messages were included.

In 2013, we have run three media campaigns, the first at the beginning of the year to launch the paralegal rule changes, the second during Law Week and the third to launch the new unauthorized practice database. We were able to secure several radio interviews and other media coverage during these campaigns. The Law Society was also the title sponsor of the Law Week courthouse open houses held throughout the province.

In late May, we hosted fifty journalists from newsrooms across Metro Vancouver for the 2013 Law and the Media Workshop. The workshop is an annual Law Society event for news reporters, editors, producers and other newsroom staff. It examines the relationship between journalism, the legal system and the law, in addition to the exploring the latest trends and developments in defamation and media law. Sitting on this year’s panel were media lawyers Daniel Burnett and Michael Skene, Global National news director Doriana Temolo and the Province newspaper deputy editor Ros Guggi.

Currently, we are developing a proposal to the Vancouver Sun with the aim to have President Vertlieb, QC and me meet with the Sun’s editorial board. The key topic will be

access to justice and the opportunities presented by the paralegal and articulated student rule changes. We anticipate being able to confirm a date for that meeting soon.

## **National Action Committee on Access to Justice in Civil and Family Matters**

As you may be aware, the National Action Committee on Access to Justice in Civil and Family Matters (ACATJ) chaired by Justice Thomas Cromwell of the Supreme Court of Canada recently released its report and recommendations (the “Cromwell Report”). The ACATJ is planning a cross-Canada “road show” to discuss the Cromwell Report with justice stakeholders, and has asked the Law Society to co-sponsor Vancouver events being planned for November 2013. We have offered to host a stakeholder event here at the Law Society and may have a further role in other consultative meetings. I will provide more information about this initiative as plans are confirmed.

## **Inaugural Justice Summit – Follow-up**

Following on the success of the March 2013 Inaugural Justice Summit, planning is underway for a second summit, which will focus on further developing the ideas around reforms in the criminal justice system that were raised at the March event. This has been tentatively scheduled for October or November of this year. That summit may be partnered with the ACATJ’s Vancouver events around the Justice Cromwell reports, and I will provide further information as planning progresses.

## **Recent Activities**

Together with a number of Benchers and staff I have attended a variety of bar related events in the past month including the Vancouver Bar Association Judges’ Lunch, the Law Society’s 50<sup>th</sup> and 60<sup>th</sup> Commemorative Certificate Luncheon, Chief Justice Finch’s Retirement Dinner and the Designated Paralegal and Lawyers’ Information Luncheon co-hosted with the Paralegal Association in Victoria. I will be attending the Victoria Bar Association Summer Dinner next week.

I would like to make particular mention of the comments of our President Art Vertlieb, QC, which he delivered as part of a tribute video aired at the Finch dinner. Art’s eloquent and moving comments were, in my view and in the view of many others at the event, the most memorable of those among all the testimonials. In fact, in the penultimate speech of the evening, the Chief Justice of Canada, The Honourable Beverley McLachlin, referred to Art’s comments (although not by name). In relating what Art had said to all the tributes offered to Chief Justice Finch that evening she said

“Those words said it best of all. . .”. We are trying to obtain transcripts of all the speeches and will put together a sampling for a future edition of the Bencher Bulletin.

## **CEO’s Breakfasts with Staff**

Over the past few months I have hosted a series of small group breakfast meetings with staff. So far I have hosted a total of 9 breakfasts involving approximately 125 of our employees. The style is informal and the groups are picked to bring people together from different departments to learn a bit more about me and to find out what their colleagues are doing. I typically lead off the meetings by sharing some information about my personal background and also what I do day-to-day in my role as CEO. We also talk about some of our priorities and current developments. In the open discussion period we have covered a number of different topics and ideas. The most discussed topic so far has been the appetite for a shadowing or secondment program within the Law Society as a way to enhance career development and help better develop teamwork across the organization. Based upon feedback to-date, the breakfasts are a positive experience for all and I certainly appreciate the insightful comments and suggestions that staff have shared with me.

## **PLTC Thank Yous**

Thank you to the following Benchers and Life Benchers who kindly volunteered to teach Professional Responsibility at the May 24, 2013 PLTC sessions:

### **Vancouver**

Maria Morellato, QC  
Catherine Sas, QC  
Herman Van Ommen, QC  
Life Bencher Anna Fung, QC  
Life Bencher Terry La Liberte, QC

### **Victoria**

Kathryn Berge, QC  
Richard Stewart, QC  
Life Bencher Ralston Alexander, QC

## 2012 Media Relations Report

### Introduction

Media relations remains the primary tactic by which the Law Society communicates with the general public. It is also a key strategy for reinforcing communication with other stakeholders, including government, lawyers and complainants.

The goal of Law Society media relations efforts is to increase awareness of the Law Society as an efficient, effective and transparent regulator of the legal profession.

The Law Society's approach to media relations is to provide accurate and timely information, with as much disclosure as possible given Law Society policies and rules. Communications staff also understand the needs of newsrooms and work to establish respectful, high quality relationships with reporters to help build the organization's credibility and influence the way the Law Society is portrayed in the news.

The Law Society connects with the media by responding to reporters' inquiries and issuing news releases, and to a lesser extent through social media. The department tracks both the quantity and quality of media coverage to gauge the success of its efforts and to identify areas for improvement.

### How the Law Society influences media coverage

Law Society staff influence media coverage in two ways: by proactively generating coverage and by providing information to shape how a story is reported.

The *quantity* of news stories in which the Law Society is mentioned is influenced by:

- Posting news releases to the Law Society website
- Strategically distributing news releases to reporters
- Encouraging reporters to take advantage of the Law Society's RSS feeds
- Tweeting all news releases and other news-worthy information
- Proactively contacting reporters with an interest in a particular matter or topic

The *quality* of news coverage is influenced by:

- Carefully developing news releases to include important Law Society key messages



- Prior to participating in an interview, developing key messages and anticipated questions and answers, then briefing spokespeople
- Providing additional information to media as needed through the Law Society’s website, particularly the newsroom
- Being responsive, professional and timely in all media interactions

## Quantity of 2012 media coverage

Total number of media inquiries (telephone and email)	163
Interviews or statements provided	104
Unique published or broadcast stories from inquiries	49
Unique published or broadcast stories without inquiries	71

In 2012, the Law Society managed 163 inquiries from reporters, researchers and producers, or between three and four inquiries per week. The type of information requested varies, from updates on high profile disciplinary matters, to general information about Law Society policies and programs.

The Law Society provided information, an interview or an emailed statement in response to 104 inquiries, which resulted in 49 published or broadcast stories. This compares to 86 inquiries in 2011 in which the Law Society provided an interview or a statement, resulting in 79 published or broadcast stories. The decrease is due primarily to there being fewer high-profile discipline cases in 2012 and a staff vacancy mid-year that resulted in less pro-active media relations activity for a few months.

The Law Society was mentioned in the news media an additional 71 times in 2012 in stories where no inquiry was made of the Law Society.

Fifty-nine inquiries, or approximately 36%, were related to issues on which the Law Society could not comment. The most common misdirected inquiry involved requests for expert opinions related to news stories in which the Law Society had no role. For example, CBC Radio produced a segment examining Toronto mayor Rob Ford’s removal from office in November, and inquired about interviewing a lawyer who specialized in municipal law. Those calls are referred to the Canadian Bar Association BC Branch, which operates a media referral program.

## 2012 News releases

Total number of news releases posted to website	28
Releases that resulted in news coverage	14
Number of releases actively distributed to media	11
Releases distributed to media that resulted in coverage	8
Total number of unique news stories/media mentions generated by media releases	33

The Law Society issues news releases about topics that are of importance to the public and the profession. While all news releases are posted to the website, only those that are deemed to be of strategic importance are also distributed to reporters by email.

In 2012, the Law Society issued a total of 28 news releases. Fourteen of those releases resulted in media coverage, or 50%. The Law Society distributed 11 releases to the media, 8 of which resulted in coverage, or approximately 73%. In total, 33 unique news stories or media mentions stemmed from Law Society media releases.

## Quality of media coverage

To gauge the quality of news coverage about the Law Society, the tone of print, broadcast and online stories is assessed as is the inclusion of key messages.

Articles that mention the Law Society, but where no request has been made for information or an interview, are not evaluated because there has been no opportunity to influence the story.

Of the 31 stories that ran as a result of press releases, the average score for tone was 4.25 of a possible five. Using the Law Society's evaluation rubric,<sup>1</sup> this means the story is considered generally positive and the Law Society is portrayed favourably.

Evaluating the same 31 stories for inclusion of key messages, the average score was 3.9 out of five, meaning two or more key messages are included with no more than two factual misrepresentations.

The average score for tone in stories resulting from media inquiries, but not press releases, was 3.6. This means the story had a more negative overall subject matter, but the Law Society was presented in a somewhat favourable way. Evaluating the same stories for key messages resulted

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<sup>1</sup> Attached as Appendix A

in an average score of 3.5 of five, meaning on average at least two key messages are included and there were no more than two factual misrepresentations.

## **Building relationships**

A key priority for the Law Society's media relations in 2013 is to continue to build relationships with reporters, researchers and producers, especially those who cover issues that are of importance to the Law Society. While most journalists are considered "general assignment," many have particular areas of interest. Targeting those reporters and the programs and publications they work for with news releases and story pitches is an effective way to generate positive coverage about the Law Society.

The coverage of the Justicia Project in November 2012 is a good example. CBC Radio covers equity and diversity issues extensively, and by reaching out to program producers and "selling" the story, the Law Society was able to secure coverage of the Justicia Project on CBC Radio's All Points West in Victoria, and Daybreak in Kamloops. As the Justicia Project had been announced by the Law Society one year earlier, it may have been ignored if targeted pitches had not been directed at newsrooms interested in equity and diversity topics.

## **Next steps**

A key goal for 2013 is to build on the Law Society's existing reputation in the media as an effective regulator of lawyers. For example, in a conversation in October, CBC Television producer Paisley Woodward requested information about the Lawyers Insurance Fund, which she referred to as the "gold standard" for professional insurers. In a separate conversation with *Vancouver Sun* columnist David Baines, Baines also referred to the Law Society as the "gold standard" for the amount of information disclosed in disciplinary decisions. The challenge now is to capitalize on the Law Society's credibility and channel it into more positive news coverage that portrays the organization as an efficient, effective regulator of lawyers.

## Appendix A: Evaluation Rubric

Rating	Tone	Key messages
1	Story has negative overall subject matter; all comments about the Law Society are negative	Law Society portrayed as not acting in the public interest; no positive comments or hint of Law Society perspective
2	Story has negative overall subject matter; negative comments about the Law Society are balanced with positive comments	Some inclusion of factual information about the Law Society but minimal inclusion of key messages; missing or mistaken facts are evident
3	Story has somewhat negative overall subject matter; Law Society is portrayed in a somewhat favourable way	At least two key messages are included and no more than two factual misrepresentations
4	Story is generally positive; Law Society is favourably portrayed	Most key messages are included; no more than one factual misrepresentation
5	Story is positive; Law Society is recognized or praised for its good work	All key messages included in story; messages are accurate; readers left to conclude the Law Society is an efficient, effective regulator