



Minutes

Benchers

Date: Friday, September 29, 2017

Present: Herman Van Ommen, QC, President
Miriam Kresivo, QC, 1st Vice-President
Nancy Merrill, QC, 2nd Vice-President
Jasmin Ahmad
Pinder Cheema, QC
Barbara Cromarty
Jeevyn Dhaliwal
Thomas Fellhauer
Craig Ferris, QC
Martin Finch, QC
Brook Greenberg
Lisa Hamilton
J.S. (Woody) Hayes, FCPA, FCA
Dean P.J. Lawton, QC

Jamie Maclaren
Sharon Matthews, QC
Steven McKoen
Christopher McPherson
Lee Ongman
Greg Petrisor
Claude Richmond
Elizabeth Rowbotham
Mark Rushton
Carolynn Ryan
Daniel P. Smith
Michelle Stanford
Sarah Westwood
Tony Wilson, QC

Unable to Attend: Satwinder Bains
Jeff Campbell, QC
Phil Riddell

Staff Present: Adam Whitcombe
Deborah Armour
Renee Collins
Margrett George
Andrea Hilland
Jeffrey Hoskins, QC
David Jordan

Michael Lucas
Alison Luke
Jeanette McPhee
Lesley Small
Alan Treleaven
Vinnie Yuen

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| Guests: | Dom Bautista | Executive Director, Law Courts Center |
| | Dr. Catherine Dauvergne | Dean of Law, University of British Columbia |
| | The Honourable David Eby, QC | Attorney General and Minister responsible for ICBC, Liquor, and Gaming |
| | Kensi Gounden | CEO, Courthouse Libraries BC |
| | Derek LaCroix, QC | Executive Director, Lawyers Assistance Program |
| | Caroline Nevin | Executive Director, Canadian Bar Association, BC Branch |
| | Wayne Robertson, QC | Executive Director, Law Foundation of BC |
| | Linda Russell | CEO, Continuing Legal Education Society of BC |
| | Bill Veenstra | President, Canadian Bar Association, BC Branch |
| | Prof. Jeremy Webber | Dean of Law, University of Victoria |

GUEST PRESENTATION

1. Presentation of Law Society Gold Medal

President Van Ommen provided a brief background of the Law Society Gold Medal, noting that it was first awarded in 1948 at UBC, and that the first female recipient was Constance Holmes (now Isherwood). It was first awarded to a UVic student in 1978, and in the intervening 33 years has been awarded to a woman 22 times.

He then congratulated Madeline Reid, the UVic recipient of the 2017 Law Society Gold Medal. Before law school Ms. Reid earned her Bachelor of Music in violin performance. She received her J.D. from UVic in June of this year, and after completing a clerkship at the BC Court of Appeal, will article at the Ministry of Justice.

UVic Dean Jeremy Webber was also on hand to present Ms. Reid with a commemorative plaque and to recognize her all around contributions of academic excellence and commitment to her community.

2. Honourable David Eby, QC Attorney General and Minister responsible for ICBC, Liquor, and Gaming

Attorney General David Eby attended to address Benchers for the first time. He expressed his gratitude for the invitation to attend, and noted his commitment to fighting for access to justice. He also recognized the Law Society's commitment and meaningful contributions to this area that has long been neglected. He also acknowledged that the challenges of access are not limited to the criminal law, but extend to family issues, the legal aid tariff, civil matters and self-represented litigants. He characterized these challenges as the most critical of our time and pledged to work with the Chief Justice, the Law Society and other legal organizations to ensure public confidence in access to justice in BC.

Specifically, he cited an increased focus on delay and case timelines, in the wake of the Supreme Court of Canada decision in Jordan. He highlighted the need for family law rule reform, and the need to address the increasing number of people forced to represent themselves in the justice system.

Mr. Van Ommen thanked the Minister and noted that the Law Society is also looking forward to working with the government in the pursuit of increased access to justice.

The Minister in turn noted his awareness of legislative amendments being sought by the Law Society to advance access to justice initiatives and looked forward to working together to address those priorities. He then invited questions from Benchers.

In response to a question regarding legal aid funding, the Minister noted a \$20 million provision in the budget to focus on sheriffs and legal aid, and advised that the next budget will contain a legal aid package to address a broader range of issues, including the tariff. He recognized that it would not be an amount sufficient to address 16 years of neglect, but noted it was a start. He also pledged to advocate on BC's behalf for increased federal funding to ensure the vulnerable, such as refugees, continue to have access to legal aid.

One Bencher expressed gratitude for the government's increased focus on access to justice, and recommended a review of the social services tax, originally intended as a funding source for justice needs, as a means of increasing resources in this regard.

Citing a recent Supreme Court of Canada case focused on the constitutionality of hearing fees, another Bencher suggested a review of such fees, particularly in family cases where court fees can have prohibitive effects on a litigant's access to the justice system.

The Minister noted in response that there are many hidden fees and costs in the system which amount to taxation and have not received sufficient attention.

3. Consent Agenda

a. Minutes

The minutes of the meeting held on July 7, 2017 were approved as circulated.

The *in camera* minutes of the meeting held on July 7, 2017 were approved as circulated

b. Resolutions

The following resolution was passed unanimously and by consent.

ELECTRONIC DOCUMENTS

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

1. In Rule 3-64, by rescinding subrule (8) and substituting the following:

- (8) A lawyer may make or authorize the withdrawal of funds from a pooled or separate trust account by electronic transfer using the electronic filing system of the land title office for the purpose of the payment of property transfer tax on behalf of a client, provided that the lawyer*
 - (a) retains in the lawyer's records a copy of*
 - (i) all electronic payment authorization forms submitted to the electronic filing system,*
 - (ii) the property transfer tax return, and*

- (iii) *the transaction receipt provided by the electronic filing system,*
- (b) *digitally signs the property transfer tax return in accordance with the requirements of the electronic filing system, and*
- (c) *verifies that the money was drawn from the trust account as specified in the property transfer tax return.*

2. *By adding the following rule:*

Electronic submission of documents

3-96.1 A lawyer authorized to access and use the electronic filing system of the land title office for the electronic submission or registration of documents must not

- (a) disclose the lawyer's password associated with an electronic signature to another person, or
- (b) permit another person, including a non-lawyer employee
 - (i) to use the lawyer's password to gain such access, or
 - (ii) to affix an electronic signature to any document or gain access to the electronic filing system unless otherwise authorized to do so.

PRACTICE MANAGEMENT COURSE

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

1. In Rule 1, by inserting the following definition:

“practice management course” means a course of study designated as such and administered by the Society or its agents and includes any assignment, examination or remedial work taken during or after the course of study.;

2. By rescinding Rule 2-76 and substituting the following:

Call and admission

2-76 (1) To qualify for call and admission, an articled student must complete the following satisfactorily:

- (a) the articling term;
- (b) the training course;
- (b.1) the practice management course;
- (c) any other requirements of the Act or these rules imposed by the Credentials Committee or the Benchers.

- (2) Subrule (1) (b.1) applies to articled students enrolled in the admission program on or after January 1, 2018.;

3. In Rule 3-26, by rescinding the definition of “small firm course”; and

4. In Rule 3-28,

(a) by rescinding the heading and substituting:

Practice Management Course; and

(b) in subrule (1) (a) and (b), by striking “the small firm course” and substituting “the practice management course”.

FORMER JUDGES AND MASTERS

BE IT RESOLVED to amend Rule 2-87 of the Law Society Rules as follows:

1. By striking the heading and substituting “Former judge or master”;

2. By rescinding subrule (1) and substituting the following:

(1) Subject to subrules (2) and (3), a lawyer who was a judge or a master must restrict his or her practice of law as follows:

(a) a former judge of a federally-appointed court must not appear as counsel in any court in British Columbia without first obtaining the approval of the Credentials Committee;

(b) a former judge of a provincial or territorial court in Canada must not appear as counsel in the Provincial Court of British Columbia for 3 years after ceasing to be a judge;

(c) a former master of the Supreme Court of British Columbia must not appear as counsel before a master, a registrar, a district registrar or a deputy district registrar of the Supreme Court of British Columbia for 3 years after ceasing to be a master.

3. By adding the following subrule:

(7) This rule applies to a lawyer who has served as a master or the equivalent officer of a superior court in Canada as it does to a former master of the Supreme Court of British Columbia.

QC ADVISORY APPOINTMENTS COMMITTEE

BE IT RESOLVED that the Benchers appoint President Herman Van Ommen, QC and First Vice-President Miriam Kresivo, QC as the Law Society’s representatives on the 2017 QC Appointments Advisory Committee.

APPOINTED BENCHER AND NON-LAWYER HEARING PANELIST PER DIEM RATES

BE IT RESOLVED THAT:

The Law Society's current policy for per diem rates for Appointed Benchers and Non-Lawyer Hearing Panelists shall be replaced by the following per diem rates, effective January 1, 2018.

- **Appointed Bencher and Non-Lawyer Hearing Panelists Full Day Event Per Diem – \$350**

All Appointed Benchers and Non-Lawyer Hearing Panelists are eligible to receive \$350 for every full day (more than 4 hours) during which they attend any meeting, hearing or other event, at the request of the Law Society, inclusive of preparation ("Law Society Full Day Event").

- **Appointed Bencher and Non-Lawyer Hearing Panelists Half Day Event Per Diem - \$200**

All Appointed Benchers and Non-Lawyer Hearing Panelists are eligible to receive \$200 for every half day (4 hours or less) during which they attend any meeting, hearing or other event, at the request of the Law Society, inclusive of preparation ("Law Society Half Day Event").

- **Appointed Bencher and Non-Lawyer Hearing Panelists Travel Event Per Diem – \$150**

In addition, any out-of-town Appointed Benchers and Non-Lawyer Hearing Panelists are eligible to receive \$150 when they must travel for an extended period of time, from their residence to the Law Society, or from the Law Society to their residence, for the purpose of attending a Full Day Event or Half Day Event ("Law Society Travel Event").

DISCUSSION/DECISION

4. Presentation of 2018 Budget & Fees

First Vice-President and Finance and Audit Committee Chair Miriam Kresivo, QC presented the proposed budget for 2018 and briefed Benchers on the process involved in its development. She also thanked the committee members, as well as Chief Financial Officer Jeanette McPhee and her staff for their considerable efforts and hard work. The total 2018 Annual Practice Fee being recommended for full time practice is \$2139.72, which is based on operating expenses and

funding for external organizations. The recommended Insurance Fee is \$1800 for full time practice.

Ms. Kresivo began with a review of the \$1754 proposed fee associated with the Law Society operations, which reflects a recommended increase of \$8.45 (or .5%) as compared with the 2017 fee. The amount is based upon our operating expenses of approximately \$24 million, which have undergone rigorous scrutiny and have also increased year over year by approximately 3.9%. Specific areas of increase include PLTC, education and practice, regulation and Bencher governance expenses. Our commitment to increase our voice in the community regarding access to justice and legal aid has resulted in increased expense. There has been a market-based staff compensation adjustment, as well as the addition of 5.5 new positions to assist with an increase in regulatory demands. Enrollment in PLTC is also up, creating additional demand on the system. She noted that there is a proposed increase to the student PLTC fee of \$100, to fund new software that will provide benefits to the students and the program, but she did note that the overall PLTC program continues to be subsidized by the practice fee to ensure the PLTC fees remain competitive and in line with other jurisdictions.

The planned capital costs of \$1.7 million relate to building capital projects, along with hardware and software updates. Increases are projected for the Trust Assurance program, including the addition of staff to assist with the completion of an increasing number of audits, as well as the increasing scope and complexity of files and their associated documentation.

She also noted that increased expenses are offset somewhat by an increase in revenue from additional membership, PLTC fees, and electronic filing fees. Revenue associated with the trust program has also been on the rise given the increase in real estate unit sales. The level of the trust administration fee was discussed, however, real estate sales are expected to decline in the remainder of 2017 and in 2018; given how markets can fluctuate, this is a difficult issue to assess and it was determined the fee will remain the same. The Executive limitation on the TAF reserve recommends that the reserve level be up to 12 months of operating expenses, which is \$3 million, and any additional revenue be allocated to the Insurance (Part B) fund, which will be done by the end of 2017.

The remainder of the Annual Practice Fee is based upon funds allocated to external organizations. The following amounts are allocated to these organizations:

- Federation of Law Societies: \$28.12
- CanLII: \$39.24
- CLBC: \$195
- The Advocate: \$27.50
- LAP: \$65.60

- Access Pro Bono: \$28.15
- REAL: \$2.11

The committee is recommending two changes in approach to external funding. Firstly, it is creating an external funding accountability policy and guidelines, to be recommended to Benchers at the October meeting. This policy will cover such issues how to address funding when and at what level reserves exist. The policy and guidelines will be based on the Law Foundation's guidelines, and will recommend providing a year's notice to funded organizations.

Secondly, the committee recommends a change to the method of funding. Currently, funding is allocated based on a per member amount. Given fluctuations in membership, going forward the committee is recommending funded organizations express their requests as a fixed monetary amount, based on their needs, rather than a per member amount. We will then calculate the cost per member accordingly. This will prevent unintended windfall amounts if membership numbers increase.

Ms. Kresivo then briefed Benchers on the Insurance fee which is recommended at \$1800 (\$900 for part time). Actuarial analysis indicates that assets are adequate, and our investment returns at 7.1% are higher than the benchmark of 6%. However, the number of insurance reports is up from 2016, as are annual payments, and additional projected future risks are putting pressure on costs. For the first time in 7 years there is a recommended increase to the insurance fee of \$50 (or 2.9%), and \$25 for part time practice, to ensure consistency and stability, and avoid potential large increases in any given year.

Second Vice-President and committee member Nancy Merrill, QC moved (seconded by committee member Craig Ferris, QC) the following motion:

Be it resolved that:

- Effective January 1, 2018, the practice fee be set at \$2,139.72, pursuant to section 23(1)(a) of the Legal Profession Act.

After calling for discussion, and hearing none, Mr. Van Ommen called for a vote. The motion was passed unanimously.

Committee member Steve McKoen moved (seconded by Ms. Merrill) the following motion:

Be it resolved that:

- Effective May 1, 2018, the training course registration fee be set at \$2,600, pursuant to Rule 2-72(4)(a).
- Effective May 1, 2018, the registration fee for repeating the training course be set at \$4,000, pursuant to Rule 2-72(4)(a).

After calling for discussion, and hearing none, Mr. Van Ommen called for a vote. The motion was passed unanimously.

Sarah Westwood moved (seconded by Tom Fellhauer) the following motion:

Be it resolved that:

- The insurance fee for 2018 pursuant to section 30(3) of the *Legal Profession Act* be set at \$1,800;
- The part-time insurance fee for 2018 pursuant to Rule 3-40(2) be set at \$900; and
- The insurance surcharge for 2018 pursuant to Rule 3-44(2) be set at \$1,000.

After calling for discussion, and hearing none, Mr. Van Ommen called for a vote. The motion was passed unanimously.

5. Law Firm Regulation Task Force: Second Interim Report

Mr. Van Ommen provided an outline of the anticipated process for implementation of the first phases of law firm regulation. Next year, law firms will be expected to register, which involves confirming a pre-populated form identifying firm lawyers and designating a firm representative. Sole practitioners may choose to register as a firm themselves, or as a space-sharing group.

After completion of the registration process, firms will be asked to do the self-assessment, which Mr. Van Ommen identified as a core process for law firm regulation. A working draft is provided in the materials, but the Task Force is seeking input from other committees, as well as other law societies across the country to try to achieve consistency of language. This tool has undergone significant change since its last iteration; now under element one of the self-assessment, only 8 questions are required. These questions will be used as an information-gathering tool only, and will help determine what help firms may need with developing policies and procedures. At this stage, there will be no expectation on firms to change behavior.

Following completion of the self-assessment tool, it will be the Law Society's task to develop model policies based on the self-assessment findings and then consult with discussion groups for feedback. Assistance will be sought from both Courthouse Libraries BC (CLBC) and Continuing Legal Education (CLE) to develop policies for different types and sizes of firms. This process may take up to a year, following which firms will again be asked to complete the self-assessment, this time in accordance with new policies.

The only mandatory aspect of the process will be the development of policies in place. It will remain up to firms to decide how best to achieve this objective, whether that be through formal written policies or oral understandings.

It is likely the process described above will not be completed until 2019. He reiterated that the components of the 8 headings of the self-assessment tool will be refined over the next year and a half; the objective at this stage is a commitment to the process. He acknowledged that concern has been expressed with the Equity component, but noted that diversity policies are already encouraged through the civil rights code and through our own Justicia project. He also noted that every other jurisdiction will include some form of equity component.

Before inviting questions, he thanked the Task Force, and particularly Policy and Legal Services staff lawyer Alison Luke, Policy and Legal Services Manager Michael Lucas and Chief Legal Officer Deb Armour for their many hours of hard work.

During discussion, the comment was made that the inclusion of an equity component was welcomed, followed by the suggestion that similar inclusion could be considered for access to justice elements such as pro bono or 'low bono' activities. Others noted that it may be appropriate to consider pro bono activities on the Annual Practice declaration, rather than in this process.

Several Benchers expressed concerns with the inclusion of sole practitioners in the process, noting that the administrative commitment was onerous, the applicability limited, and the potential for a negative effect on access to legal services a possibility. Suggestion was made to exempt sole practitioners from the process. Others encouraged the inclusion of sole practitioners, regarding the program as a valuable educational resource.

It was also suggested that the program be tested before being widely implemented, as was done in Alberta. Mr. Van Ommen noted that there has been extensive consultation with specific focus groups such as sole practitioners and small firms, who have had the opportunity to vet the proposed self-assessment tool. He also noted that the aim of the program was not to burden firms with additional administrative bureaucracy, but to raise awareness of issues and to provide resource tools.

A concern was also expressed that the development and implementation of model policies could have the unintended result of being seen as regulation, and providing a 'standard of care' that could be used against firms in negligence litigation. It was stressed that any policies created should be approved first by the Benchers. Also queried were any penalties for non-compliance.

Mr. Van Ommen noted that the request for model policies originally came from members themselves in consultation, as a means of reducing the administrative work involved. He also noted that the objective was to create a 'data base' of policies from which firms could choose those most applicable. However, to respond to this concern, he suggested a change in language from "model policies" to resources. In response to the question regarding penalties, he also noted

that this plan represents the first stage of registration; the regulatory aspects have not yet been developed.

Others noted that successful implementation of the program should include effective communication with the profession of the resources available to assist, which should also include resources for Benchers to effectively respond to questions. It was also suggested that perhaps software solutions could be explored that would provide for easier completion of forms.

A committee member addressed the concerns being expressed, noting that the committee gave extensive consideration to the balance between imposition of standards and the potential administrative burden, particularly on small firms and sole practitioners. While it remained mindful of the types of concerns being expressed here, it also acknowledged the importance of ensuring all members of our profession are informed and aware of adequate standards of care applicable to their practices, which ultimately is in the public interest, and provided the tools and resources with which to achieve those standards.

Mr. Van Ommen thanked the Benchers for their comments, and proposed to have the Task Force review the materials in light of concerns and suggestions made with the aim of returning to Benchers again at a future meeting.

6. Consideration of Strategic Plan Initiatives

Mr. Van Ommen reviewed the material outlining the various proposed strategic planning initiatives presented for Benchers' consideration. He noted that the list contained far more than could reasonably be completed in three years, and may also be missing initiatives Benchers consider a priority. The task will be to identify items that are a priority, and achievable, in the next three years. The outline is being provided today to initiate discussion and invite consideration of its prioritization. Benchers are also invited to provide any additional items to Mr. Whitcombe and Mr. Lucas before the Executive meeting in October.

Following that, we will be holding a dedicated strategic planning session in the evening of Thursday, October 26, prior to the October Bencher meeting, with the aim of providing comment and suggestions on the goals and initiatives to the Executive Committee for its consideration of priorities and the resources available. The final list will be presented to Benchers for consideration and approval at the December Bencher meeting.

Mr. Van Ommen then invited initial discussion of the proposed initiatives. A number of Benchers suggested the prioritization of mental health and wellness issues and access to justice issues. It was noted that both subjects were broad in scope and encompassed several issues. Specifically, it was noted that a review of mental health issues should include more than just

consideration of a mechanism like diversion, could include a review of our hearing processes, and is an urgent, pervasive problem that may require a dedicated task force to address. It was also suggested that access to justice include a review of our regulations through the access to justice lens, a focus on delay in our systems and an educational program aimed at educating the public on the services lawyers already provide.

Also noted was the importance of a review of the admissions program, including the availability of articling positions and the issue of unpaid articles, and the possibility of organizing the plan according to themes, such as proactive regulation, access and truth and reconciliation.

Mr. Van Ommen thanked Benchers for their contributions, and closed the discussion with a reminder to come forward with any additional ideas or priorities which will be circulated prior to the October discussions.

7. Vision Statement for Lawyers' Responsibility to Promote Access to Justice and legal services

Chair Martin Finch, QC presented to Benchers for approval the Access to Legal Services Committee's draft vision statement on lawyers' responsibility to promote access to justice and legal services, which arose in part from a Bencher discussion last November. At that time, the Committee had posed the question: do lawyers have a legal responsibility to advance access to justice and legal services? Though such a duty was not confirmed, it was agreed that the profession should hold high aspirational goals. The Committee was tasked with furthering those goals.

To that end, work has been done to try to ascertain what is currently being done by the profession to advance access to justice. The statement being offered for approval today is a general statement of what the Committee suggests as a vision for how lawyers can work to advance access to justice individually. Mr. Finch noted that a revised version of the statement in the Agenda materials has been handed out in hard copy today.

The statement itself is driven by the recognition of the need to foster a view of world and the role of lawyers in it. The Committee was fortunate to have the example of the Legal Aid Advisory Committee's strong and effective statement, and has adopted similar language. It speaks of encouragement, rather than duty, and seeks to commit to lawyers to a view of our profession and who we should aspire to be as lawyers.

Various Benchers thanked Mr. Finch and the Committee for their excellent work. The question was also raised about the distinction between duty and encouragement. Mr. Finch noted the Committee's struggle to find language that forcefully challenged lawyers but stopped short of imposing any degree of regulation. He acknowledged the tension, and noted that this language

aims to be more aspirational, in keeping with encouragement, than contractual, which is more in keeping with a duty. Another Bencher noted this statement also provided an excellent frame for discussions on law firm regulation.

Before moving the motion to approve the statement, Mr. Finch acknowledged and thanked both the Committee and staff for their hard work. He then moved that Bencher adopt the vision statement as revised, and was seconded by Ms. Merrill. The motion was passed unanimously.

REPORTS

8. Progress Update from Legal Aid Advisory Committee

Second Vice-President and Legal Aid Advisory Committee Chair Nancy Merrill, QC briefed Benchers on the progress of the committee. She noted it has partnered with the Legal Services Society and the World Bank on researching the economics of legal aid and the social cost of not funding it adequately, has worked with PLTC on revising its curriculum to include relevant issues, has reached out to law schools and the Criminal Advocacy Society, has increased its social media presence with a new Facebook page and Twitter account to raise awareness on topical issues, and has begun work on the next colloquium which will again feature Justice Cohen as chair.

Additionally, Bencher approval for the first Award for Excellence in Legal Aid will be sought in October, to be awarded at a dinner event in December.

EXECUTIVE REPORTS

9. President's Report

Mr. Van Ommen briefed the Benchers on various Law Society matters to which he has attended since the last meeting. He shared with Benchers his receipt of news that morning that past President David Crossin, QC had been appointed a judge of the Supreme Court of BC.

He also updated Benchers on the progress being made towards the first TRC symposium, the focus of which will be to explore what the Law Society can do to address the calls to action. One meaningful piece of the symposium will be a video compiling the stories of indigenous lawyers today and the discrimination they continue to experience in our courthouses. He stressed how important it is for Benchers to come hear these stories and participate in the discussions.

He also noted that Benchers will have a presentation at their next meeting on cultural competency generally, as a first step towards cultural competency training. He himself participated in the first cultural competency training session of PLTC students, and Law Society staff recently participated a blanket exercise designed to encourage awareness and empathy. He

also noted the importance of continuing to participate in exercises such as these at the Bencher table.

Reporting on Federation matters, he briefed Benchers on a recent meeting of the Federation's Truth and Reconciliation working group, noting that with Mr. Crossin's appointment to the Bench, the Law Society will need to appoint a new representative to that committee. He also reminded Benchers of the upcoming Federation Conference in Victoria in a couple of weeks, the focus of which is the review of the National Committee on Accreditation process. The results of a recent consultant's report suggest a move towards competency-based assessment; the conference will focus on this report, its recommendations and what they may mean for the Federation and law societies across the country.

As Tribunal Chair he reported that the process is underway to replenish the hearing pools. In response to our earlier calls, we have received 90 applicants for the lawyer pool, from which we will choose 8, and 77 applications for the public pool, from which we will choose 4. Given the volume of applications, we have hired a consultant to help narrow the field based on prescribed criteria. A selection committee chaired by Mr. Van Ommen will make selections based on shortlisted lawyer application material, and interview of the shortlisted public applicants. The committee's recommendations will go to the Executive Committee for approval. Following the recent tribunal hearing refresher course, he is mindful of the need to include considerations of both gender and geographical diversity.

Finally, Mr. Van Ommen reviewed upcoming events on the Bencher Calendar and, among other events, encouraged Benchers to attend the Bench and Bar dinner November 7.

10. CEO's Report

Mr. Whitcombe provided highlights of his monthly written report to the Benchers. He noted that the Annual General Meeting will take place Tuesday, October, and the confirmed date for the TRC Symposium is November 23.

He also took the opportunity to thank Ms. McPhee, current and past Law Society Controllers Andrea Langille and Aaron Griffith and all the staff in the Financial Services department for their hard work in completing the budget for 2018.