



# Minutes

## Benchers

Date: Friday, July 11, 2014

Present: Jan Lindsay, QC, President  
Ken Walker, QC, 1<sup>st</sup> Vice-President  
Joseph Arvay, QC  
Satwinder Bains  
Pinder Cheema, QC  
David Corey  
Jeevyn Dhaliwal  
Lynal Doerksen  
Thomas Fellhauer  
Craig Ferris  
Martin Finch, QC  
Miriam Kresivo, QC  
Dean Lawton  
Peter Lloyd, FCA

Jamie Maclaren  
Sharon Matthews, QC  
Ben Meisner  
Nancy Merrill  
Maria Morellato, QC  
David Mossop, QC  
Lee Ongman  
Greg Petrisor  
Phil Riddell  
Elizabeth Rowbotham  
Herman Van Ommen, QC  
Sarah Westwood  
Tony Wilson

Richard Fyfe, QC, Deputy Attorney  
General of BC, Ministry of Justice,  
representing the Attorney General

Excused: Haydn Acheson  
David Crossin, QC, 2<sup>nd</sup> Vice-President  
Claude Richmond  
Cameron Ward

Staff Present: Tim McGee, QC  
Taylore Ashlie  
Lance Cooke  
Su Forbes, QC  
Andrea Hilland  
Jeffrey Hoskins, QC  
Ryan Lee

Michael Lucas  
Bill McIntosh  
Jeanette McPhee  
Doug Munro  
Alan Treleaven  
Adam Whitcombe

Guests: Dom Bautista	Executive Director, Law Courts Center
Mark Benton, QC	Executive Director, Legal Services Society
Johanne Blenkin	Chief Executive Officer, Courthouse Libraries BC
Kari Boyle	Executive Director, Mediate BC Society
Micaela Carlson	Associate, Kuhn LLP
Maureen Cameron	Director of Membership and Communications, Canadian Bar Association, BC Branch
Anne Chopra	Equity Ombudsperson
Dean Crawford	President, Canadian Bar Association, BC Branch
barbara findlay, QC	Member, Law Society of BC
Ron Friesen	CEO, Continuing Legal Education Society of BC
Jeremy Hainsworth	Reporter, Lawyers Weekly
Derek LaCroix, QC	Executive Director, Lawyers Assistance Program
Michael Mulligan	Member, Law Society of BC
Anne Pappas, JD	Interim Dean of Law, Thompson Rivers University
Richard Parsons	President, Trial Lawyers Association of BC
Rose Singh	Vice-President, BC Paralegal Association
Prof. Jeremy Webber	Dean of Law, University of Victoria

## 1. Presentation of the 2014 Law Society Aboriginal Scholarship

President Lindsay presented the 2014 Law Society of BC Aboriginal Scholarship to the recipient, Ms. Kinwa Bluesky. Ms. Bluesky is a member of the Sandy Lake First Nation, an independent Oji-Cree First Nation in the Kenora district of northern Ontario. A graduate of the Faculty of Law at the University of Victoria (J.D., 2004 and LL.M., 2006), Ms. Bluesky is currently in the final year of her Ph.D. in the Faculty of Law at the University of British Columbia. Her dissertation focuses on “The Art of Indigenous Law – The Law of Indigenous Art.”

Ms. Bluesky’s research builds on the hypothesis that Indigenous artists are active agents in their respective legal traditions. Her research falls in line with legal scholarship that is exploring Indigenous legal traditions from a normative perspective. Ms. Kinwa’s dissertation compares ideas about Indigenous legal theory set out in the works of Indigenous legal scholars, framing those ideas against the background of Western legal theory.

Ms. Bluesky’s career objective is to be a leader in serving Indigenous legal education by re-defining Aboriginal legal issues within BC and Canada through the enhancement of Aboriginal involvement in all areas of the legal profession.

## CONSENT AGENDA

### 2. Minutes

#### a. Minutes

The minutes of the meeting held on June 13, 2014 were approved as circulated.

The *in camera* minutes of the meeting held on June 13, 2014 were approved as circulated.

#### b. Resolutions

The following resolutions were passed unanimously and by consent.

- Ethics Committee: Recommended Amendments to Rule 5-7 of the *Code of Professional Conduct of British Columbia* (Lawyers and Mediators)

*BE IT RESOLVED to amend the Code of Professional Conduct of British Columbia as set out in the attached red-line version of Rule 5-7 (Appendix 1 to these minutes)*

- Appointment to the Justice Education Society Board of Directors

*BE IT RESOLVED to renew the appointment of Leon Getz, QC as a member and director of the Justice Education Society, for a term of two years, effective September 1, 2014.*

## **DISCUSSION/ DECISION**

### **3. Law Firm Regulation Task Force Mandate**

Ms. Lindsay introduced this matter, referring the Benchers to the Executive Committee's memorandum at page 78 of the meeting materials for background:

When the *Legal Profession Act* was amended [in 2012], the Law Society was given legislative authority to regulate "law firms" in addition to "lawyers" whom the Law Society has regulated since its inception. Consequently, where the *Act* gave the Law Society authority to make rules governing lawyers, it now also gives the Law Society the authority to do likewise for law firms. "Law firm" means a "legal entity or a combination of legal entities carrying on the practice of law."

These new provisions of the *Act* are not yet in force, and some have not been implemented by enacting rules, as they await the Bencher's determination about how to exercise this new authority.

The Executive Committee has given some preliminary consideration to the rationale and perceived advantages of regulating law firms, and determined last year that a staff working group should be created to gather information about law firm regulation in other jurisdictions, together with possible models for regulation that includes their advantages and disadvantages. A staff group has been preparing this material, and it has now largely been collected.

Therefore, it is time to create a Bencher Task Force to consider the work that the staff group has collected. The Task Force will also be expected to consult broadly with the membership of the Law Society, other regulatory experts, and legal regulatory bodies in other jurisdictions. It will use all the information it has gathered and analysed to recommend a framework for the regulation of law firms. The Task Force can be supported by further work from the staff group as required.

Mr. Mossop moved (seconded by Mr. Lloyd) that the Benchers adopt the following resolution:

*BE IT RESOLVED to create the Law Firm Regulation Task Force, whose mandate is to recommend a framework for the regulation of law firms.*

The motion was carried unanimously.

Ms. Lindsay confirmed that the Law Firm Regulation Task Force will be chaired by Mr. Van Ommen, and that the other members of the new task force will be appointed in the coming weeks.

#### **4. Benchers' Consideration of Special General Meeting Resolution**

Ms. Lindsay confirmed that at the Law Society Special General Meeting on June 10, 2014 (the SGM), the following resolution was passed (3,210 in favour and 968 opposed) by the attending members (the SGM Resolution):

... THEREFORE:

The Benchers are directed to declare, pursuant to Law Society Rule 2-27(4.1), that Trinity Western University is not an approved faculty of law.

She reminded the Benchers that at their June 13 meeting:

- Mr. Maclaren confirmed his intention to present a motion at the July 11 Bencher meeting, calling for the Benchers' timely implementation of the SGM Resolution
- the Benchers agreed that Mr. Maclaren's motion should be presented at the July 11 Bencher meeting and then tabled for consideration at the September 26 Bencher meeting

Ms. Lindsay reported on developments in this matter since the June 13 Bencher meeting. She advised that the Executive Committee has been briefed by Mr. Wilson regarding a motion he intends to present at the September 26 Bencher meeting, calling for a Bencher-initiated referendum of the membership of the Law Society on the issue of implementation of the SGM Resolution. Ms. Lindsay noted the importance of ensuring that Trinity Western University (TWU) be provided with adequate notice of and opportunity to respond to any Bencher motion pertaining to the outcome of the SGM and particularly implementation of the SGM Resolution.

Ms. Lindsay confirmed the Executive Committee's determination that any such Bencher motions and their deliberation raise the same considerations of administrative fairness and public interest as at the April 11 Bencher meeting. Accordingly, the September 26 Bencher meeting will be webcast; Law Society members and the public will have the opportunity to make written

submissions (by September 3); and TWU will have the opportunity to make written submissions (by September 17).

Ms. Lindsay invited Mr. Maclaren to state the motion he intends to present at the September 26 Bencher meeting.

Mr. Maclaren confirmed that at the September 26 meeting he intends to present a motion calling on the Benchers to adopt the following resolution:

“BE IT RESOLVED THAT the Benchers implement the resolution of the members passed at the June 10, 2014 Special General Meeting, and declare that the proposed law school at Trinity Western University is not an approved faculty of law for the purposes of the Law Society’s admissions program.”

Ms. Lindsay then invited Mr. Wilson to state the motion he intends to present at the September 26 Bencher meeting.

Mr. Wilson confirmed that at the September 26 meeting he intends to present a motion (the Wilson Motion) calling on the Benchers to adopt the following resolution:

“BE IT RESOLVED THAT:

1. A referendum (the “Referendum”) be conducted of all members of the Law Society of British Columbia (the “Law Society”) to vote on the following resolution:

“Resolved that the Benchers implement the resolution of the members passed at the special general meeting of the Law Society held on June 10, 2014, and declare that the proposed law school at Trinity Western University is not an approved faculty of law for the purpose of the Law Society’s admissions program.

Yes \_\_\_\_\_ No \_\_\_\_\_ (the “Resolution”)

2. The Resolution will be binding and will be implemented by the Benchers if at least:
  - (a) 1/3 of all members in good standing of the Law Society vote in the Referendum;  
and
  - (b) 2/3 of those voting vote in favour of the Resolution.
3. The Benchers hereby determine that implementation of the Resolution does not constitute a breach of their statutory duties, regardless of the results of the Referendum.

4. The Referendum be conducted as soon as possible and that the results of the Referendum be provided to the members by no later than October 30, 2014.”

Ms. Kresivo confirmed that she intends to second the Wilson Motion at the September 26 meeting.

Mr. Hoskins advised that the Law Society Rules governing elections apply to the conduct of membership referenda, mutatis mutandis. Accordingly, under Rule 1-25 the voters list for a referendum of the Law Society membership to be completed on October 30, 2014 must be closed on September 24, 2014 (Rule 1-25).

In the ensuing discussion the Benchers expressed a range of views on the following issues:

- legal and strategic implications of passage of the Maclaren Motion or the Wilson Motion
- legal and strategic implications of a Bencher-initiated referendum of the Law Society membership
- legal and strategic implications of pre-determination by the Benchers regarding whether their future decision(s) regarding implementation of the SGM Resolution might or might not breach their “statutory duties” under section 13(4) of the *Legal Profession Act*
- legal and strategic implications of deferring action by the Law Society in relation to the SGM Resolution, pending determination of the TWU-accreditation litigation presently underway in Ontario, Nova Scotia and BC

Mr. Finch advised the Benchers that he may present a motion for adoption of the following resolution at the September 26 Bencher meeting:

*BE IT RESOLVED to suspend implementation of the decision of the Benchers made on April 11, pending determination by the Supreme Court of Canada of the constitutionality of the issue.*

Mr. Finch confirmed that by Friday, July 25, he will advise the President whether he intends to proceed with his motion.

Ms. Kresivo moved, seconded by Mr. Riddell, that if the Wilson Motion is passed at the September 26 Bencher meeting, the voters list for the membership referendum called for by that motion shall be closed as at September 24, 2014.

The motion was carried.

The Benchers discussed the structure of the debate of TWU-related motions at the September 26 Bencher meeting.

Mr. Walker moved (seconded by Mr. Petrisor) that all TWU-related motions presented at the September 26 Bencher meeting be moved and seconded consecutively, debated concurrently and voted on separately.

The motion was carried unanimously.

The Benchers agreed that the order of voting on the TWU-related motions presented and seconded at the September 26 meeting will be determined by the Benchers at that meeting.

The Benchers discussed limiting the number and length of Benchers' speeches during the debate of any TWU-related motions presented and seconded at the September 26 Bencher meeting.

Mr. Meisner moved (seconded by Ms. Merrill) that the Benchers be limited to a total of two speeches during the concurrent debate of any TWU-related motions presented and seconded at the September 26 Bencher meeting, with the first speech limited to 5 minutes and the second speech limited to 3 minutes.

The motion was carried by a two-thirds majority.

The Benchers agreed that any Bencher's permitted speaking time may be combined into a single speech of 8 minutes, at the Bencher's request and at the call of the Chair.

## **5. CBABC REAL Program: 2014/2015 Funding**

Mr. Walker briefed the Benchers for the Executive Committee regarding a proposal by the BC Branch of the Canadian Bar Association (CBABC), seeking a Law Society contribution of \$75,000 to 2014-2015 funding of the CBABC Rural Education and Access to Lawyers (REAL) Initiative. Mr. Walker confirmed the Executive Committee's understanding that the Law Foundation has committed \$75,000 to REAL funding for 2014-2015, not contingent on a matching contribution by the Law Society. Mr. Walker noted that CBABC will continue to provide administrative and in-kind support to REAL, despite being unable to make a financial contribution to REAL funding for 2014-2015.

Mr. Walker confirmed that the Executive Committee has reviewed CBABC's proposal and considers the REAL initiative to be a worthwhile program. He advised that the Executive Committee recommends continuation of the Law Society's annual contribution of \$50,000 to REAL funding for 2014-2015, with the hope that as much as possible, that funding be allocated to student placement rather than administration.



Mr. Walker moved (seconded by Mr. Petrisor) that the Law Society contribute \$50,000 to REAL funding for 2014-2015.

In the ensuing discussion the value of the contribution of REAL's part-time manager to the effectiveness of the program was noted, particularly in the context of addressing the apparent urban focus of some law students and articulated students. The importance of focusing REAL resources on supporting student placements, rather than program administration, was also noted.

The motion was carried.

## REPORTS

### 6. President's Report

Ms. Lindsay briefed the Benchers on various Law Society matters to which she has directed her attention since the last meeting, including:

#### a. External Appointment Updates

##### **CBA National & Provincial Councils (President's Nominee as Law Society Representative)**

Ms. Lindsay and Mr. Walker have jointly appointed Prince Rupert County Bencher Sarah Westwood to replace Maria Morellato, QC as the Law Society's representative to the CBA National & Provincial Councils, effective September 1, 2014. Ms. Morellato was thanked for her dedicated and effective service in these important liaison roles over the past two years.

##### **Provincial Court Family Rules Project (President's Appointee as Law Society Representative)**

The Law Society has been asked to appoint a representative to this two-year initiative being undertaken jointly by the Ministry of Justice and the Provincial Court, with the following mandate:

“[T]ransform the family court process, rules and forms to embrace the vision and direction articulated in the National Action Committee on Access to Justice Report on Access to Civil and Family Justice. Specifically, the project aims to improve the efficiency and effectiveness of the family court process for people who take their legal issues to family court, and to reflect that process in court rules and forms that are easy for the public to understand and use.”

Deputy Attorney General Richard Fyfe, QC confirmed the transformational nature of the project's mandate and goals, emphasizing the importance of technology and new approaches.

Ms. Lindsay confirmed that she will make the requested appointment in the coming weeks, with the advice of the Appointments Subcommittee.<sup>1</sup>

### **2014 Queen's Counsel Advisory Committee (Benchers' Appointment of Two Law Society Representatives)**

Traditionally the Benchers appoint the President and First Vice-President to represent the Law Society on the annual Queen's Counsel Advisory Committee.

Ms. Merrill moved (seconded by Ms. Westwood) that the Benchers appoint Ms. Lindsay and Mr. Walker to the 2014 Queen's Counsel Advisory Committee.

The motion was carried unanimously.

#### **b. 2014 Harry Rankin Pro Bono Award**

Vancouver Bencher Jamie Maclaren was congratulated on being named the recipient of the CBABC's 2014 Harry Rankin Pro Bono Award, in recognition of his significant contributions of: pro bono legal services to a client; community organizing in establishing pro bono clinics; coordinating pro bono services, and education and advocacy work to promote pro bono culture.

#### **c. 2014 Commemorative Certificate Luncheon**

Ms. Lindsay thanked the Benchers who attended the 2014 Commemorative Certificate Luncheon. She noted that 22 senior members of the legal profession were honoured at yesterday's luncheon, and commented on the honourees' appreciation: of both the Law Society's formal recognition of their long service, and the Benchers' attendance at the luncheon.

#### **d. 2014 BC Civil Liberties Association (BCCLA) Liberty Awards Gala**

Ms. Lindsay attended last month's BCCLA Gala on behalf of the Law Society to observe the presentation of the 2014 Liberty Awards, recognizing outstanding leadership to promote human rights and freedoms in Canada by: John Conway, QC (Excellence in Legal Advocacy (Individual)); JFK Law Corporation (Excellence in Legal Advocacy (Firm)); Ewen MacAskill, Laura Poitras, Barton D. Gellman, and Glenn Greenwald (Excellence in Journalism); Franke James (Excellence in the Arts); and the Fraser Valley Youth Society (Excellence in Youth Activism).

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<sup>1</sup> Nanaimo Bencher Nancy Merrill has since been appointed, and Cariboo Bencher Gregory Petrisor has been named first alternate.

#### **e. BC Provincial Court and BC Supreme Court Welcoming Ceremonies**

Ms. Lindsay represented the Law Society at the recent welcoming ceremonies for the Honourable Steven Point, OBE, former Lieutenant Governor of BC (re-appointed a BC Provincial Court Judge effective March 3, 2014<sup>2</sup>) and the Honourable Emily Burke (appointed to the BC Supreme Court effective May 13, 2014).

#### **f. BC Supreme Court Rules Revision Committee Notice to the Profession: Inviting Comment on Proposed Amendments to Rule 7-6 (audio recording of Independent Medical Examinations)**

The BC Supreme Court Rules Revision Committee has issued an invitation to the legal profession to comment on a submission from the Trial Lawyers Association of British Columbia proposing a rule change to permit a person who is being examined under Rule 7-6 to audio record the examination. The deadline for comments is October 31, 2014.

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

Mr. McGee provided highlights of his monthly written report to the Benchers (attached as Appendix 2 to these minutes) including the following matters:

- Introduction
- Process for Developing new 2015-2017 Strategic Plan
- Federation of Law Societies of Canada Update
- May 2014 Financial Statements
- 2015 Budget and Fees Planning Update

### **8. Financial Report to May 31, 2014**

Mr. Walker introduced this matter as chair of the Finance and Audit Committee and invited Chief Financial Officer Jeanette McPhee to update the Benchers on the Law Society's finances through May 31, 2014. Ms. McPhee reported that the Law Society is continuing to track close to budget for 2014, with the financial forecast for the balance of the year unchanged from her last report: a positive variance of about \$150,000 is expected. Ms. McPhee referred the Benchers to her written report at page 112 of the meeting materials for details.

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<sup>2</sup> The Honourable Judge Steven L. Point, OBE was first appointed to the BC Provincial Court in 1999.

## **9. 2015-2017 Strategic Plan: Preparation Update**

Mr. McGee covered this matter in his CEO's Report to the Benchers (Appendix 2, bullet 2).

## **10. Report on the Outstanding Hearing & Review Decisions**

Written reports on outstanding hearing decisions and conduct review reports were received and reviewed by the Benchers.

## **11. Mid-year Reports from the 2014 Advisory Committees**

### **a. Access to Legal Services Advisory Committee**

Mr. Mossop reported as chair: providing highlights of the committee's work in the first half of 2014 and outlining the committee's focus for the balance of the year (see the written report at page 125 of the meeting materials for details). Mr. Mossop acknowledged the hard work of the committee members, and thanked Staff Lawyer Doug Munro for his valuable assistance and guidance to the committee and its members.

### **b. Equity and Diversity Advisory Committee**

Ms. Morellato reported as chair: providing highlights of the committee's work in the first half of 2014 and outlining the committee's focus for the balance of the year (see the written report at page 133 of the meeting materials for details). Ms. Morellato acknowledged the hard work of the committee members, and thanked Staff Lawyer Andrea Hilland for her valuable assistance and guidance to the committee and its members.

Ms. Bains reported for the Diversity on the Bench Subcommittee. She outlined the subcommittee's three recommendations (see pages 144-147 of the meeting materials)

Ms. Bains presented a motion on behalf of the subcommittee: moved (seconded by Mr. Maclaren) that a letter be signed by the President and sent on behalf of the Law Society to the federal Minister of Justice, including the following statement:

*The Law Society of British Columbia recommends a review of the criteria used for appointments to the Judicial Advisory Committee for BC, with the goal to identify and remove real and perceived barriers for equity-seeking groups. We also recommend greater transparency in the appointment process, as has been accomplished at the Provincial Court level in BC.*

Following a discussion the motion was carried.

### **c. Rule of Law Advisory Committee**

Mr. Van Ommen reported as Vice-Chair in the absence of Mr. Crossin (Chair): providing highlights of the committee's work in the first half of 2014 and outlining the committee's focus for the balance of the year (see the written report at page 150 of the meeting materials for details). Mr. Van Ommen acknowledged the hard work of the committee members, and thanked Manager of Policy & Legal Services Michael Lucas for his valuable assistance and guidance to the committee and its members.

### **d. Lawyer Education Advisory Committee**

Mr. Wilson reported as chair: providing highlights of the committee's work in the first half of 2014 and outlining the committee's focus for the balance of the year (see the written report at page 157 of the meeting materials for details). Mr. Wilson acknowledged the hard work of the committee members, and thanked Director of Education Alan Treleaven for his valuable assistance and guidance to the committee and its members.

## **12. Mid-year Report from the 2014 Governance Committee**

Ms. Kresivo reported as chair of the Governance Committee: providing highlights of the committee's work in the first half of 2014 and outlining the committee's focus for the balance of the year (see the written report at page 161 of the meeting materials for details). Ms. Kresivo acknowledged the hard work of the committee members, and thanked Chief Information and Planning Officer Adam Whitcombe for his valuable assistance and guidance to the committee and its members.

Ms. Kresivo focused on the committee's recent review of the Law Society's current procedures and rules for general meetings. She noted that this work has been undertaken in response to widespread membership feedback to the Law Society's June 10, 2014 Special General Meeting: calling for electronic or online participation and voting at general meetings.

In the ensuing discussion several Benchers commented on the importance of utilizing modern technology to facilitate online participation and voting in Law Society general meetings. The value of in-person participation in general meetings was also noted.

Ms. Kresivo confirmed that the Governance Committee intends to continue its work on conflict of interest recommendations, to review the Law Society's rules for general meetings, and to research electronic and online options for participation and voting at general meetings. The Committee plans to report later in the year with specific recommendations for changes to the general meeting Rules, and with a proposal for seeking membership approval.

The Benchers discussed other matters *in camera*.

WKM  
2014-07-29



# Memo

To: Benchers  
From: Ethics Committee  
Date: June 9, 2014  
Subject: **ADR Task Force Recommendations**

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## **I. Background – The Alternative Dispute Resolution Task Force**

In October 2007 the ADR Task Force report was considered by the Benchers and approved for distribution to the profession and generally for consultation purposes. The report contained a number of recommendations with respect to the practice of mediation by lawyers, many of which would involve amendments to the *Code of Professional Conduct of British Columbia* (“the BC Code”). Following on its consideration by the Benchers, the Task Force received and considered commentary by members of the profession engaged in mediation practice and ultimately made recommendations with respect to specific changes to the *Code* to us. We identified from the ADR Task Force recommendations the changes to the *Code* that we thought were desirable, as well as those that were either unnecessary or undesirable, and obtained the consent of Task Force members to proceed with the proposals for change set out below, omitting other recommendations for change we considered unnecessary.

For those wishing to review the original ADR Task Force Report it is located at:

<http://www.lawsociety.bc.ca/docs/publications/reports/ADRreport.pdf>

## **II. Proposals For Change**

The ADR Task Force recommended the following changes to the *BC Code* which we endorse.

### **(a) Preamble**

The Task Force recommended the addition of a preamble to the Code. It advised:

The Professional Conduct Handbook includes a short statement on the title page that alludes to the advisory nature of the Handbook as a whole:

“Published under the authority of the Benchers for the guidance of members of The Law Society of British Columbia”

The ADR Task Force recommends that that statement be added to the Code of Professional Conduct before the Definition section and augmented with a statement that clarifies that it applies to lawyers when engaged in mediation:

“Published under the authority of the Benchers for the guidance of members of The Law Society of British Columbia.

The rules in this Code should guide the conduct of lawyers, not only in the practice of law, but also in their other activities, including but not limited to the conduct of mediation.”

We think it is reasonable to do this and recommend this change to you, although we do not think it is necessary to mention mediation expressly. The attached change to the preamble to the *BC Code* omits the words “including but not limited to the conduct of mediation” from the recommended change.

### **(b) Legal advice and information**

The Task Force made the following recommendation with respect to this issue:

The first paragraph of the commentary to Rule 5.7 indicates that a lawyer should not give legal advice, as opposed to legal information, to the parties when acting as a mediator. This is a highly controversial issue among lawyers practising mediation. The distinction between legal advice and legal information is often difficult to make, and in many situations it is not practical for a lawyer-mediator to avoid giving what could be considered advice. It is not fair to the parties to require them to get separate advice in matters where the law is settled. The Task Force has recommended that the Law Society take no formal position on this issue.

For the reasons given by the Task Force, we agree that rule 5.7 should be amended to conform to the Task Force’s view of this matter and we recommend the attached change to you.

### **(c) Lawyer may act as mediator and counsel in some divorce situations**

The Task Force made the following recommendation with respect to this issue:

The Ethics Committee has decided that a lawyer who has acted as a mediator in a family law matter may act for both spouses in a divorce action provided that all relief sought is by consent and both parties have received independent legal advice in relation to the matter. The Task Force suggests that that specific ruling, which relates to a very common situation, be included in the commentary to Rule 5.7.

We agree that the commentary to rule 5.7 should be amended to include a statement equivalent to the Ethics Committee’s opinion on this issue and recommend the attached change to you.



### (d) Specific reference in rule 5.7 to Appendix B

The Task Force made the following recommendation with respect to this issue:

The Professional Conduct Handbook, Chapter 6, Rule 9 refers specifically to Appendix 2 of the Handbook, indicating that a lawyer acting as a family law mediator must comply with the provisions of the Appendix as well as those in that chapter of the Handbook that are not inconsistent with the Appendix. There is nothing in the body of the Code of Professional Conduct that refers to Appendix B—Family law mediation, although each of the other appendices are referenced in the body of the Code. The Task Force recommends that such a reference be added with a statement that compliance with the provisions of the Appendix are mandatory for family law mediators.

We agree that rule 5.7 should be amended in this way and recommend the attached change to you.

### III. Expansion of Appendix B Beyond Family Law Mediation

The ADR Task Force made the following comments about expanding what is currently Appendix B (formerly Appendix 2 of the old *Professional Conduct Handbook*) of the *BC Code* to include what it terms “relationship mediation”:

The Code of Professional Conduct carries forward Appendix 2 in the Professional Conduct Handbook as Appendix B. While the Task Force would have preferred to include provisions regulating family law mediators in the body of the Code of Professional Conduct, they feel that it is important to continue with those provisions in whatever form is chosen.

The Task Force recommended that the field of mediation regulated by the Law Society should be expanded from just family law to other areas in which similar sensitivities are present. The Task Force has suggested that the larger field be called “relationship mediation”. This is the definition that the Task Force recommended:

“**relationship mediation**’ means mediation of issues relating to the parties’ marriage, cohabitation, separation or divorce, as well as mediation of issues relating to child protection, adoption, parent and child disputes, elder care or estate disputes among parties related by blood, marriage or adoption.”

The full rationale for these two recommendations is set out in Chapter 5 of the report. The argument for expanding the scope of the definition of family law mediator concludes with the following paragraph:

“The view of the Task Force is that the rationale that has supported mandatory training for family law mediation since 1984 continues to operate and should logically be extended to a broader range of disputes. Generally, these cases would be those where disputes between persons in personal relationships create a reasonable possibility of, or greater potential for, power imbalance, undue influence, abuse, violence, threats or intimidation.”

The ADR Task Force is in communication with the Family Law Task Force with respect to this issue. That Task Force is dealing with government proposals concerning the regulation of dispute resolution in the family law context and its views concerning this issue are essential to the discussion in this area. It may be that, following those discussions, the Ethics Committee may be asked to consider further changes to give effect to the result.

The reasons for the ADR Task Force's recommendation with respect to this issue are set out in section 5.2 of the ADR Task Force report (at page 41). Although we are of the view that this recommendation is one that may have merit, a decision to change Appendix B in the way the ADR Task Force has recommended may require some lawyers who are mediating in areas currently not covered by Appendix B to meet the Law Society's requirements for mediation training, and the implications for such a requirement need to be considered carefully. Such a consideration falls into the responsibility of the Credentials Committee and we recommend that consideration of this recommendation of the Task Force be postponed until the Credential Committee completes its review of the matter. We will provide a further assessment of the merits of this proposal, apart from the Credentials issues it raises, at a future meeting when the Credentials Committee has completed its review of the matter.

Attachments:

- Proposed changes to the *BC Code*.

[551974/2014]



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

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July 11, 2014

Prepared for: Benchers

Prepared by: Timothy E. McGee

## Introduction

My report this month provides a brief introduction to the planning process for the Benchers' development of a new three-year Strategic Plan, my involvement in two new Federation of Law Societies of Canada initiatives and updates on certain financial matters. As this will be the last Benchers meeting until September 26, may I take this opportunity to wish all of you the very best for the summer months.

## Process for Developing new 2015 - 2017 Strategic Plan

The current Law Society Strategic Plan was adopted in early 2012 and expires at the end of 2014. The current plan is the second three-year strategic plan since the Benchers adopted a new and more comprehensive approach to strategic planning in 2010. The next plan will cover the years 2015 – 2017 and will establish the priorities for our policy development and action plans at a time of considerable challenge and opportunity for public interest law regulators throughout Canada, and indeed around the world. In addition, many of our current Benchers did not participate in the development of the existing plan and are not familiar with its development.

Because of this, we are proposing that the first phase of the planning and development of the new strategic plan involve taking a step back and conducting what is known as an “environmental scan” of the issues, developments and trends apparent today in the legal profession and society more generally which are relevant to the Law Society’s mandate under the *Legal Profession Act*. To do this, we will prepare a briefing document which is built around section 3 of the *Legal Profession Act* entitled “Object and duty of society” and more specifically the sub-sections within section 3 which specify the five core objects and duties of the Law Society. Under each of these objects and duties we will provide succinct reference to and commentary on issues, developments and trends at large today which relate to these objects and duties. For your reference I have reproduced the text of section 3 of the *Legal Profession Act* below.

### *Object and duty of society*

**3** *It is the object and duty of the society to uphold and protect the public interest in the administration of justice by*

*(a) preserving and protecting the rights and freedoms of all persons,*

*(b) ensuring the independence, integrity, honour and competence of lawyers,*

*(c) establishing standards and programs for the education, professional responsibility and competence of lawyers and of applicants for call and admission,*

*(d) regulating the practice of law, and*

*(e) supporting and assisting lawyers, articulated students and lawyers of other jurisdictions who are permitted to practise law in British Columbia in fulfilling their duties in the practice of law.*

At its heart, strategic planning is all about identifying the most important issues that an organization needs to address in the future if it is to say it is successfully fulfilling its mandate. It is not so much about where the organization is today on any issues but where it needs to be over the planning horizon. This requires knowledge and insight into what is changing around the organization that will inevitably impact it and about which it will be expected to respond. It also requires consensus among the planners about what to establish as priorities. This is an iterative process and ultimately the goal will be to gain this consensus among the Benchers by the end of the year.

This type of review and discussion cannot properly (or enjoyably) be inserted into a regular Bencher meeting agenda. It is best conducted as a single purpose session with some thought provoking but succinct preparatory materials and a skilled facilitator to help get the most out of the discussion. Accordingly, we are proposing to have this critical first phase of developing the new strategic plan as a dedicated session at the Law Society on the afternoon of Thursday, September 25 prior to the regular Thursday night committee meetings. As this time slot is currently reserved for Advisory Committee meetings we are seeking to have those meetings “rolled” into the special strategic plan session. The Executive Committee was supportive of this approach and suggested that non-Bencher members of those Advisory Committees could be invited to attend the strategic planning session as observers if they wished. The session would run from 2:00 pm to 4:30 pm and the discussion and emerging sense of strategic direction for the new plan would be brought back for consideration and further refinement at the Bencher meetings in October and December.

The process of developing and adopting a strategic plan can seem daunting at the outset. Often implementation of a plan seems easy in comparison. I believe the key to a successful planning process is to start with the big picture but also have the assistance and discipline to continuously refine, narrow and articulate what should

and can be accomplished. This is the path that we want to initiate in September. I look forward to hearing your thoughts, comments or suggestions on this approach.

For your reference, attached to this report as Appendix A is a copy of the Law Society's 2012 – 2014 Strategic Plan, which has been annotated in each section by Michael Lucas, Manager Policy & Legal Services to update you on the progress made under each specific initiative, as at June 2014.

## **Federation of Law Societies of Canada Update**

### *Working Group on the National Requirement Review Committee*

I have been appointed by the Council of the Federation of Law Societies to a Working Group whose mandate is to make recommendations to Council on matters relating to the establishment of a National Requirement Review Committee (the "NRRC"). The Working Group will make recommendations to Council including regarding the terms of reference of the NRCC, the number and competencies of members, and process and resource requirements. The Working Group is to report out by the end of the summer and I will be participating in a two-day session in mid-July in Toronto where we hope to complete our work. Once we report out it will be up to the Council to establish the NRRC and to oversee its work.

The Federation decided to establish the NRCC because questions about several aspects of the existing National Requirement approved by all the Law Societies in 2010 specifying the competencies and skills graduates of Canadian common law programs must have for entry into law society admission programs have been raised by the Common Law Program Approval Committee of the Federation and the Council of Canadian Law Deans. In addition, the Federation Special Advisory Committee on Trinity Western University's proposed school of law in its 2013 report recommended the possibility of adding a non-discrimination provision to the National Requirement. Accordingly, the Council has determined that now is the time to establish the NRCC with a mandate to conduct a full review of the National Requirement including a consideration of whether to include a non-discrimination provision and if so, in what form.

The other members of the Working Group are; Tom Conway (Chair), Don Thompson QC (Alberta) ,Tillay Pillay (Nova Scotia), Laurie Pawlitz (Ontario) and Nicolas Plourde (Quebec).

## *Governance Review Committee*

I have also been appointed by the Council of the Federation to a planned new Governance Review Committee. The Committee will ultimately be comprised of Council members, law society CEOs and other law society leaders, giving consideration to regional balance and the different sizes of law societies. The mandate and membership of the Committee will be announced shortly and I will report further as this initiative gets underway.

## **May 2014 Financial Statements**

The May 2014 year-to-date financial report is included in the Bencher package in the “For Information Only” section. Ken Walker, QC, Chair of the Finance and Audit Committee, and Jeanette McPhee, Chief Financial Officer, together with members of Executive Team will be available to answer any questions you might have regarding the report. As you will see we are close to budget year-to-date and tracking to our forecast for year end.

## **2015 Budget and Fees Planning Update**

Work on the 2015 Fees and Budgets is well underway. The Finance and Audit Committee will review the preliminary 2015 Fees and Budgets planning process at their July 10 meeting, and will review the complete 2015 Fees and Budgets at their September 4 and 10 meetings. Recommendations will be submitted for Bencher approval at the September 26 Bencher meeting.

If you have any questions regarding the fees and budgets planning process, please don't hesitate to ask me, or Jeanette McPhee.

Timothy E. McGee  
Chief Executive Officer

**The Law Society**  
*of British Columbia*



# **2012 – 2014 Strategic Plan**

**Status Update as at June 2014**

**For: The Benchers**  
**Date: June 30, 2014**

**Purpose of Report: Discussion**  
**Prepared on behalf of the Executive Committee**



## INTRODUCTION

Section 3 of the *Legal Profession Act* states that the mandate of the Law Society is to uphold and protect the public interest in the administration of justice by:

- (i) preserving and protecting the rights and freedoms of all persons;
- (ii) ensuring the independence, integrity and honour of its members; and
- (iii) establishing standards for the education, professional responsibility and competence of its members and applicants for membership.

To carry out its mandate effectively, the Law Society must keep in mind the interests and concerns of all parties that engage the justice system. This includes the public generally, users of the legal systems (both individual and corporate), courts, governments, and lawyers.

The Benchers have created a process to plan for and prioritize strategic policy development to properly meet the mandate of the Society and to optimize staff resources.

Through this process, the Benchers identified three principal goals and related strategies that the Law Society should pursue over the next three years. In identifying these goals, strategies and initiatives, the Benchers have been mindful not only of what the role of the Law Society is in relation to its mandate, but also of what may be achievable within that mandate.

The goals, strategies and initiatives set out in this 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 Law Society.

The plan will be reviewed on an annual basis during its three year term to ensure that the strategies and initiatives remain appropriate and to address any additional strategies or initiatives that may be necessary in light of changing circumstances.

## **Law Society Goals**

1. The Law Society will be a more innovative and effective professional regulatory body.
2. The public will have better access to legal services.
3. The public will have greater confidence in the administration of justice and the rule of law.

## **GOAL 1: The Law Society will be a more innovative and effective professional regulatory body.**

The Law Society recognizes that it is important to encourage innovation in all of its practices and processes in order to continue to be an effective professional regulatory body. The following strategies and initiatives will ensure that the Law Society continues to improve in delivering on its regulatory responsibilities.

### **Strategy 1–1**

Regulate the provision of legal services effectively and in the public interest.

#### ***Initiative 1–1(a)***

Consider ways to improve regulatory tools and examine whether the Law Society should regulate law firms.

#### ***Status – June 2014***

*The Legal Profession Act has been amended to permit the regulation of law firms. A review has been prepared for the Executive Committee that outlines the rationale and anticipated benefits of law firm regulation. A staff group has been working to put together background materials on approaches in other jurisdictions and a Bencher Task Force is expected to be appointed at the July 2014 Bencher meeting.*

#### ***Initiative 1–1(b)***

Examine the relationship between the Law Society as the regulator of lawyers and the Law Society as the insurer of lawyers.

#### ***Status – June 2014***

*The Rule of Law and Lawyer Independence Advisory Committee completed its review of this issue and its report with recommendations was adopted by the Benchers in September 2013. A Working Group of Benchers and staff was tasked with analyzing the options put forward identified in the Committee's report. The Working Group has met a number of times and is preparing a report for the Benchers' consideration in the fall.*

### ***Initiative 1–1(c)***

Examine whether the Law Society should regulate just lawyers or whether it should regulate all legal service providers.

#### ***Status – December 2013***

*The Legal Service Provider Task Force created to examine this topic reported to the benchers in December 2013..*

*The Task Force made three recommendations which were adopted by the Benchers in December 2013*

- *That the Law Society seek to merge regulatory operations with the Society of Notaries Public such that the Law Society would become the regulator of both lawyers and notaries in the province, Preliminary discussions have taken place on the issues and considerations that would need to be agreed upon by the Law Society and the Society of Notaries Public*
- *That a program be created by which paralegals who have met specific, prescribed education and/or training standards could be provided with a certificate that would allow such persons to be held out by regulated legal service providers for whom they work as “certified paralegals.” Work is underway at the staff level to create a scheme through which this recommendation can be implemented.*
- *That the Law Society develop a regulatory framework by which other existing providers of legal services, or new stand-alone groups who are neither lawyers nor notaries, could provide credentialed and regulated legal services in the public interest The Benchers have established the Legal Services Regulatory Framework Task Force in April. The Task Force’s work will continue beyond this Strategic Plan.*

### **Strategy 1–2**

Identify and develop processes to ensure continued good governance.

#### ***Initiative 1–2(a)***

Examine issues of governance of the Law Society generally including:

- identifying ways to enhance Bencher diversity;
- developing a model for independent evaluation of Law Society processes;

- creating a mechanism for effective evaluation of Benchers performance and feedback.

***Status – June 2014***

*This initiative has been divided into separate tasks:*

- *The Governance Review Task Force presented its final report to the Benchers in December 2012 with 72 recommendations which were adopted by the Benchers.*
- *The Benchers established the Governance Committee in January 2013 with a mandate to assist the Benchers in meeting their governance obligations by reviewing and advising the Benchers about governance policy and practice. The Governance Committee has reviewed and implemented over 60 of the recommendations of the Governance Review Task Force and continues to review the remaining recommendations in 2014*
- *Bencher diversity was actively considered at the Bencher governance retreat and by the Governance Committee which made three recommendations in its 2013 year-end report to the Benchers which were adopted. ;*
- *The development of a model for the independent evaluation of Law Society processes was begun prior to a series of initiatives, including the governance review, had been undertaken by the Law Society. As a result of the outcome of those initiatives, the rationale for independent evaluation of Law Society processes is less evident and the necessity of this initiative should be re-evaluated when consideration is given to the next strategic plan.*

**Strategy 1–3**

Ensure that programs are available to assist lawyers with regulatory and workplace changes.

***Initiative 1–3(a)***

Work with continuing professional development providers to develop programs about the new Code of Conduct.

***Status – June 2014***

*The Law Society and the Continuing Legal Education Society of BC jointly planned and delivered webinars on the new BC Code of Conduct, which were*

*available to all BC lawyers free of charge. The recorded version of the webinars continues to be accessible free of charge through the Law Society website. The Law Society website also features an Annotated BC Code of Conduct as well as a guide to the BC Code of Conduct that compares key features of the current Handbook to the new Code.*

### **Initiative 1–3(b)**

Improve uptake of Lawyer Wellness Programs.

#### ***Status – June 2014***

*Development of this initiative has been undertaken in the Practice Standards Committee. A special Working Group was created to research and address the topic and to make recommendations to the Practice Standards Committee. A member survey was undertaken. The Working Group’s final report was presented to the Committee on December 5, 2013. Upon receiving the report, the Committee determined that it required additional time and opportunity to consider and discuss the recommendations of the Working Group, before adopting any specific recommendations and potentially making its own recommendations to the Benchers. The recommendations remain under consideration by the Committee.*

### **Strategy 1–4**

Ensure that admission processes are appropriate and relevant.

#### **Initiative 1–4(a)**

Work on national admission standards while considering the rationale and purpose of the overall admission program.

#### ***Status – June 2014***

*The Lawyer Education Advisory Committee’s 2013 – 14 focus has been on Admission Program review, taking into account the Federation’s progress on National Admission Standards Project.*

*The first phase of the Federation project was to draft a profile of the competencies required for entry to the profession and the standard for ensuring that applicants meet the requirement to be fit and of good character. The*

*Benchers approved the National Entry-Level Competency Profile for Lawyers and Quebec Notaries on January 24, 2013.*

*Implementation of the National Entry-Level Competency Profile is the focus of the second phase of the Federation project. At the Federation level, work is well underway on developing options for implementation, with the goal of achieving a high level of consistency and quality in national admission standards.*

*The Lawyer Education Advisory Committee has been moving forward with its review of the Admission Program, and has met with Federation representatives who are consulting nationally on the admission standards project.*

*Although the Lawyer Education Advisory Committee would have preferred to complete its Admission Program review by the year-end, it is unlikely that the Federation's development of proposals for implementation of the National Entry-Level Competency Profile will be complete. Therefore, this work of the Lawyer Education Advisory Committee will likely have to carry over into 2015.*

*Ultimately, all law societies will be asked to approve how the National Entry-Level Competency Profile will be implemented, likely in 2015.*

*On the national good character initiative, the Credentials Committee has provided informal input as a part of the Federation's national consultation.*

### **Initiative 1–4(b)**

Consider qualification standards or requirements necessary for the effective and competent provision of differing types of legal services.

#### ***Status – June 2014***

*On December 2, 2011, the Benchers approved the joint recommendation of the Lawyer Education Advisory Committee and the Access to Legal Services Advisory Committee that a Task Force be created to address the qualification standards or requirements necessary for the effective and competent provision of differing types of legal services. Responsibility for this initiative was assigned to the Legal Services Providers Task Force which presented its final report to the Benchers in December 2013. The Legal Services Regulatory Framework Task Force is now charged with looking at the overall delivery of legal services and for developing a framework for establishing qualification standards and requirements. The Legal Services Regulatory Framework Task Force is expected to report to the Benchers in July 2015.*

## **GOAL 2: The public will have better access to legal services.**

The Law Society recognizes that one of the most significant challenges in any civil society is ensuring that the public has adequate access to legal advice and services. The Law Society has identified a number of strategies to respond to this challenge over the next three years and will continue to gather demographic data about lawyers to inform these strategies.

### **Strategy 2–1**

Increase the availability of legal service providers.

#### ***Initiative 2–1(a)***

Consider ways to improve the affordability of legal services:

- continue work on initiatives raised by recommendations by the Delivery of Legal Services Task Force;
- identify and consider new initiatives for improved access to legal services.

#### ***Status – June 2014***

*Implementation of the recommendations of the Delivery of Legal Services Task Force continues. As of January 1, 2013, the family law pilot projects in the Supreme and Provincial Courts have begun to operate, and will run until January 2015 after which they will be evaluated. Changes to the Law Society Rules and to the BC Code of Conduct that permit expanded opportunities for articulated students and paralegals to provide legal services are all in effect. To date, the President and policy staff have engaged in four presentations to paralegals and lawyers to educate about the initiative and to encourage participation.*

*At the July Benchers meeting the Benchers increased the level of funding provided to the Law Foundation to support pro bono organizations and introduced a new fund with the Law Foundation designed to fund discrete access to justice initiatives. The result effectively doubled the Law Society's financial support for pro bono and access to justice initiatives (not including funding for the REAL program).*

*The Benchers have established the Legal Services Regulatory Framework Task Force, which is exploring what legal needs might be addressed by creating new*



*class(es) of legal licensee. The Task Force intends to make a report to the Benchers on its work in July 2015.*

*The Access to Legal Services Advisory Committee has been exploring what the Law Society can do to increase lawyer participation in Justice Access Centres and facilitate the expansion of JACs into rural and remote communities. The Committee has held preliminary discussions about what the Law Society can do to champion greater funding for legal aid. The Committee expects to more fully develop such initiatives for inclusion in the next strategic plan.*

### **Initiative 2–1(b)**

Support the retention of women lawyers by implementing the *Justicia* Project.

#### **Status – June 2014**

*Work on Phase 1 on implementation of the Justicia project has begun. Managing Partners have met, and Diversity Officers have been appointed by participating firms. Working Groups have developed model policies for Maternity Leave, Flexible Work Arrangements, and Demographic Information Collection. Meetings are being scheduled for the summer of 2014 for the Working Groups to create Business Development, Partnership, and Leadership Programs for women. The expectation is that model policies will be presented in the fall of 2014.*

### **Initiative 2–1(c)**

Support the retention of Aboriginal lawyers by developing and implementing the Indigenous Lawyer Mentoring Program.

#### **Status – June 2014**

*An Aboriginal Mentoring Program was formally launched on National Aboriginal Day, June 21, 2013. Twenty mentorship pairs were matched in the fall and the program is now well underway and is being assessed from time to time by the Equity and Diversity Committee.*

## **Strategy 2–2**

Improve access to justice in rural communities.

### **Initiative 2–2(a)**

Develop ways to address changing demographics of the legal profession and its effects, particularly in rural communities.

***Status – June 2014***

*This initiative will benefit from information gathered through the REAL program. Work will begin after there has been an opportunity to review and analyse some of that program's results. This initiative will therefore likely carry over for consideration on the subsequent Strategic Plan*

**Initiative 2–2(b)**

Develop ways to improve articling opportunities in rural communities.

***Status – June 2014***

*Work on this initiative is planned to commence in 2014 and will also review and analyze the results from the REAL program. This initiative will also therefore likely carry over for consideration on the subsequent Strategic Plan*

**Strategy 2–3**

Understand the economics of the market for legal services in British Columbia.

***Initiative 2–3(a)***

Work collaboratively with other stakeholders in the legal community to identify questions that need to be answered and engage, with others, in focused research.

***Status – June 2014***

*In the implementation plan for this initiative, the initial work was assigned to staff to determine what work on this subject other stakeholders in the legal community were developing. After discussions with the Law Foundation, which is undertaking an examination relating to economic analysis of certain aspects of the justice system in conjunction with the Legal Services Society, it has been determined that the focus of their research is not focused on the market for legal services.*

*A staff group has therefore met to discuss in a preliminary manner what sort of research and issues could be examined in order to gather information to create a better understanding of the economics of operating a law practice and the market for legal services. This work is expected to be subsumed into some of the analysis of issues being undertaken by the Legal Services Regulatory Framework*

*Task Force to provide some basis for analysis of the market for legal services in the Province, and is therefore expected to carry over to the next Strategic Plan.*

### **GOAL 3: The public has greater confidence in the administration of justice and the rule of law.**

The rule of law, supported by an effective justice system, is essential to a civil society. This requires public confidence in both the rule of law and the administration of justice. The Law Society recognizes the importance of working with others to educate the public about the rule of law, the role of the Law Society in the justice system and the fundamental importance of the administration of justice.

#### **Strategy 3–1**

Develop broader and more meaningful relationships with stakeholders.

##### ***Initiative 3–1(a)***

Identify, establish and build on relationships with the Ministry of Attorney General and other government ministries, the Courts, and non-governmental stakeholders.

##### ***Status – June 2014***

*Work has been undertaken at the Bench and staff level and has resulted in meetings with the Minister of Justice and Attorney General and ministry senior staff on a number of occasions. A meeting in Victoria with policy staff in various government ministries together with the Chief Executive Officer and Law Society policy and communication staff took place in 2012. Future meetings are being arranged to keep the lines of communication relevant and open and to continue productive work with the new minister.*

#### **Strategy 3–2**

Educate the public about the importance of the rule of law, the role of the Law Society and the role of lawyers.

##### ***Initiative 3–2(a)***

Identify methods to communicate through media about the role of the Law Society, including its role in protecting the rule of law.

##### ***Status – June 2014***

*To increase awareness of the Law Society and the Rule of Law, a number of initiatives have been completed. A dedicated webpage has been created and is updated regularly. During Law Week in 2012, the Law Society's "Day-in-the-Life" Twitter campaign was run and promoted. The following year, public education was the Law Society's focus during Law Week and the first vice-president and senior staff were made available to the media over a week-long period to speak about the Law Society's role in promoting access to justice and protecting the public. Other proactive media relations efforts to discuss events or Law Society initiatives have also resulted in coverage of the Law Society and the opportunity to profile the work of the organization to hundreds of thousands of British Columbians. Content related to the Law Society have been added to Clicklaw, the primary online source of public information regarding the law in BC. The infrastructure to support the new Speakers' Bureau is complete and the bureau is being promoted on the Law Society website. The Law Society is also currently developing a series of educational videos and expects to have two completed in January with more to come over the course of 2014. The videos will provide basic information about the Law Society, including information about the rule of law, and will be available on the Law Society website and YouTube channel. The Rule of Law and Lawyer Independence Advisory Committee is considering ways in which the Law Society might usefully comment on examples of violations of the rule of law when they appear in media reports, and a proposal is expected to be presented to the benchers in the fall.*